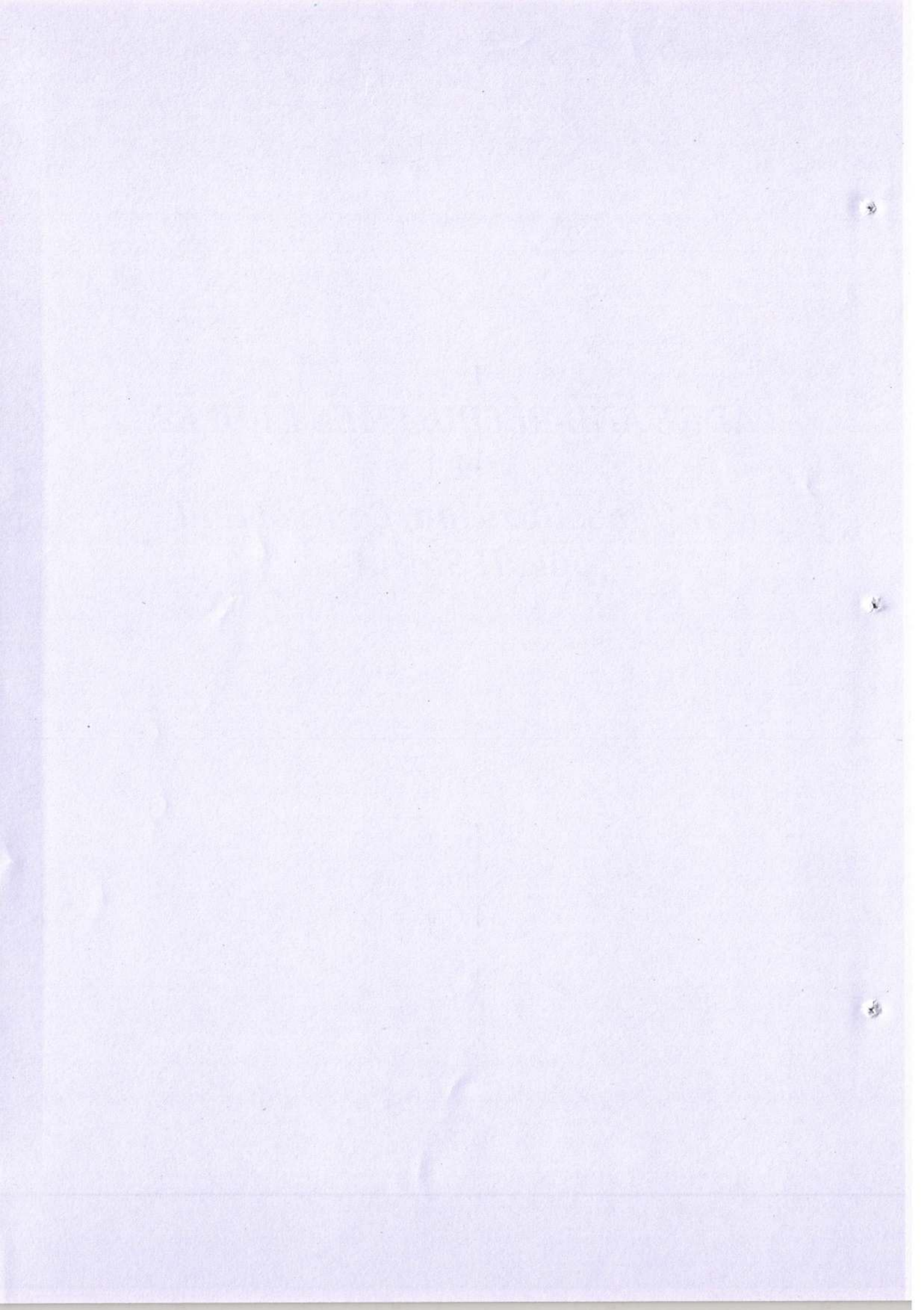


***CADRE AND RECRUITMENT RULES***  
***&***  
***CCA (Classification, Control and***  
***Appeal) Statutes***

---



## INDEX

Sl.No	Particulars	Page Nos
01.	Cadre & Recruitment Rules for Appointment to Class IV Staff of the University	01-02
02.	The Mysore University Service (Ministerial Posts) Recruitment	03-07
03.	The Mysore University Employees (General Recruitment) Statutes 1983	07-13
04.	Statutes Relating to Rules of Recruitment of Deputy Registrars/ Deputy Registrars (Evaluation) and Assistant Registrars/ Assistant Registrars (Evaluation)	15-22
05.	Discipline and Control <ul style="list-style-type: none"><li>• The Mysore University Employees Service (Conduct) Statutes-1984</li></ul>	23-66

1

## CHAPTER 12

### CADRE AND RECRUITMENT

#### \*Cadre and Recruitment Rules for Appointments to Class-IV Staff of the University

[Under Section 51 (iv) of KSU Act, 1976]

1. (a) These Statutes shall be called as the Mysore University Service (Class-IV Staff) Recruitment Statutes, 1976.
- (b) These Statutes shall come into force from the date of assent of the Chancellor to the Statutes.
2. In these Statutes unless the context otherwise requires—
  - (a) "Appointing Authority" means the authority competent to make appointments to the Class-IV Staff under the provisions of the Act.
  - (b) "Direct Recruitment" in relation to any post means appointment otherwise than by promotion or transfer from another service. From the list of candidates obtained from the Employment Exchange.
  - (c) "Promotion" means appointment of a member of the University Service from a Post or grade of service or class of service to a higher post or grade of service or class of service.
3. In respect of each category of post specified in Column (1) of the Schedule, the minimum qualification, period of probation and the method of recruitment shall be as specified in the corresponding entries in columns (3), (4) and (5).
4. Where a post is required to be filled by promotion, it shall be by selection of a person on the basis of seniority-cum-merit, that is, seniority subject to the fitness of the candidate to discharge the duties of the post from among persons eligible for promotion.
5. In the case of any appointment to be made on promotion, no one shall unless otherwise specified under these rules, be considered eligible for such appointment until one acquires the qualifications prescribed for the post in question.
6. *Disqualification for Appointment:* (i) No person shall be eligible for appointment in the University unless he is a citizen of India.  
(ii) No person who has more than one spouse living shall be eligible for appointment in the University.
7. *Age Limit:* Every candidate for appointment in the University service by direct recruitment must have attained the age of 18 years and must not have attained—
  - (i) the age of 35 years in the case of persons belonging to any of the Scheduled Castes or Scheduled Tribes or Backward Tribes ;

\*Assented to by the Chancellor on 11-1-1982 and communicated by the Government vide Letter No. ED 111 UMY 80 dated 25-1-1982; Notified by the University vide No. A5/329/76-77 dated 1-2-1982.

on the  
be speci

8.

Staff):  
Govern  
Schedul  
and pro

9.

before t

Gr

Minimu

For

ent.

Method  
on the  
section

Gr

Method

seniori

seniori

Gr

Method

seniori

Peons,

Garden

G

Minim

A

Method

51 of

2

101

(ii) 33 years in case of persons belonging to any of the backward castes or backward communities;

(iii) 30 years in the case of any other person,

on the last date fixed for the receipt of applications or such other date as may be specified by the appointing authority.

8. *Reservation of posts (in respect of Direct Recruitment vacancies under class-IV Staff):* The appointing authority shall follow the orders issued by the State Government from time to time for reservation of posts for the Scheduled Castes, the Scheduled Tribes and other Backward Classes of citizens; in respect of all direct and promotional vacancies.

9. Any rules or orders corresponding to these Statutes in force immediately before the date of commencement of these Statutes are hereby repealed.

#### SCHEDULE

##### Attender

Grade : Rs. 280-500

*Minimum Qualification prescribed*

For Direct Recruitment : A Pass in Seventh Standard Examination or equivalent.

*Method of Recruitment :* 50% by promotion of Class IV officials in lower grade on the basis of seniority-cum-efficiency; and 50% by direct recruitment under Sub-section (4) of Section 51 of the Act, through the Employment Exchange.

##### Jamedar

Grade : Rs. 280-500

*Method of Recruitment :* On transfer from the cadre of Daffedar on the basis of seniority-cum-efficiency; or by promotion of Class IV officials on the basis of seniority-cum-efficiency.

##### Daffeder

Grade : Rs. 280-500

*Method of Recruitment :* By promotion of Class IV officials on the basis of seniority-cum-efficiency.

Peons, Watchmen, Scavengers, Helpers (Sweepers), Watermen, Maid Servants, Lasker, Gardeners, and other Non-technical posts

Grade : Rs. 250-400

*Minimum Qualification prescribed*

A pass in Fourth Standard Examination or equivalent

*Method of Recruitment :* By direct recruitment under Sub-section (4) of Section 51 of the Act, through Employment Exchange.

## 12.2 \*The Mysore University Service (Ministerial posts) Recruitment

1. (a) These Statutes shall be called as the Mysore University Service (Ministerial posts) Recruitment Statutes, 1981.
- (b) These Statutes shall come into force from 26-10-1983, the date on which the Chancellor assented to the Statutes.
2. In these Statutes, unless the context otherwise requires—
  - (a) "The Act" means the Karnataka State Universities' Act, 1976 and Amendment Act of 1980.
  - (b) "University" means the University of Mysore
  - (c) "Appointing Authority" means the authority competent to make appointments to the Ministerial Posts under the provisions of the Act.
  - (d) "Direct Recruitment" in relation to any post means appointment otherwise than by promotion, transfer or deputation from another service.
  - (e) "Promotion" means appointment of a member of the University Service from a post or grade of service or class of service to a higher post or grade of service or class of service.
  - (f) "Selection" means selection in accordance with these Statutes to the direct recruitment vacancies under Ministerial Staff, under the provision of Section 51 of the Act.
3. In respect of each category of posts specified in Column (1) of the Schedule, the minimum qualification, period of probation and the method of recruitment, shall be as specified, in the corresponding entries in Columns (3), (4) and (5).
4. Where a post is required to be filled by promotion, it shall be on the basis of seniority-cum-merit, that is, seniority subject to the fitness of the candidate to discharge the duties of the post from among persons eligible for promotion.
5. In case of any appointment to be made on promotion, no one shall unless otherwise specified under these Statutes be considered eligible for such appointment until one acquires the qualifications prescribed for the post in question.
6. Disqualification for appointment: (i) No person shall be eligible for appointment in the University unless he is a citizen of India.  
(ii) No person who has more than one spouse living shall be eligible for appointment in the University.
7. Age Limit: Every candidate for appointment by Direct Recruitment must have attained the age of Eighteen years and not attained the age of—
  - (a) Thirty-five years in the case of persons belonging to any of the Scheduled Castes or Scheduled Tribes or Backward Tribes;

\*Assented to by the Chancellor on 26-10-1983 and communicated by the Government vide Letter No. ED 64 UMS 81 dated 19-11-1983; Notified by the University vide No. A5-155/79-80 dated 4-2-1984.

(b) Thirty-three years in case of persons belonging to any of the Backward Castes or Backward Communities ;

(c) Thirty years in the case of any other person,

on the last date fixed for the receipt of applications or such other date as may be specified by the appointing authorities.

8. Any Rules or orders corresponding to these Statutes in force immediately before the date of commencement of these Statutes are hereby repealed.

### SCHEDULE

#### 1. Superintendents

*Scale of Pay* Rs. 750-50-1,000-60-1,300-75-1,525

*Method of Recruitment*: By promotion from the cadre of Senior Assistants in the University on the basis of seniority-cum-merit.

#### 2. Senior Assistants

*Grade*: Rs. 600-30-750-50-1,000-60-1,240

*Minimum Qualification prescribed—*

For First Division Clerks—(i) Must have passed the Advanced Grade Departmental Examination ; (ii) Must have put in a continuous service of Five years as First Division Clerk.

For Stenographers—(i) Must have passed the Advanced Grade Departmental Examination ; (ii) For erstwhile Stenographers—Grade II and Stenographers : Must have put in a continuous service of five years.

“ Provided that if First Division Clerks/Stenographers who have put in a minimum of five years are not available in the respective cadre, persons who have put in a minimum service of three years in the respective cadres shall be considered.\*

*Method of Recruitment*: (1) By promotion only from among the First Division Clerks and Stenographers on the basis of seniority-cum-merit ; (2) The ratio for promotion between the First Division Clerks and Stenographers shall be 6:1 respectively.

#### 3. First Division Clerks

*Scale of Pay*: Rs. 460-20-500-25-600-30-750-50-1,000

*Minimum qualification prescribed—*

(a) For Direct Recruitment—Must have passed a Degree examination of any recognised University.

\* The amendment was assented to by the Chancellor and communicated by the Government vide Letter No. ED. 1 UMS 85 dated 9/13-5-1985; Notified by the University vide No. A5/195 79 80 dated 14-6-1985.

- (b) For Promotion—(i) Must have passed SSLC examination or any other examination recognised as equivalent thereto by the Government;  
(ii) Must have passed University Departmental Test (Advanced Grade)

*Period of Probation* : Two years

*Method of Recruitment* : (i) 50% by Direct Recruitment under Section 51 of the KSU Act, 1976; (ii) 50% by Promotion from among the cadre of Second Division Clerks on the basis of Seniority-cum-merit and subject to fulfilment of minimum qualifications prescribed 'For Promotion' under 2 (b) above.

#### 4. Second Division Clerks

*Scale of Pay* : Rs. 300-10-340-15-400-20-500-25-600-Extn. 20-700

*Minimum qualification prescribed—*

- (a) For Direct Recruitment—A pass in SSLC examination or any other examination recognised as equivalent thereto by the Government.  
(b) For promotion—(i) Must have passed SSLC examination or any other examination recognised as equivalent thereto by the Government;  
(ii) Must have put in a total service of not less than a period of three years in one or more cadres of Class IV/Attenders.

*Period of Probation* : Two years

*Method of Recruitment* : (i) 75% by Direct Recruitment under Section 51 of the KSU Act, 1976 and (ii) 25% by promotion from among the employees working under Class IV posts, Daffedar, Jamedar and Attenders, on seniority-cum-merit basis, subject to fulfilment of minimum qualifications prescribed for promotion under 1 (b) above.

#### 5. Stenographers

*For Direct Recruitment\**

- (a) A Pass in S.S.L.C. examination or possesses an equivalent examination;  
(b) Senior Typewriting and Senior Shorthand examination in Kannada conducted by the Department of Public Instruction or is a holder of Diploma in Secretarial Practice with Kannada Shorthand and Kannada Typewriting as Optional (elective) subjects granted by the Board of Technical Education in Karnataka or possesses an equivalent qualification.

\*Amendments to the Statutes were assented to by the Chancellor on 5-5-1986; Communicated by the Government vide Letter No. ED 17 UMS 84 dated 15-5-1986; Notified by the University vide No A5-155/79-80 dated 16-6-1986; These statutes shall be deemed to have come into force with effect from 26-10-1983. Repeal and Savings: Any Rules or Statutes relating to recruitment to the cadre of Stenographers, Typists-cum-clerks (English and Kannada) in force immediately before the commencement of these Statutes are repealed; Provided that the said repeal shall not affect the previous operation of the said Rules/Statutes of anything duly done or suffered thereunder or affect any right, liability or obligation acquired or incurred under the said Rules/Statutes.



(c) Senior Typewriting and Senior Shorthand examination in English conducted by the Department of Public Instruction or is a holder of Diploma in Secretarial Practice with English Shorthand and English Typewriting as optional (elective) subjects granted by the Board of Technical Education in Karnataka or possesses an equivalent qualification.

*Note:* If adequate number of candidates with the qualification mentioned at (b) and (c) above are not available on any occasion of recruitment, for the vacancies which remain unfilled, candidates who possess qualifications at (b) above shall be eligible for recruitment on the same occasion of recruitment.

*For Promotion*

- (a) A pass in Senior Typewriting and Senior Shorthand examination in Kannada conducted by the Department of Public Instruction or is a holder of a Diploma in Secretarial Practice with Kannada Shorthand as optional (elective) subjects granted by the Board of Technical Education in Karnataka or possesses an equivalent qualification.
- (b) A pass in Senior Typewriting and Senior Shorthand examinations in English conducted by the Department of Public Instruction or is a holder of a Diploma in Secretarial Practice with English Shorthand as optional (elective) subject granted by the Board of Technical Education in Karnataka or possesses an equivalent qualification.

*Note:* If adequate number of Typists-cum-Clerks with the qualifications mentioned at (a) and (b) above are not available on any occasion of promotion for vacancies which remain unfilled, Typists-cum-Clerks who possess the qualification at (a) above shall be eligible for promotion on the same occasion of promotion :

Provided that these rules shall not be applicable to Typists-cum-Clerks who are already in service on the date of commencement of these Statutes, for a period of three years from the date of such commencement and during the said period of three years they shall be eligible for promotion to the posts of Stenographers if they—

- (a) have passed the Senior Shorthand Examination in English or Kannada conducted by the Department of Public Instruction; or
- (b) are holders of a Diploma in Secretarial Practice with English or Kannada as optional (elective) subject granted by the Board of Technical Education in Karnataka or
- (c) possess an equivalent qualification.

6. Typists-cum-Clerks

- (a) A pass in SSLC examination or possesses an equivalent qualification; and
- (b) A pass in Senior Typewriting Examination in Kannada and English conducted by the Department of Public Instruction or possesses an equivalent qualification.

*Note* : If adequate number of candidates with both the qualifications mentioned at (b) above are not available on any occasion of recruitment for the vacancies which remain unfilled, candidates who have passed Senior Typewriting Examination in Kannada or possess an equivalent qualification shall be eligible for recruitment on the same occasion of recruitment.

### 12.3 \*The Mysore University Employees' (General Recruitment) Statutes 1983

In exercise of the powers conferred by Sub-clause (h) of Section (2) of Section 23 read with Clause (m) of Section 35 of the KSU Act, 1976 (Karnataka Act 28 of 1976), the Senate of the Mysore University hereby makes the following statutes.

1. *Title, Commencement and Application*; (1) These Statutes may be called the Mysore University Employees' (General Recruitment) Statutes, 1983.
2. They shall come into force on the date of their publication by the University.
3. (a) These Statutes shall apply to recruitment to all services and posts in the University and to the holders of posts whether temporary or permanent except to the extent otherwise expressly provided by or under any law for the time being in force.
  - (b) These Statutes shall not apply to recruitment to posts—
    - (i) to be filled by appointment of members of All India Services ;
    - (ii) to be filled by appointment of members of Karnataka State Civil Services ;
    - (iii) to be filled by casual employment;
    - (iv) in any Industrial undertaking of the University; and
    - (v) in work-charged establishments.
2. *Definitions*; (1) In these Statutes and in the Statutes of recruitment specially made in respect of any service or post, unless the context otherwise requires—
  - (a) "Appointed on probation" or "appointed on officiating basis" means appointed on trial ;
  - (b) "Bachelor's degree", "Master's Degree", "Degree", or "Doctorate" means such Degree or Doctorate granted by a University established by Law in India ;
  - (c) "Backward Tribes" means the Backward Tribes as notified by the State Government from time to time ;
  - (d) "Commission" means the Karnataka Public Service Commission ;
  - (e) "Diploma" or "Certificate" means a Diploma or Certificate granted by a University established by Law in India or by an authority authorised by the Government to grant such Diploma or Certificate ;

\* Assented to by the Chancellor on 18-8-1986 and communicated by the Government vide Letter No. ED. 4 UMS 86 dated 25/28-8-1986 ; Notified by the University vide No. A5-888 (a)/76-77 dated 26-9-1986.

- (f) "Direct recruitment" in relation to any service or post means appointment otherwise than by promotion or transfer.
- (g) "Employee" means any person appointed to any post or class of post in the University ;
- (h) "Equivalent qualification" means a qualification notified by the University to be equivalent to a qualification prescribed in respect of any post or class of post in the University ;
- (i) "Government" means the Government of Karnataka ;
- (j) "Local Candidate" means a temporary employee in the service of the University not appointed regularly as per Statutes of Recruitment to that service ;
- (k) "Promotion" means the appointment of an employee from a post or grade of service or class of service to a higher post or higher grade of service or higher class of service ;
- (l) "Selection" means selection in accordance with the provisions of the KSU Act 1976 or in accordance with these Statutes, as the case may be ;
- (m) "University" means University of Mysore ;

The provisions of the Karnataka General Clauses Act (Karnataka Act No. 3 of 1899), shall apply for the interpretation of these statutes as it applied for the interpretation of a Karnataka Act.

3. *Method of Recruitment* : Save as otherwise provided in the KSU Act, 1976 or in these Statutes or in any other Statutes specially made in this behalf, recruitment to any post shall be made by direct recruitment, which may be either by competitive examination or by selection or by promotion, which may be either by selection or on the basis of seniority-cum-merit. The methods of recruitment and qualification shall be specified in the Statutes of recruitment specially made in that behalf :

Provided that in respect of direct recruitment to any post, when the method of recruitment is not specified in the Statutes of recruitment specially made, the method of recruitment shall be by selection after an interview by the Board of Appointment or by the Appointing Authority as the case may be :

Provided that no person shall be eligible for promotion unless he has satisfactorily completed the period of probation or officiation, as the case may be, in the post held by him.

4. *Procedure of Appointment* : Save as otherwise provided by the KSU Act 1976 and subject to the provisions of these Statutes, appointment to any post shall be made—

(1) In the case of recruitment by direct recruitment—

- (a) If it be by competitive examinations, in the order of merit from the list of candidates prepared by the Commission or other examining authority ;

- (b) If it is by selection, after giving such adequate publicity to the recruitment as the Appointing Authority may determine, in the order of merit of selected candidates as determined by the Board of Appointment or the Appointing Authority, as the case may be; and
- (2) In the case of recruitment by promotion—
- (a) If it is for a post to be filled by promotion by selection, by selection of a person on the basis of merit and suitability in all respects to discharge the duties of the post with due regard to the seniority, from among persons eligible for promotion.
- (b) If it is for a post other than that referred to in sub-clause (a) by selection of a person on the basis of seniority-cum-merit, that is seniority subject to fitness of the candidates to discharge the duties of the post from among persons eligible for promotion.

5. *Authority to appoint Professors, Readers in the Under-graduate Colleges maintained by the University*: (1) The authority for the purpose of sub-section (9) of Section 49 of the KSU Act, 1976 shall be the Chancellor.

(2) Where a new subject is introduced in any Under-graduate College maintained by the University, the appointment of Professors, Readers and Lecturers in such new subjects, shall be made by direct recruitment, in accordance with the procedure specified in Section 49 of the KSU Act, 1976 or by appointment of such persons as the Chancellor considers suitable on contract basis for a maximum period not exceeding two years.

6. *Temporary Appointments*: (1) Temporary appointments under Section 51B of the KSU Act, 1976 for the post of Lecturers and for any non-teaching post, the maximum of the scale of pay of which does not exceed Rupees One thousand five hundred and ninety-nine, may be made by the Vice-Chancellor on contract basis.

(2) Such appointments shall be made after obtaining a list of candidates from the Local Employment Exchange. If no list is received within the time stipulated by the Vice-Chancellor or if none of the candidates in the list received is found suitable, the Vice-Chancellor may appoint such persons as he considers suitable.

7. *Disqualification for Appointment*: (1) No person shall be eligible for appointment to a post in the University unless he is—

- (a) a citizen of India ; or
- (b) a subject of Nepal ; or
- (c) a subject of Bhutan ; or
- (d) a Tibetan refugee who came over to India before the 1st January 1982 with the intention of permanently settling in India ; or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka and the East African countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India.

Provided that a person belonging to category (b), (c), (d) or (e) shall not be appointed unless he produces a certificate of eligibility issued by the Deputy Commissioner/District Magistrate of the district in the State in whose jurisdiction the applicant ordinarily resides:

Provided further that a person belonging to category (b), (c), (d) or (e) may be admitted without such certificate to an examination or interview conducted by the Commission or other recruiting authority.

(2) No man who has more than one wife living and no woman who has married a man already having another wife shall be eligible for appointment:

Provided that the Chancellor may, if satisfied that there are special grounds for doing so, exempt any person from the operation of this clause.

(3) No person who attempts to obtain extraneous support by any means for his candidature from officials or non-officials shall be eligible for appointment to any post in the University.

(4) No applicant for appointment to a post in the University shall be eligible for appointment if he is, at the time of his application, in permanent or temporary employment in any Government or Local Authority unless he has made the application through his official superior:

Provided that this clause shall not be applicable to a person employed in any Government as a local candidate as long as he is treated as such.

(5) No person shall be eligible for appointment to a post in the University if he or she—

- (a) is or has been a member of or has associated himself or herself, with anybody or association after such body or association is declared as an unlawful body or association; or
- (b) has participated in, or is associated with, any activity or programme—
  - (i) aimed at subversion of the Constitution of India;
  - (ii) aimed at organised breach or defiance of law involving violence;
  - (iii) which is prejudicial to the interests of the sovereignty and integrity of India or the security of the State; or
  - (iv) which promotes—on grounds of religion, race, languages, caste or community—feelings of enmity or hatred between different sections of the people; or
- (c) is dismissed from service under the Government of India or any State Government; or
- (d) is or has been permanently debarred or disqualified by the Union or any State Public Service Commission from appearing for any examinations or selections conducted by it.

(6) No person who is or has been convicted on an offence involving moral turpitude or who is or has been temporarily debarred or disqualified by the Union or any

State Public Service Commission from appearing for examination or selections conducted by it shall ordinarily be appointed to a post in the University, unless the Chancellor, after a review of all the circumstances, considers him suitable for such appointment.

8. *Age Limit for Appointment* : (1) Save as otherwise provided in the Statute of recruitment specially made and applicable to any post, every candidate for appointment by direct recruitment must have attained the age of eighteen years and not attained the age of—

- (a) thirty-five years in the case of a person belonging to any of the Scheduled Castes or Scheduled Tribes and thirty-three years in the case of a person belonging to any of the Backward classes ; and
- (b) thirty years in the case of any other person,

on the last date fixed for the receipt of applications or on such other date as may be specified by the appointing authority.

(2) Where a maximum age limit other than the limit specified in Clause (1) is fixed for recruitment to any post, then unless the Statute of recruitment provide for enhanced age limit in the case of a candidate belonging to any Scheduled Castes or Scheduled Tribes or Backward Tribes, the maximum age limit shall be deemed to have been enhanced by five years in respect of such candidate.

(3) Notwithstanding anything contained in Clause (1), the maximum age limit for appointment shall be deemed to be enhanced in the following cases to the extent mentioned, namely—

- (a) in the case of a candidate who is or was holding a post under the State Government or a local authority or a Corporation owned or controlled by the Government, by the number of years during which he is or was holding such post or five years whichever is less ;
- (b) in the case of a candidate who is an ex-serviceman, by the number of years of service rendered by him in the Armed Forces of the Union.
- (c) in the case of a candidate who has been released from the National Cadet Corps after service as wholetime Cadet Instructor, by the number of years of service rendered by him as such Cadet Instructor ;
- (d) in the case of a candidate who is physically handicapped, by ten years ;
- (e) in the case of a candidate who is a widow, by ten years.

#### *Explanation*

For the purpose of Clause (d), a physically-handicapped candidate is one—

- (a) who suffers from—
  - (i) total absence of sight, or
  - (ii) visual acuity not exceeding 3/60 or 10/200 (snellen) in the better eye with correcting lenses, or

- (b) in whom the sense of hearing is fully non-functional for the ordinary purpose of life ; or
- (c) who has physical defect or deformity which causes adequate interference and significantly impedes normal functioning of the bones, muscles and joints.

9. *Promotion after date of Compulsory Retirement* : No employee who is retained in service after the date of compulsory retirement or superannuation shall be promoted to another post.

10. *Conditions relating to suitability and Certificates of Character* : No person shall be appointed to any service or post unless the Appointing Authority is satisfied that he is of good character and is in all respects suitable for appointment to any post in the University. Every candidate selected for direct recruitment shall furnish to the Appointing Authority certificates given not more than six months prior to the date of his selection, by two respectable persons unconnected with his College or University, and not related to him testifying to his character, in addition to the certificate or certificates which may be required to be furnished from the educational institution last attended by the candidate. If any doubt arises regarding the suitability of a candidate for appointment to any post in the University, the decision of the Appointing Authority shall be final.

11. *Conditions relating to Physical Fitness* : (1) No candidate selected for appointment in accordance with the provisions of Clause (1) of Statute 4 shall be appointed to any post in the University, unless he satisfies the Appointing Authority that he is physically fit to discharge the duties that he may be called upon to perform. The Chancellor may by order prescribe the physical standards required to be satisfied by a person for appointment to any post and specify the medical authority which may grant the certificate of physical fitness and provide for such other incidental matters as may be necessary. The opinion of the Medical Authority, regarding the physical fitness or otherwise of the candidate shall be binding on the candidate.

(2) The Chancellor may, in any case, for good and sufficient reasons, dispense with the production of the certificate under Clause (1).

12. *Fees* : Every candidate for direct recruitment to any post in the University may be required to pay such fees, if any, as may be prescribed by the Chancellor:

Provided that in the case of a candidate belonging to a Scheduled Caste or a Scheduled Tribe or a Backward Tribe or any other class of persons that may be specified by the Government from time to time for grant of fee concession, the fees payable shall be one fourth of the fees prescribed under the Statute.

13. *Joining time for Appointment* : (1) A candidate appointed by direct recruitment shall assume charge of the post specified by the Appointing Authority as soon as possible after the date of the order of appointment, but not later than thirty days from that date.

- (e) A person shall not be considered to have satisfactorily completed the period of officiation, unless a specific order to that effect is passed. Any delay in the issue of an order, under Sub-clause (c) or sub-clause (d) of this clause, shall not entitle the person to be deemed to have satisfactorily completed the period of officiation.
- (f) A person who has been declared to have satisfactorily completed his officiation under sub-clause (c) shall be confirmed as a full member of the service in the class or category for which he was promoted at the earliest opportunity in any substantive vacancy which may exist or arise in the permanent cadre of such class or category.

Provided that where the appointment is made by promotion to a temporary post, the person concerned shall be continued on an officiating basis in the temporary post.

(3) Notwithstanding anything contained in these Statutes or in Mysore University Employees' (Probation) Statutes 1983, no person whose period of probation or officiation has been either waived or reduced, as the case may be, shall be eligible for confirmation till the expiry of the period of officiation or probation as the case may be, but for such waiver or reduction.

15. *Misconduct*: A candidate found guilty of impersonation or of submitting fabricated documents or documents which have been tampered with or of making statements which are incorrect or false or of suppressing material information or of using or attempting to use unfair means in an examination conducted for purpose of recruitment or otherwise resorting to any other irregular or improper means in connection with his recruitment may, in addition to rendering himself liable to a criminal prosecution and to disciplinary action, be debarred either permanently or for a specified period—

- (a) by the Commission or other recruiting or examining authority from admission to any examination or appearing for any interview for selection of candidates ; and
- (b) by the Chancellor from employment under the University ;

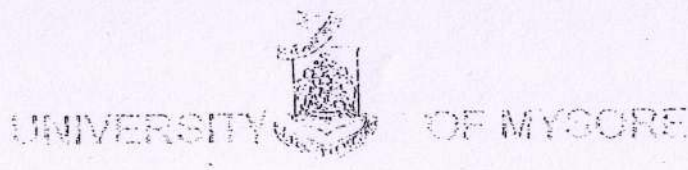
16. *Repeal*: Any Rules corresponding to these Statutes including the rules of recruitment governing the Mysore University Staff (Appointment) Rules 1964 which were in force immediately before the commencement of these statutes and applicable to employees to whom these apply, are hereby repealed.

Provided that any order made or action taken under the Rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these Statutes.



ಬಿಎಚ್‌ಎ - 6

14



Viswavidyalaya Karya Soudha,  
"Crawford Hall", Mysore-570 005  
Dated: 07-05-2012

FFS/532/1991-92

NOTIFICATION

Sub: Assent of the Chancellor for the draft Statutes relating to amendment to C & R Rules pertaining to the posts of Deputy Registrars / Deputy Registrars (Evaluation), Assistant Registrars / Assistant Registrars (Evaluation).

Ref: (1) This Office Notification of even number dtd 26-03-2012  
(2) Letter No. ED 01 UMS 2010, dated 04-05-2012 from the Principal Secretary, Education Department (Higher), Government of Karnataka, Bangalore.

\*\*\*\*\*

In this Office Notification cited under reference (1) pending assent of the Hon'ble Chancellor, the above said draft Statute were notified.

The Principal Secretary to Government, Education Department, Government of Karnataka in his letter cited under reference (2) above has communicated that the Chancellor, under Section 41 (6) of the Karnataka State Universities Act 2000 has given his assent for the above said draft Statute. Assented Statutes are here by notified. (vide Annexure-A).

BY ORDER  
*[Signature]*  
REGISTRAR

To:

1. The Principal Secretary to Hon'ble Chancellor, Raj Bhavan, Bangalore
2. The Principal Secretary, Education Department (Higher Education), Govt. of Karnataka, Bangalore.
3. The Registrar (Evaluation), University of Mysore, Mysore
4. The Finance Officer / Govt. Auditor, University of Mysore, Mysore
5. The Administrative Officer, Manasagangotri, Mysore
6. The Deputy Registrar / Deputy Registrar (Evaluation), University of Mysore, Mysore
7. The Assistant Registrar / Assistant Registrar (Evaluation), University of Mysore, Mysore
8. The Private Secretary to Vice-Chancellor, University of Mysore, Mysore
9. The PA to Vice-Chancellor / Registrar / Registrar (Evaluation) / Finance Officer, University of Mysore, Mysore

*[Faint, illegible text, likely bleed-through from the reverse side of the page]*



Ref. No. ED 01 UMS 2010, dated 04-05-2012 from the Principal Secretary, Education Department (Higher), Government of Karnataka, Bangalore  
University Notification No: ETS/532/1991-92, dated 07-05-2012

**STATUTES RELATING TO RULES OF RECRUITMENT OF  
DEPUTY REGISTRARS / DEPUTY REGISTRARS (EVALUATION) AND  
ASSISTANT REGISTRARS / ASSISTANT REGISTRARS (EVALUATION)**

(framed Under Section 29(2)(t) and 41(1)(2) of KSU Act 2000)

Preamble:

In the University of Mysore the number of Second Division Clerks and First Division Clerks at the base level is more and there are only 08 posts of Deputy Registrars and 10 posts of Assistant Registrars. Out of these 08 posts of Deputy Registrars 50% are filled up by teachers working in the University on deputation basis and the remaining 50% are filled from among Assistant Registrars on the basis of selection as per the existing statutes of the University of Mysore. Among 10 posts of Assistant Registrars 25% are filled by teachers working in University on deputation basis and 75% are filled up by promotion of Superintendent on seniority cum reservation basis.

Since the posts at higher cadre are very few, the opportunities for promotion to non-teaching staff from lower level to the higher cadre are very remote. On the contrary, it is learnt that the post of Deputy Registrars and Assistant Registrars in other Universities are filled by promotion from among non-teaching staff of respective lower cadres.

Therefore the Non-Teaching Staff Association of our University has urged to consider only Non-Teaching Staff for promotion to the Cadre of Deputy Registrars / Deputy Registrars (Evaluation) and Assistant Registrars / Assistant Registrars (Evaluation), as existing in other Universities in the State.

<p>(iii) Persons coming from the Teaching Cadre against the posts of Deputy Registrars / Deputy Registrars (Evaluation) shall be appointed on tenure basis for a period of not exceeding three years.</p>	<p>(iii) Persons deputed from the Teaching Cadre against the posts of Deputy Registrars / Deputy Registrars (Evaluation) shall draw the salary prescribed for the post and the deputation allowance as per rules and not the UGC scale of pay and shall be on tenure basis for a period of not exceeding three years.</p>	<p>(iii) Persons deputed from the Teaching Cadre against the posts of Deputy Registrars / Deputy Registrars (Evaluation) shall draw the salary prescribed for the post and the deputation allowance as per rules and not the UGC scale of pay and shall be on tenure basis for a period of not exceeding three years.</p>
<p>(iv) Following shall be the Rules of Recruitment Governing the Appointments to the posts of Deputy Registrars and Deputy Registrars (Evaluation) and Assistant Registrars and Assistant Registrars (Evaluation), University of Mysore, Mysore.</p> <p><b>DEPUTY REGISTRARS / DEPUTY REGISTRARS (EVALUATION):</b> Grade: Rs. 18150-26925.</p> <p><b>3. Qualifications:</b> (i) Master's Degree relaxable to Bachelor's Degree in case of In-service persons coming from ministerial cadre.</p>	<p>(iv) No Change</p> <p><b>DEPUTY REGISTRAR / DEPUTY REGISTRAR (EVALUATION):</b> Grade Rs. 18150-26925.</p> <p><b>3. Qualifications:</b> - deleted -</p>	<p>(iv) Following shall be the Rules of Recruitment Governing the Appointments to the posts of Deputy Registrar and Deputy Registrar (Evaluation) and Assistant Registrar and Assistant Registrar (Evaluation), University of Mysore, Mysore.</p> <p><b>DEPUTY REGISTRAR / DEPUTY REGISTRAR (EVALUATION):</b> Grade Rs. 18150-26925.</p> <p><b>6. Qualifications:</b> - - -</p>

the  
posts c  
draw  
post  
ce as p  
of p  
ars.

<p>(ii) Candidates coming from the category of teachers should possess at least 10 years of teaching experience in the University of Mysore (University and affiliated colleges are included for this purpose).</p> <p>(iii) Candidates coming from non-teaching cadre should possess total administrative experience of at least 5 years in the University of Mysore, out of which they shall possess at least 2 years of experience as Assistant Registrars / Assistant Registrars (Evaluation).</p> <p>Period of Probation: Nil</p>	<p>(i) Candidates coming from the category of Teachers should possess at least 08 years of Teaching Experience either in the post-graduate departments or in Constituent Colleges of the University of Mysore</p> <p>(ii) Candidates coming from non-teaching cadre should possess total administrative experience of at least 05 years in the University of Mysore, out of which they shall possess at least 2 years of experience as Assistant Registrar / Assistant Registrar (Evaluation).</p>	<p>(i) Candidates coming from the category of Teachers should possess at least 08 years of Teaching Experience either in the post-graduate departments or in Constituent Colleges of the University of Mysore</p> <p>(ii) Candidates coming from non-teaching cadre should possess total administrative experience of at least 05 years in the University of Mysore, out of which they shall possess at least 2 years of experience as Assistant Registrar / Assistant Registrar (Evaluation).</p>
<p><u>Method of Recruitment:</u></p> <p>(i) 50% of posts shall be filled up by deputation from among University Teachers of the Cadre of Readers and those Lecturers drawing the pay more than the minimum of the scale of the Post and</p>	<p><u>3(a) Method of Recruitment:</u></p> <p>(i) 25% of posts of Deputy Registrar (Evaluation) shall be filled up by deputation from among Teachers possessing at least 08 years of Teaching Experience either in the Post-graduate Departments or in Constituent Colleges of the University of Mysore.</p>	<p><u>3(a) Method of Recruitment:</u></p> <p>(i) 25% of posts of Deputy Registrar / Deputy Registrar (Evaluation) shall be filled up by deputation from among Teachers possessing at least 08 years of Teaching Experience either in the Post-graduate Departments or in Constituent Colleges of the University of Mysore.</p>

<p>(ii) 50% of posts of shall be filled up by promotion by selection from among the Assistant Registrars / Assistant Registrars (Evaluation) through the Board of Appointments Under Section 50 of KSU Act 1976 without reference to their Seniority.</p>	<p>(ii) 75% of posts of shall be filled up by promotion from among the Assistant Registrars / Assistant Registrars (Evaluation) through selection by the Board of Appointments Under Section 57 of KSU Act 2000, on the basis of Seniority-cum-Merit duly following the roster system prescribed by the Govt. of Karnataka from time to time.</p>	<p>(ii) 75% of posts of shall be filled up by promotion from among the Assistant Registrars / Assistant Registrars (Evaluation) through selection by the Board of Appointments Under Section 57 of KSU Act 2000, on the basis of Seniority-cum-Merit duly following the roster system prescribed by the Govt. of Karnataka from time to time.</p>
---	---	---

20

<p>ASSISTANT REGISTRARS / ASSISTANT REGISTRARS (EVALUATION): Grade: Rs. 14050-25050.</p> <p>3. Qualifications: (i) Master's Degree</p> <p>Period of Probation: Nil</p> <p>3(a) Method of Recruitment: (i) 75% of posts shall be filled up by promotion on the basis of seniority-cum-merit from among the Superintendents working in the University of Mysore who have served for at least 2 years as Superintendents. (ii) 25% of posts by selection from among the teaching staff of the University of Mysore (Affiliated Colleges are included for this purpose) who have not less than 5 years of teaching experience in the University.</p> <p>Note: The filling up of vacancies of Deputy Registrars / Deputy Registrars (Evaluation) and Assistant Registrars / Assistant Registrars (Evaluation) shall be in the following order:</p>	<p>ASSISTANT REGISTRAR / ASSISTANT REGISTRAR (EVALUATION): Grade Rs. 14050-25050.</p> <p>3. Qualifications: - deleted - - no change -</p> <p>3(a) Method of Recruitment: (i) All the posts of Assistant Registrars / Assistant Registrars (Evaluation) shall be filled up by Promotion on the basis of Seniority from among the Superintendents working in the University of Mysore who have served for at least two years as Superintendents.</p> <p>Note: The filling up of vacancies of Deputy Registrars / Deputy Registrars (Evaluation) shall be in the following order:</p>	<p>ASSISTANT REGISTRAR / ASSISTANT REGISTRAR (EVALUATION): Grade Rs. 14050-25050.</p> <p>3. Qualifications: - -</p> <p>Period of Probation: Nil</p> <p>3(a) Method of Recruitment: (i) All the posts of Assistant Registrars / Assistant Registrars (Evaluation) shall be filled up by Promotion on the basis of Seniority from among the Superintendents working in the University of Mysore who have served for at least two years as Superintendents.</p> <p>Note: The filling up of vacancies of Deputy Registrars / Deputy Registrars (Evaluation) shall be in the following order:</p>
---	--	--

be filled  
ng the  
ant  
sh

<p><b>(i) Assistant Registrars / Assistant Registrars (Evaluation):</b></p> <ol style="list-style-type: none"> <li>1. First Vacancy:- Promotion by Selection from among the Superintendents.</li> <li>2. Second Vacancy:- Promotion by Selection from among the Superintendents.</li> <li>3. Third Vacancy:- Promotion by Selection from among the Superintendents.</li> <li>4. Fourth Vacancy:- By Selection from among teachers of the Mysore University on tenure basis.</li> </ol>	<p>-- deleted --</p>	<p><b>(ii) Deputy Registrars / Deputy Registrars (Evaluation):</b></p> <ol style="list-style-type: none"> <li>1. First Vacancy:- By Deputation.</li> <li>2. Second Vacancy:- Promotion by Selection.</li> <li>3. Third Vacancy:- Promotion by Selection.</li> <li>4. Fourth Vacancy:- Promotion by Selection.</li> </ol>
--	----------------------	--

REGISTRAR  
 REGISTRAR  
 University of Mysore,  
 MYSORE.

*[Handwritten signature]*



## CHAPTER 19

## DISCIPLINE AND CONTROL

**\*The Mysore University Employees' Service (Conduct) Statutes-1984**

In exercise of the powers conferred by Sub-Clause (h) of Clause (2) of Section 23 read with Clause (m) of Section 35 of the KSU Act 1976 (Karnataka Act 20 of 1976), the Senate of the Mysore University hereby makes the following Statutes, namely :

1. **Title, Commencement and Application :** (1) These Statutes be called "the Mysore University Employees' Service (Conduct) Statutes 1984."

(2) They shall come into force on the date of their publication in the Official Gazette.

(3) They shall apply to all persons appointed to serve in connection with the affairs of the University of Mysore.

Provided that nothing in these Statutes shall apply to—

- (a) a member of the All India Service
- (b) a State or Central Government Servant who is appointed on deputation.

2. **Definitions :** In these Statutes, unless the context otherwise requires,

(a) "Employee" means any person appointed to any Class of post in 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 order of the competent Court or in accordance with personal law ;
- (ii) son or daughter or step-son or step-daughter or parents of the employee and wholly dependent on the employee, but does not include a child or step-child, who is no longer in any way dependent on the employee, or whose custody the employee, has been deprived by or under any law ; and
- (iii) any person related by blood or marriage to the employee or to his/her spouse and wholly dependent upon such employee.

\* Assented to by the Chancellor on 18-8-1986 and communicated by the Government vide Letter No. ED. 4 UMS 86 dated 25/28-8-1986 ; Notified by the University vide No. A5-888(a)/76-77 dated 26-9-1986.

251 2.4

(c) 'Prescribed Authority' means the Chancellor or the Vice-Chancellor or any other authority as may be specified by the Chancellor, by order made in this behalf.

3. General : (1) Every employee shall at all times take reasonable steps to ensure and protect the interest of the University and discharge his duties with utmost integrity, honesty, and diligence and do nothing which is unbecoming of an employee of the University.

(2) (i) Every employee holding a supervisory post shall take all reasonable steps to ensure diligent performance of duties by his subordinates and if practicable, issue directions in writing and where it is not practicable to issue such directions, issue written confirmation of the directions as soon thereafter as possible.

(ii) Every employee shall in the performance of his official duties, act in his best judgement, except when he is acting under lawful direction of his official superior and shall when he is acting under such direction of his superior officer obtain direction in writing where practicable and where not practicable to obtain direction in writing, he shall obtain written confirmation of the direction soon thereafter as possible.

#### *Explanation*

(1) Nothing in Sub-Clause (ii) of Clause 2 shall be construed as to enable an employee to evade his responsibilities by seeking instruction from or approval of the superior officers or authority, when such instruction or approval is not necessary by virtue of any power vested in him.

(2) An employee is said to hold a supervisory post if by reason of his office, he is empowered to issue instructions or directions to other employees under his control.

4. Employment of near-relatives in Private Undertakings : (1) No employee shall use his position or influence directly or indirectly to secure any employment for any member of his family in any private undertaking having dealings with the University.

(2) No employee shall in the discharge of his official duties deal with any matter or give sanction to any contract if he or any member of his family is interested in such matter or contract, without obtaining the orders of the Syndicate.

5. Taking part in Politics and Elections : No employee of the University shall—

(i) be a member of any political party nor shall take any active part in any political movement or activity.

(ii) contest any election or be a member of the House of State Legislature and House of Parliament or any Local authority :

Provided that the restriction in Clause (ii) shall not apply to any nomination made under law.

6. **Joining of Association by an Employee of the University :** No employee shall join or continue to be a member of Association, the objects or activities of which are prejudicial to the interest of the sovereignty and integrity of India or Public Order or morality.

7. **Demonstration and Strikes :** No employee of the University shall engage himself or participate in any demonstration, which is prejudicial to the interest of the sovereignty and integrity of India, the security of the State or friendly relations with foreign States, Public Order, decency or morality, or which involves contempt of Court, defamation or incitement to an offence, or resort to strike.

*Explanation*

For the purpose of this Statute, 'Strike' means a cessation of work (including any unauthorised absence from duty) by a body of University employees acting in combination or any concerted refusal under a common understanding of any number of University employees to work.

8. **Connection with Press or Public Media :** No employee shall, except with the previous sanction of the Syndicate—

- (i) own wholly or in part or conduct or participate in the editing or management of any newspaper or other periodical publication, or
- (ii) except in the bonafide discharge of his duties, publish any matter himself or through publishers, participate in radio or television broadcast or contribute an article or write a letter to the Newspaper or periodical either in his own name or anonymously or pseudonymously :

Provided no sanction shall be required if such publication or contribution or writing is of a purely literary, artistic, scientific, academic, cultural, religious or social character.

9. **Criticism of University/Government :** No employee shall, in any public utterances, make any statement which has the effect of an adverse criticism of any current or recent policy or action of the University or Government of Karnataka or Central Government, unless the expression of his view is for safeguarding or securing an improvement of the conditions of service of the University employee.

10. **Unauthorised Communication of Information :** Except in accordance with the general or special orders of the Chancellor or the Vice-Chancellor, no employee shall, in the performance of the duties assigned to him, communicate directly or indirectly any official document or part thereof or information to any other employee or any other person, to whom it is not intended.

11. **Subscription :** No employee shall, except with the previous sanction of the Vice-Chancellor, ask for or accept contributions to, or otherwise associate himself with the rising of any funds or other collections in cash or in kind in pursuance of any object whatsoever.

12. Gifts: No employee shall directly or indirectly accept any gift or illegal gratification in connection with the discharge of his duties.

*Explanation*

The term 'gift' shall include free transport, free boarding or lodging or any other pecuniary advantage when provided by any person, other than a near relative or personal friend having no official dealings with the University, but does not include a casual meal, lift or other social hospitality.

13. Private trade or employment: (1) No employee shall, except with the previous sanction of the Chancellor or such authority or authorities as he may specify, engage directly or indirectly in any trade or business or undertake any other employment, except honorary work of a social, charitable, literary, artistic, cultural or of scientific character, subject to the condition that his official duties do not thereby suffer. He shall however discontinue such work, if so directed by the sanctioning authority, on the ground that such work interferes with due discharge of his official duties. He shall not also undertake work involving holding of elective office nor seek election of such office, without the previous sanction of the authority mentioned above.

*Explanation*

Canvassing by an employee for a candidate for such elective Office or in support of business or Insurance or Commission Agency, owned or managed by any member of employee's family shall be deemed to be a violation of this statute.

(2) No employee shall, without the previous sanction of the Chancellor or such authority or authorities prescribed by him, 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 or in Co-operative Society for commercial purpose, except in any of the Co-operative Society functioning for the benefit of the employees and is registered or deemed to be registered under the Karnataka Co-operative Societies' Act 1959 or a Literary, Scientific, Charitable, Academic and Cultural Society.

(3) No employee shall, accept any fee for any work done by him for any public body or any private person, without the general or special sanction of the Chancellor.

14. Proper use of amenities: No employee shall misuse or carelessly use the amenities provided for him by the University to facilitate the discharge of his official duties.

15. Use of service without payment: No employee shall, without making proper and adequate payment, avail himself of any service or entertainment, for which a hire or price or admission fee is charged.

16. Investment, lending and borrowing: (1) No employee shall speculate in any stock or share.

*Explanation*

Frequent purchase or sale or both, of shares or securities shall be deemed to be speculation within the meaning of this Statute.

(2) No employee shall, make or permit 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) No employee shall, except with the previous sanction of the Vice-Chancellor or such authority as he may specify, and save in the ordinary course of business with a Bank or a firm of standing, duly authorised to conduct banking business, either himself or through any member of his family or any other person acting on his behalf—

- (a) lend or borrow money, as principal or Agent, to or from any person, with whom he has or is likely to have official dealings, or otherwise place himself under any pecuniary obligations to such person, or
- (b) lend money to any person at interest or in a manner whereby any 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 free of interest, or operate a credit account with a bonafide tradesman or make an advance of pay to his private employee.

17. Insolvency and habitual indebtedness: An employee shall so manage his private affairs as to avoid habitual indebtedness or insolvency. An employee against whom a 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 Vice-Chancellor, unless they are due to unforeseen circumstances.

18. Moveable, immoveable and valuable property: (1) Every employee shall on his first appointment to any service or post and thereafter at the interval of every *twelve* months, shall submit returns of his assets and liabilities and of all members of his family in such form as may be prescribed by the Vice-chancellor giving the full particulars regarding—

- (a) Immoveable property inherited by him or any member of his family or owned or acquired by him or any member of his family on lease or mortgage, either in his own name or in the name of any member of his family or any other person ;
- (b) Shares, debentures and cash including Bank deposits inherited by him or any member of his family or similarly owned, acquired or held by him or any member of his family ;

- (c) Other moveables worth more than Rupees One thousand inherited by him or by any member of his family or similarly owned, acquired or held by him or by any other member of his family ;
- (d) Debts or other liabilities incurred by him or any member of his family directly or indirectly.

*Note :* Every employee, who is in service on the date of commencement of these Statutes, shall submit a return under this Statute on or before such date, as may be specified by the Chancellor, after such commencement.

*Explanation*

The value of articles of daily use such as clothes, utensils, crockery, furniture or books need not be included in such return.

(2) No employee or any member of his family shall, except with the previous knowledge of the Chancellor or any other authority specified by him, acquire or dispose off any immoveable 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 Chancellor or authority specified by him shall be obtained by the employee, if any transaction is—

- (i) with a person having official dealings with the employee, or
- (ii) otherwise than through a regular reputed dealer.

(3) Every employee shall report to the Chancellor or the authority specified by him, every transaction concerning immoveable property owned or held by him or any member of his family, either in his own name or in the name of a member of his family, if the value of such property exceeds Rupees One thousand in the case of an employee holding Class I or Class II post or Rupees Five hundred in the case of an employee holding any Class III or Class IV posts .

Provided that the previous sanction of the Chancellor or authority specified by him shall be obtained if such transaction is—

- (i) with the person having official dealings with the employee ; or
- (ii) otherwise than through a regular or reputed dealer.

(4) Every employee shall report to the Chancellor or the authority specified by him, every transaction concerning cash received by him or by any member of his family from sources other than his salary and allowances, Insurance or Provident Fund, if such cash exceeds Rupees One thousand in the case of an employee holding Class I or Class II post or Rupees Five hundred in the case of an employee holding any Class III or Class IV post.

(5) The Chancellor or the authority specified by him may, at any time by general or a special order, require an employee to furnish, within a specified period,

and complete statement of such moveable or immoveable property held or acquired by him in his own name or in the name of any member of his family, mentioning the source of income, from which such a property was acquired.

*Explanation*

For the purposes of this Statute—

- (i) 'Lease' means lease of immoveable property from year to year or for any term exceeding one year ;
- (ii) 'Moveable Property' includes—
  - (a) Jewellery, Insurance Policies, Provident Fund, Shares, Securities and Debentures ;
  - (b) Loan advanced by such employee whether secured or not ;
  - (c) Motor Cars, Motor-cycles or any other means of motorised conveyance : and
  - (d) Refrigerator, Radio, Radiogram, Television Sets, Tape Recorders, Calculators and Transistors.

19. **Vindication of acts and character of the University Employees :** No employee shall have recourse to any Court or to the press for vindication of any official act which has been the subject matter of adverse criticism or an attack of a defamatory character, without reporting the matter to the Chancellor, or such authority as he may specify.

20. **Canvassing of non-official or other influence :** No employee shall bring or attempt to bring any political or other influences to bear upon any superior authority to further his interest, in respect of matters pertaining to his service under the University.

21. **Personal representations of Employees :** Any representation by an employee shall only be made through proper channel, whenever addressed to the Chancellor. An advance copy of it may however be submitted to the Chancellor

22. **Consumption of Intoxicating Drinks and Drugs :** An employee of the University shall strictly abide by any law relating to intoxicating drinks or drugs in force in any area, in which he may happen to be for the time being.

23. A breach of any of the provisions of these Statutes shall amount to a misconduct for the purpose of CCA Rules.

24. **Interpretation :** If any questions arise as to the application of any of these Statutes it shall be referred to the Chancellor for his decision.

25. **Repeal and Savings :** Any Rules corresponding to these Statutes in force immediately before the commencement of these statutes and applicable to employees to whom these apply are hereby repealed,

Provided that any order made or action taken under the Rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these Statutes.

## 19.2 The Mysore University Service (Confidential Reports) Statutes 1985

In exercise of the powers conferred by Clause (h) of Sub-Section (2) of Section 23 read with Clause (m) of Section 35 of the KSU Act, 1976 (Karnataka Act 28 of 1976), the Senate of the Mysore University hereby makes the following Statutes, namely:

1. **Title, Commencement and Application** (1) These Statutes may be called "The Mysore University Service (Confidential Report) Statutes, 1985".

(2) They shall come into force from the date on which the Chancellor approves it.

(3) These statutes shall apply to all the employees of the University, namely Teachers, Non-Teaching Staff and Non-Ministrial Staff working against substantive posts.

2. **Definitions**: In these Statutes, unless the context otherwise requires—

(1) 'Vice-Chancellor' means the Vice-Chancellor of the University of Mysore;

(2) 'Form' means a Form appended to these Statutes;

(3) 'Teachers' means persons appointed for the purpose of imparting instruction in the University College/Institution and Post-graduate Departments maintained by the University;

(4) 'Non-Teaching Staff' means an official of the Mysore University service other than teaching staff, including Non-Ministrial staff;

(5) 'Year' means the period of 12 months commencing from 1st April of each year.

3. **Annual Confidential Reports**: (1) In respect of every Teaching and Non-Teaching official an Annual Confidential Report shall be recorded assessing as correctly as possible such official's physical, mental and moral suitability for his office and for promotion, his ability to apply intelligently the law and procedure prescribed to cases coming before him, his treatment of his subordinates and behaviour towards his superiors.

(2) An officer preparing a confidential report shall record all relevant observations and opinions which he might have formed, which shall be a frank and full appraisal of the official's merits and demerits giving as far as possible specific instances or reasons for the particular opinions he has expressed. A report shall be prepared with the greatest caution and no record or remarks shall be made lightly on the spur of the moment or based on prejudice.

4. **Proforma Report**: The Confidential Report for every year in respect of Teaching Staff shall be recorded in form 'A' and of a Non-Teaching Staff in form 'B'.

\*Approved by the Senate at its meeting held on 20-9-1985; Assented to by the Chancellor on 18-8-1986 and communicated by the Government vide Letter No. ED. 7. UMS 86 dated 26/28-8-1986; Notified by the University vide No. A5/762/83-84 dated 27-9-1986.



5. Preparation and Transmission of Reports : (1) Every Officer who prepares a confidential report and every officer through whom it passes shall sign the report and indicate his name and designation in block letters below his signature.

(2) The name and designation of the official in respect of whom the report is recorded shall be specified in full and in the same manner as shown in the Service Register.

(3) The report shall, unless otherwise directed by the University, be prepared in the first instance by the immediate superior officer/Head of the Department concerned, under whose control the official in respect of whom the report is recorded has worked during a major part of the year of report. If such immediate Superior Officer/Head of the Department is not available at the time of writing the report for the reason of his having ceased to be in office or for any other reason, the report may be prepared by next higher officer who is available and who had an opportunity to watch the work of the official reported for at least 3 months during the year. Thereafter, it should be sent to the personal name of the Registrar.

A remark recorded by an Officer/Head of the Department in the Confidential Report shall prevail unless it is contradicted by any of the higher authorities to whom it is required to be submitted.

- (i) The Professor and Head of the Department/the Principal shall record the Confidential Report in respect of Teaching staff (Readers and other Teaching Staff) and Non-Teaching staff, if any, working under his control.
- (ii) The Head of the Department of concerned office shall record the Confidential Report of Non-Teaching/Non-Ministerial staff.
- (iii) The Vice-Chancellor shall record the Confidential Report of Officers of the University/Heads of the University Institutions/Colleges/Post-graduate Departments and the Professors.
- (iv) The Registrar shall record the Confidential Report of the subordinate officers of the University.

(4) Whenever an official is transferred in the middle of a year, unless the transfer is within the first three months of the year, a report shall be prepared and forwarded to the Officer to whose administrative control the official is transferred, to be completed at the end of the year.

(5) Whenever, an officer who is required to initiate a confidential report in respect of any official under his administrative control, is transferred in the middle of a year, he shall unless such transfer be within the first three months of the year, write the report of such officer and hand it over to his successor who shall complete it at the end of the year.

(6) Whenever an officer through whom a report is required to be submitted is transferred before the report is received, the report shall, unless the transfer was within

the first three months of the year, be sent to him by his successor for adding his remarks and he shall return the said report after adding his remarks, to his successor who shall complete it at the end of the year.

(7) The report in respect of a University employee who is on deputation in any department shall be initiated by the Officer under whose administrative control he is for the time being working and shall be passed, through the next higher Officers, to the Head of that Department who shall, after adding his own remarks, if any, transmit it to the Head of the Department from which the University employee was deputed.

(8) The report in respect of a University employee whose services have been lent to the Central Government or any other State Government or to a local authority or to any other authority shall be prepared by the officer under whose administrative control he is working and passed on through the next higher officers to the authority which borrowed his services which shall transmit it with its remarks, if any, to the Head of the Department from which the University employee was deputed.

6. **Particulars in a Confidential Report:** The first page of the confidential record of every official shall be in Form 'C' and the particulars mentioned therein shall be filled at the time the first report is prepared, the entries being altered from time to time whenever necessary.

7. **Punishment:** The pendency of any disciplinary proceedings shall not be recorded in the confidential report in respect of any official, unless such proceedings are in respect of charges relating to his integrity. A copy of the final order in all disciplinary proceedings shall, however, be included in the official's Confidential Report.

8. **Communication of Remarks:** (1) All adverse remarks, whether in any ordinary or special report, shall be communicated within 3 months in writing to the official concerned failing which the adverse remarks will not have any validity. While communicating an adverse remark, a short summary of the good points shall also be communicated but the name of the official recording the remarks shall not be communicated to the official reported upon. Where a report shows that an official has made successful efforts to remedy defects to which his attention has been drawn previously, it shall be communicated to him.

(2) When an official has done outstanding work in the course of a year and earned appreciation, it shall be communicated to him.

(3) The fact of communication of remarks shall be recorded in the report.

9. **Representation against adverse remarks:** (1) Every official to whom adverse remarks are communicated may, within six weeks from the date of receipt by him of such communication, submit his representation, if any, against the said remarks to the officer mentioned.

(2) Decision on such representation shall be taken expeditiously and communicated to the official concerned.

10. Special Report: (1) Special reports may be called for at any time on the work of any official by the University. Such reports shall be prepared and sent through the appropriate channels and shall be confined to the question or questions raised.

(2) A superior officer may, at any time on his own accord, forward a report of an official working under him which should be considered that the conduct of an official makes such action necessary. Such reports shall be submitted through the appropriate channels.

(3) Any special reports about an official's work or about his conduct may be included in the Confidential Report at the direction of the officer or authority in whose custody the record is kept.

11. Date of Submission : The officer initiating the report shall forward it by the 1st May following the year of report and each successive authority shall pass on the report with its remarks to the next higher authority within one week of its receipt.

FORM 'A'

(See Rule 4)

Annual Confidential Report of Teachers  
Report for the year.....

PART-I

Personal Data

(To be filled by the Teachers)

- (1) Name of the Teacher ..
- (2) Post held by him at present ..
- (3) Date of Birth ..
- (4) Post held by him prior to the present post :      Post held      ..      From      To

PART-II

Assessment by the Head of the Department/Principal concerned

- 1. State of Health .....
- 2. General Assessment

(This should contain an overall assessment of the Teacher's personality, his good qualities and shortcomings and should, in particular, touch on the following points; viz.,

Quality of mind (originality and comprehension); knowledge of work; power of expression (on paper and in discussion); power of acquiring general information; attention to detail; industry and consciousness; judgement; willingness to accept responsibility and the decisions; relations with students; subordinates and colleagues; public relations and research output.

If the Teacher has been reprimanded for indifferent work or for other causes during the period under review, brief particulars should be given. If the teacher has done any outstanding notable work meriting commendation, brief mention should be made.

3. Integrity :
4. Length of service under the Head of the Department/ Principal.
5. (a) Fitness of promotion to Higher post-Fit/Not yet Fit/Unfit grade (s) in his turn.  
(b) Has the teacher any special characteristics and/or any outstanding merits or abilities which would justify his advancement. If yes, please mention these characteristics briefly.  
(c) Recommendation regarding suitability for other spheres of work.

Signature.....

Name in block letters.....

Designation .....

Date:.....

PART—III  
Remarks of the Vice-Chancellor

~~202~~ 35

**FORM 'B'**

(See Rule 4)

Annual Confidential Report on Ministerial/Non-Ministerial Staff for the year.....

Name.....

Appointment held.....

Date of birth.....

Date of entry into University Service.....

Present grade.....

**SECTION I**

**Performance of Duties in the present Grade**

1. Knowledge
  - (a) of work of post held
  - (b) of Branch or Section
  - (c) of Department
2. Personality and character
3. Judgement
4. Power of taking responsibility
5. Initiative
6. Accuracy
7. Promptness
8. Address and tact
9. Power of Supervising staff
10. Zeal and Industry
11. Health
12. Attendance
13. Official conduct (discipline)
14. Fitness to hold the present post, including in respect of ministerial staff, his capacity to note/draft.
15. General remarks including a statement on integrity and reliability and a note of any special qualifications not included above.

200 36

## SECTION II

### Degree of Fitness of Promotion

Delete all but one of the following.

Exceptionally well qualified/Highly qualified/qualified/not yet qualified.

#### Remarks

Signature and designation of Reporting Officer.

REGISTRAR

VICE-CHANCELLOR

#### Notes

*Note (1)*—Insert in this column A,B,C,D or E against each item to the following appraisement :

- A — Outstanding
- B — Very good
- C — Satisfactory
- D — Indifferent
- E — Poor

*Note (2)*—An 'A' or 'B' marking is inappropriate to items 12 and 13.

*Note (3)*—This report is to be regarded as confidential ; but D and E markings against any item must be communicated to the Officer concerned, except in the following circumstances.

- (i) Where the marking is due to inexperience owing to less than one year's service in the grade (except in cases of unsatisfactory conduct, laziness, etc.)
- (ii) Where the weakness has already been notified and it is clear that no useful purpose can be served by repeated notifications, in such cases the officer should be advised of the proposal to discontinue future notifications to the same effect as those he has previously made. Any change for better or worse, should be notified to the Officer.

## SECTION-II

*Note (4)*—The estimate of fitness for promotion should be released to the officer's capacity, for the performance of the duties of the grade above. If he is marked "Exceptionally well qualified" or "Not yet qualified", the reasons for the marking should be stated; and in general Reporting Officers should make the fullest use of the "Remarks" space.

201 37

GENERAL

Note (5)--Every effort should be made to arrive at a just estimate of the qualities of the officer at the time the report is made. Reporting officers should rely on their own judgement and experience, and the current report should be written in the first place, without reference to the previous reports. Thereafter the previous reports may be referred, to the extent of either contradicting or lessening the effect of the adverse remarks made in the previous year's Confidential Reports.

FORM 'C'

(See Rule 6)

1. Name in full ..
2. Date and Place of Birth ..
3. (a) Educational Qualifications ..  
\*(b) Details of training/deputation ..  
and other courses undergone ..  
in India or abroad ..  
(c) Languages he can read and ..  
write ..
4. Home address ..
5. Names of relatives, if any, in ..  
University Service with post held ..  
by them and the relationship.
6. Details of Posts held ..

Post held	From	To
-----------	------	----

\*Please indicate particulars of training undergone within and outside India, deputation/foreign service etc., within and outside India.

### 19.3 \*Mysore University Employees' (Classification, Control and Appeal) Statutes

[Under Section 35 (m) of the KSU Act, 1976]

In exercise of the powers conferred by sub-clause (h) of Clause (2) of Section 23 read with Clause (m) of Section 35 of the KSU Act 1976 (Karnataka Act 28 of 1976), the Senate of the Mysore University hereby makes the following Statutes.

#### Part I — GENERAL

1. **Title and Commencement :** (1) These Statutes may be called the "Mysore University Employees' (Classification, Control and Appeal) Statutes 1983".  
(2) They shall come into force on the date of their publication in the official Gazette.
2. **Definition :** In these Statutes, unless the context otherwise require—
  - (a) "Appointing Authority" in relation to an employee means—
    - (i) the authority empowered to make appointments to the respective classes of service ;
    - (ii) the authority which appointed the employee to such service, grade or post as the case may be.
  - (b) "Disciplinary Authority" in relation to imposition of penalty on an employee means the authority competent under these Statutes to impose on him that penalty ;
  - (c) "Employee" means any person appointed to any post in the University and includes any person whose services are temporarily placed at the disposal of any other University, Government of Karnataka or Government of any other State or Government of India or any other Organisation/Institution ;
  - (d) "Schedule" means Schedule to these Statutes ;
  - (e) "University" means the University of Mysore.
3. **Application** (1) These Statutes shall apply to all classes of employees except—
  - (a) those employees belonging to the Industrial Establishment of the Mysore University Press to whom the provision of the Industrial Employment (standing orders) Act 1946 (Central Act XX of 1946) are applicable ;
  - (b) members of All India Services ;
  - (c) a State or Central Government Servant who is appointed on deputation to the University ;
  - (d) Persons in casual employment ;
  - (e) Persons appointed on contract.

\*Assented to by the Chancellor on 16-9-1986 and communicated by the Government vide Letter No. ED 43 UMS 84 dated 18-9-1986 ; Notified by the University vide No. A5-888 (a)/76-77 dated 9-10-1986.



(2) If any doubt arises as to whether these Statutes apply to an employee or not, the matter shall be referred to the Chancellor whose decision thereon shall be final.

3-A Protection of Rights and Privileges conferred by any law : Nothing in these Statutes shall operate to deprive any employee of any right or privilege to which he is entitled by or under any law for the time being in force.

#### Part II — CLASSIFICATION

4. Classification of Services : The University services shall consist of 3 groups viz., Group 'A', Group 'B' and Group 'C' consisting of posts specified in Schedule.

#### Part III — DISCIPLINE AND PENALTIES

5. Nature of Penalty : (1) One or more of the following penalties for good and sufficient reasons may be imposed on an employee as hereinafter provided.

- (i) fine in the case of Group 'C' employee ;
- (ii) Censure ;
- (iii) withholding of increments without affecting future increments ;
- (iv) withholding promotion ;
- (v) recovery from the pay of the whole or part of any pecuniary loss caused by negligence or breach of orders to the University, Government of Karnataka or Government of any other State, or to the Government of India, or any other Institution or organisation to whom the services of the employee had been lent ;
- (vi) withholding of increments affecting future increments and reduction to a lower stage in his time scale of pay for a specified period, with further directions as to whether or not the employee will earn increments during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay ;
- (vii) reduction to a lower time scale of pay, grade, post or service which shall, unless otherwise directed, be a bar to the promotion of the employee to the time scale of pay, grade, post or service from which he had been reduced, with or without further orders regarding—
  - (a) seniority and pay in the scale of pay, grade, post or service to which employee is reduced,
  - (b) conditions for restoration to the scale of pay, grade, post or service from which the employee was reduced and his seniority and on each restoration to that scale of pay, grade, post or service ;
- (viii) compulsory retirement ;

- (ix) removal from service which shall not be a disqualification for future employment.
- (x) dismissal from service which shall be a disqualification for future employment.

(2) In the absence of special and adequate reasons to the contrary to be mentioned in the order of the disciplinary authority, no penalty, other than those specified in items (viii) to (x) above, shall be imposed for an established charge of corruption.

*Explanation:* For the purpose of this Clause, the expression "Corruption" shall have the meaning assigned to the expression "Criminal Misconduct in discharge of official duty" in sub-section (1) of Section 5 of the Prevention of Corruption Act, 1947 (Central Act 2 of 1947) or the meaning assigned to the expressions "taking gratification other than legal remuneration in respect of an official act" and "obtaining valuable thing without consideration" in Section 161 and 165 respectively of the Indian Penal Code.

(3) The following shall not amount to penalty within the meaning of this Statute.

- (i) withholding of increment of an employee for failure to pass a Departmental Examination;
- (ii) non-promotion/non-selection to a higher post or grade to which an employee may be eligible, after consideration of his case;
- (iii) reversion from a higher to a lower service, grade or post of an employee officiating in higher service, grade or post on the ground that he is considered, after trial to be unsuitable, for such higher service, grade or post on administrative grounds unconnected with his conduct (such as the return of the permanent incumbent from leave or deputation, the availability of a more suitable officer and the like);
- (iv) reversion to his permanent service, grade or post of an employee appointed on probation to another service, grade or post during or at the end of period of probation in accordance with the terms of his appointment or the rules and orders governing probation;
- (v) compulsory retirement of an employee in accordance with the provision relating to his superannuation or retirement;
- (vi) termination of the services—
  - (a) of a person employed under an agreement, in accordance with the terms of such agreement; or
  - (b) of an employee appointed on probation, during or at the end of the period of probation in accordance with the terms of his appointment or the rules and orders governing such probation; or
  - (c) of a temporary employee otherwise than by way of punishment.

6. **Disciplinary Authorities:**—(1) The Chancellor may impose any of the penalties specified in Statute 5 on any University employee.

(2) Without prejudice to Clause (1) but subject to Clause (3)—

(a) the Vice-Chancellor may impose any of the penalties specified in Statute 5 on an employee belonging to Group "B" or "C" and any of the penalties specified in items (ii), (iii), (v) of Clause (1) of Statute 5 on employee belonging to Group "A"

(b) the Registrar, the Controller of Examinations, the Finance Officer, the Heads of the Departments of University and the Principals of University Colleges, may impose on an employee belonging to Group "B" and working under them any of the penalties specified in items (ii), (iii) and (v) of Clause (1) of Statute 5 and on an employee belonging to Group "C" and working under them any of the penalties specified in items (i), (iii) and (v) of Clause (1) of Statute 5.

(3) Penalties specified in items (iv) and (vi) to (x) of Clause (1) of Statute 5 may be imposed only by the appointing authority.

7. **Suspension:**—(1) The appointing authority or any authority to which it is subordinate may place an employee under suspension—

(a) where a disciplinary proceeding against him is contemplated or is pending; or

(b) where a case against him in respect of any criminal offence is under investigation or trial.

(2) The Registrar, the Controller of Examinations, the Finance Officer, Principals of University Colleges and the Heads of Departments of University may place under suspension any employee belonging to Group "B" or Group "C" working under him—

(a) where a disciplinary proceeding against the employee is contemplated or is pending; or

(b) where a case against him in respect of any criminal offence is under investigation or trial:

Provided that in any such case, the authority suspending such an employee shall forthwith report to the appointing authority the circumstances under which the order was made.

(3) Before any order of suspension is passed, the authority which makes the suspension order should satisfy itself, for reasons to be recorded in writing, that the retention of the employee in question would not be in the interest of the University.

(4) An employee shall be deemed to have been placed under suspension by an order of appointing authority—

- (a) with effect from the date of his detention, if he is detained in custody, whether on a criminal charge or otherwise for a period exceeding forty-eight hours ;
- (b) with effect from the date of his conviction, if, in the event of conviction for an offence, he is sentenced to a term of imprisonment exceeding forty-eight hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction.

*Explanation:* The period of forty-eight hours referred to in sub-clause (b) of this Clause shall be computed from the commencement of the imprisonment after the conviction and for this purpose, intermittent periods of imprisonment, if any, shall be taken into account.

(5) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon an employee under suspension is set aside in appeal or on review under these Statutes and the case is remitted for further inquiry or action or with any other directions, the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in force until further orders.

(6) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon an employee is set aside or declared or rendered void in consequence of or by a decision of a Court of Law, and the disciplinary authority, on a consideration of the circumstances of the case, decides to hold further inquiry against him on the allegations on which the penalty of dismissal, removal or compulsory retirement was originally imposed, the employee shall be deemed to have been placed under suspension by the appointing authority from the date of the original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders.

(7) (a) An order of suspension made or deemed to have been made under this statute shall continue to remain in force until it is modified or revoked by the authority competent to do so.

(b) Where an employee is suspended or is deemed to have been suspended (whether in connection with any disciplinary proceedings or otherwise), and any other disciplinary proceeding is commenced against him during the continuance of that suspension the authority competent to place him under suspension, may, for reason to be recorded by him in writing, direct that the employee shall continue to be under suspension until the termination of all or any of such proceedings.

(c) An order of suspension made or deemed to have been made under this statute may at any time be modified or revoked by the authority which made or is deemed to have made the order or by any authority to which that authority is subordinate.

270 43

(8) Where an employee has been suspended by any officer other than the Chancellor and final orders in the inquiry pending against him have not been passed within a period of six months from the date of the order of suspension, the case shall be reported to the Chancellor for such orders as he deems fit.

8. Authority to institute the Proceedings: (1) The Chancellor or any officer empowered by him by general or special orders may—

- (a) institute disciplinary proceedings against any employee ;
- (b) direct a disciplinary authority to institute disciplinary proceedings against any employee on whom that disciplinary authority is competent to impose, under this statute, any of the penalties specified in Clause (1) of Statute 5.

(2) The disciplinary authority competent under this Statute to impose any of the penalties specified in items (i) to (iii) and (v) of Statute 5 may institute disciplinary proceedings against any employee for the imposition of any of the penalties specified in items (iv) and (vi) to (x) of Clause (1) of Statute 5, notwithstanding that such disciplinary authority is not competent under this Statute to impose any of the latter penalties.

9. Procedure for imposing major penalties: (1) No order imposing on an employee any of the penalties specified in items (iv) and (vi) to (x) of Clause (1) of Statute 5 shall be passed except after an inquiry held, as far as may be, in the manner hereinafter provided under this Statute and Statute 10.

(2) Whenever the disciplinary authority, with or without making a preliminary inquiry, is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehaviour against an employee, it may itself inquire into, or appoint under this Statute any other employee of the University or any person as inquiring officer to inquire into the truth thereof.

*Explanation:* Where the disciplinary authority itself holds the inquiry, any reference in Clauses (7) to (22) and Clause (24) to the inquiring officer shall be construed as a reference to the disciplinary authority.

(3) Where it is proposed to hold an inquiry against an employee under this Statute and Statute 10, the disciplinary authority shall draw up or cause to be drawn up—

- (i) the substance of the imputation of misconduct or mis-behaviour into definite and distinct articles of charge.
- (ii) a statement of the imputation of misconduct or misbehaviour in support of such 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 list of witnesses by whom the articles of charge are proposed to be sustained.

271 A 4

(4) The disciplinary authority shall deliver or cause to be delivered to the employee a copy of the articles of charge, the statement of imputations of misconduct or misbehaviour and a list of documents and witnesses by which each article of charges is proposed to be sustained and shall require the employee to submit, within such time as may be specified, a written statement of his defence and to state whether he desires to be heard in person.

(5) (a) On receipt of the written statement of defence, the disciplinary authority may itself inquire into such of the articles of charge as are not admitted, or if it considers it necessary so to do, appoint under Clause (2), an inquiring officer for the purpose, 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 findings on each charge after taking such evidence as it may think fit and shall act in the manner laid down in Statute 10.

(b) If no written statement of defence is submitted by the employee, the disciplinary authority may itself inquire into the articles of charge or may, if it considers it necessary to do so, appoint under Clause (2) an inquiry officer for the purpose.

(c) Where the disciplinary authority itself inquires into any article of charge or appoints an inquiring officer for holding an inquiry into such charge, it may, by an order, appoint an employee or a legal practitioner to be known as the "Presenting Officer" to present on its behalf the case in support of the articles of charge.

(6) The disciplinary authority, shall, where it is not the inquiring officer, forward to the inquiring officer—

- (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 witnesses, if any ;
- (iv) evidence proving the delivery of the documents referred to in Clause (4) to the employee ; and
- (v) a copy of the order appointing the ' Presenting Officer '.

(7) The inquiring officer shall within 10 days of the receipt by him all the documents referred to in Clause (6), issue a notice in writing to the employee to appear before him and the employee shall appear in person before inquiring officer on the date, time and place so specified in the said notice or within such further time not exceeding 10 days as the inquiring officer may allow.

(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 a Law graduate, or the disciplinary authority, having regard to the circumstances of the case, so permits.

272 A5

(9) If the employee who has not admitted any of the articles of charge in his written statement of defence or has not submitted any written statements of defence appears before the inquiring officer, such officer shall ask him whether he pleads guilty or has any defence to make and if he pleads guilty to any of the articles of charge, the inquiring officer shall record the plea, sign the record and obtain the signature of the employee thereon.

(10) The inquiring officer shall return a finding of guilt in respect of those articles of charge to which the employee pleads guilty.

(11) The inquiring officer shall, if the employee fails to appear within the specified time or refuses or omits to plead, shall record an order that the employee may for the purpose of preparing defence—

- (i) inspect within five days of the order or within such further time not exceeding five days as the inquiring officer may allow, the documents specified in the list referred to in Clause (3) ;
- (ii) submit a list of documents and witnesses that he may require for his defence ;
- (iii) give a notice in duplicate within ten days of the order or within such further time not exceeding ten days as the inquiring officer may allow for the discovery or production of the documents which are in the possession of the University but not mentioned in the list referred to in Clause (3) (b).

*Note:* Relevancy of the document and the witnesses referred to in item (ii) and (iii) shall be governed by the employee concerned.

(12) The inquiring officer shall, after so informing the employee, intimate the authority having custody or possession of the documents referred to in Clause (3) that he has permitted the employee to inspect the said documents and the authority having the custody or possession of the documents shall permit the employee to inspect the said documents and the statements of witnesses and also permit the employee to take extracts therefrom, or in the alternative, furnish copies thereof to the employee.

(13) The inquiring officer shall, on receipt of the notice for the discovery or the production of the documents, forward the same or copy thereof to the authority in whose custody or possession the documents are kept with a requisition for the production of the documents on such date as may be specified.

(14) On receipt of the requisition under Clause (13), the authority, having the custody or possession of the requisitioned documents, shall arrange to produce the same before the inquiring officer on the date, place and time specified in the requisition.

278 46

Provided that the authority having the custody or possession of the requisitioned documents may claim privilege if the production of such documents will be against the public interest or the interest of the University. In that event, it shall inform the inquiring officer accordingly.

(15) The inquiring officer may for reasons recorded by him in writing, withdraw the requisition made to the authority having custody or possession of the documents, if in his opinion such documents are not relevant to the case or they are documents in respect of which such privilege could be claimed. If the requisition is not so withdrawn, the authority having custody or possession of the documents requisitioned shall produce the same before the inquiring officer.

(16) 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 or on behalf of the 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 points on which they have been cross-examined, but not on any new matter, without the leave of the inquiring officer. The inquiring officer may also put such questions to the witnesses as he thinks fit.

(17) If it shall appear necessary before the close of the case on behalf of the disciplinary authority, the inquiring officer may, in his discretion, allow the presenting officer to produce evidence not included in the list given to the employee or may himself call for fresh evidence or recall and further examine any witness and in such case, the employee shall be entitled to have, if he demands it, a copy of the list of fresh documents and witnesses proposed to be produced and examined and adjournment of the inquiry for three clear days before receiving such evidence, exclusive of the day of adjournment and the day to which the inquiry is adjourned. The inquiring officer shall give the employee an opportunity for inspecting such documents before they are taken on the record. The inquiring officer may also allow the employee to produce fresh evidence, if he is of the opinion that the production of fresh evidence is necessary in the interest of justice.

*Note:* Fresh evidence shall not be permitted or called for or any witness shall not be recalled to fill up any gap in the evidence. Such evidence may be permitted only when there is an inherent lacuna or defect in the evidence which has been produced originally.

(18) 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.



254 A 7

(19) The evidence on behalf of the employee shall then be produced. The employee may examine himself, 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 officer according to the provisions applicable to the witnesses for the disciplinary authority.

(20) The inquiring officer 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.

(21) The inquiring officer may, after the completion of the production of evidence, hear the presenting officer, if any appointed and the employee or his representative, if any, or permit them to file written briefs of their respective cases, if they so desire.

(22) If the employee to whom a copy of the articles of charge has been served, 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 officer or otherwise fails or refuses to comply with the provisions of this Statute at any stage of the inquiry, the inquiring officer may hold the inquiry ex-parte.

(23) (a) Where a disciplinary authority competent to impose any of the penalties specified in items (i) to (iii) and (v) of Clause (1) of Statute 5, but not competent to impose any of the penalties specified in items (iv) and (vi) to (x) of Clause (1) of Statute 5 has itself inquired into or caused to be inquired into the articles of any charge and that authority having regard to its decision on any of the findings of any inquiring officer appointed by him, is of the opinion that the penalties specified in items (iv) and (vi) to (x) of Clause (1) of Statute 5, should be imposed on the employee that officer shall forward the records of the inquiry to such disciplinary authority as is competent to impose the last mentioned penalties.

(b) The disciplinary authority to which the records are so forwarded may act on the evidence of the record or may, if it is of the opinion that further examination of any of the witnesses is necessary in the interest of justice, recall the witnesses and examine, cross-examine and re-examine the witnesses and may impose on the employee such penalty as it may deem fit in accordance with these Statutes.

(24) Whenever any inquiring officer, 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 officer who has and who exercise such jurisdiction, the inquiring officer so succeeding may act on the evidence so recorded by his predecessor or partly recorded by his predecessor and partly recorded by himself :

Provided that if the succeeding inquiring officer is of the opinion that further examination of any witnesses whose evidence has already been recorded is necessary in the interest of justice, he may recall and permit examination, cross-examination and re-examination of any such witnesses as hereinbefore provided.

~~275~~ A 8

(25) (i) After the conclusion of the inquiry, a report shall be prepared and it shall contain —

- (a) the articles of charge and the statement of the imputations of misconduct or misbehaviour;
- (b) the defence of the employee in respect of each article of charge;
- (c) an assessment of the evidence in respect of each article of charge;
- (d) the findings on each article of charge and the reasons therefor.

*Explanation:* If, in the opinion of the inquiring officer the proceedings of the inquiry establish any article of charge different from the original articles of charge, he may record his 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.

(ii) The inquiring officer, where he is not himself the disciplinary authority, shall forward to the disciplinary authority the records of inquiry which shall include —

- (a) the report prepared by him under Clause (1)
- (b) the written statement of defence, if any, submitted by the employee;
- (c) the oral and documentary evidence produced in the course of the inquiry;
- (d) written briefs, if any, filed by the presenting officer or the employee or both during the course of the inquiry; and
- (e) the orders, if any, made by the disciplinary authority and inquiring officer in regard to the inquiry.

10. Action on the Inquiry Report : (1) The disciplinary authority if it is not itself the inquiring officer may, for reasons to be recorded by it in writing, remit the case to the inquiring officer for further inquiry and report and the inquiring officer shall thereupon proceed to hold such further inquiry according to the provisions of Statute 9 as far as may be.

(2) The disciplinary authority shall, if it disagrees with the findings of the inquiring officer on any article of charge, record its reasons for such disagreement and record its own findings on such charge, if the evidence on record is sufficient for the purpose.

(3) If the disciplinary authority having regard to the findings on all or any of the articles of charge is of the opinion that one or more of the penalties specified in Clause (1) of Statute 5 should be imposed on the employee, it shall, notwithstanding anything contained in Statute 11, make an order imposing such penalty.

11. Procedure for imposing minor penalties : (1) Subject to the provisions of Clause (3) of Statute 10, no order imposing on an employee any of the penalties

206 A9

specified in items (i) to (iii) and (v) of Clause (1) of Statute 5 shall be made except after—

- (a) informing the employee in writing of the proposal to take action against him and of the imputations of misconduct or misbehaviour on which it is proposed to be taken and giving him a reasonable opportunity for making such representations as he may wish to make against the proposal ;
  - (b) holding an inquiry in the manner laid down in Clauses (3) to (25) of Statute 9, in every case in which the disciplinary authority is of the opinion that such inquiry is necessary ;
  - (c) taking into consideration the representations, if any, submitted by the employee under Clause (a) and the record of inquiry, if any, held under Clauses (b) and (d) recording a finding on each imputation of misconduct or misbehaviour.
- (2) The record of the proceedings in such cases shall include—
- (i) a copy of the intimation to the employee of the proposal to take action against him ;
  - (ii) a copy of the statement of imputation of misconduct or misbehaviour served on him ;
  - (iii) his representation, if any ;
  - (iv) the evidence produced, if any, during the inquiry ;
  - (v) the finding on each imputation of misconduct or misbehaviour and
  - (vi) the orders on the case together with the reasons thereof.

**12. Communication of Orders :** Orders made by the disciplinary authority shall be communicated to the employee, who shall be supplied with a copy of the report of the inquiry, if any, held by the disciplinary authority and a copy of its findings, on each article of charge, or where the disciplinary authority is not the inquiring officer, a copy of the report of the inquiring officer and the statement of the findings of the disciplinary authority together with brief reasons for disagreement, if any with the findings of the inquiring officer:

Provided that it shall not be necessary to supply copies of the said documents, where the disciplinary authority exonerates the employee or where such documents have already been supplied to the employee.

**13. Joint Enquiry :** (1) Where two or more employees are concerned in any case, the Chancellor or any other disciplinary authority competent to impose the penalty of dismissal from service on all such employees, may make an order directing that disciplinary action against all of them may be taken in a common proceeding:

Provided that if the authorities competent to impose the penalty of dismissal on such employees are different, an order for taking disciplinary action in a common proceeding shall be made by the Chancellor.

~~20~~ 50

(2) Subject to the provisions of Clause (3) of Statutes 6 any such order shall specify —

- (i) the authority which may function as the disciplinary authority for the purpose of such common proceeding;
- (ii) the penalties specified in Statute 5 which the disciplinary authority shall be competent to impose; and
- (iii) whether the procedure prescribed in Statute 9 and 10 or 11 may be followed in the proceeding.

14. Special procedure in certain cases : Notwithstanding anything contained in Statutes 9, 11 and 13—

- (i) where a penalty is to be imposed on an employee on the ground of conduct which has led to his conviction on a criminal charge; or
- (ii) where the employee concerned has absconded, or where the officer concerned does not take part in the inquiry or where, for any reason to be recorded in writing, it is impracticable to communicate with him, or where the disciplinary authority, for reasons to be recorded in writing, it is impracticable to communicate with him, or where the disciplinary authority, for reasons to be recorded in writing, is satisfied that it is not reasonably practicable to follow the procedure prescribed in the said Statute;

The disciplinary authority may consider the circumstances of the case and pass such orders thereon as it deems fit :

Provided that in a case covered by item (i), no order imposing a penalty may be passed without giving the employee an opportunity to make a representation on the proposed penalty.

15. Provisions regarding lent officers : (1) Where the services of an employee are lent to Central Government or any State Government or to local or other authority (hereinafter in this Statutes referred to as *The Borrowing Authority*), the borrowing authority shall have the powers of appointing authority for the purpose of placing him under suspension and of the disciplinary authority for the purposes of taking a disciplinary proceedings against him :

Provided that the borrowing authority shall forthwith inform the lending authority the circumstances leading to the order of his suspension or the commencement of the disciplinary authority as the case may be.

(2) In the light of the findings in the disciplinary proceedings taken against such employee—

- (i) if the disciplinary authority is of the opinion that any of the penalty specified in items (i) to (iii) and (v) of Clause (1) of Statute 5 should be imposed on him, it may, subject to the provisions of sub-clause (3) of Statutes 10 after consultation with the lending authority, pass such order on the case as it deems necessary :

Provided that in the event of a difference of opinion between the borrowing authority and the lending authority, the services of such employee shall be replaced at the disposal of the lending authority.

- (ii) if the borrowing authority is of the opinion that any of the penalties specified in items (iv) and (vi) to (x) of Clause (1) of Statute 5 should be imposed on him, it shall replace his services at the disposal of the lending authority and transmit to it the proceedings of the inquiry and thereupon the lending authority may if it is the Disciplinary Authority, pass such orders thereon as it deems necessary; or, if it is not the disciplinary authority, submit the case to the disciplinary authority, which shall pass such orders on the case as it deems necessary.

16. Provisions regarding Borrowed Officers: (1) When an order of suspension or a disciplinary proceeding is taken against an employee whose services have been borrowed from the Central Government, any State Government, Local bodies, or other authority, the authority lending his services (hereinafter in this statute referred to as the 'The Lending Authority') shall forthwith be informed of the circumstances leading to the order of his suspension or the commencement of the disciplinary proceedings as the case may be.

(2) In the light of the findings of the disciplinary proceedings taken against such employee—

- (i) if the disciplinary authority is of the opinion that any of the penalties specified in items (i) to (v) of Clause (1) of Statute 5 should be imposed on him, it may, subject to the provisions of sub-clause (3) of Statute 10 after consultation with the lending authority, pass such orders on the case as it deems necessary:

Provided that in the event of a difference of opinion between the borrowing authority and the lending authority, the service of such employee shall be replaced at the disposal of the lending authority.

- (ii) if the disciplinary authority is of the opinion that any of the penalties specified in items (vi) to (x) of Clause (1) of Statute 5 should be imposed on him, it shall replace his services at the disposal of the lending authority and transmit to it the proceedings of the enquiry for such action as it deems necessary.

16-A. Provision regarding Re-appointed officers: Where a person who has ceased to be in University service, due to resignation, abolition of his post, termination of his appointment or any other cause, is reappointed as a employee, disciplinary proceeding may be taken against him in his new appointment in respect of any act or conduct during any period of his service in the University.

17  
in the fo  
(  
(  
11  
entitled  
not othe

(  
Chance  
of the p  
(b) and  
(  
against  
authori  
]  
holders  
conferr  
the orc

to the

Part IV—APPEALS

17. Orders against which no appeal lies: Notwithstanding anything contained in the foregoing provisions, no appeal shall lie against—

- (i) any order made by the Chancellor ;
- (ii) any order of an interlocutory nature or in the nature of a step-in-aid for the disposal of a disciplinary proceeding, other than an order of suspension ;
- (iii) any order passed by an inquiring officer in the course of an inquiry under Statute 9.

18. Appeals against orders imposing penalties (1) Every employee shall be entitled to appeal to the extent and to the authorities, as hereinafter provided, and not otherwise, from an order by any authority—

- (a) imposing any of the penalties specified in Statute 5 whether made by the disciplinary authority or by an appellate authority or revising authority ;
- (b) reducing or withholding pension admissible to him under the statutes governing pension ;
- (c) placing him under suspension under Statute 7.

(2) An employee belonging to Group ' A ' in the schedule may appeal to the Chancellor, against an order made by any other authority imposing upon him any of the penalties specified in Statute 5 or from an order referred to in sub-clauses (a), (b) and (c) of Clause (1).

(3) An employee belonging to Group ' B ' or ' C ' of the schedule may appeal against the orders passed in exercise of the powers conferred by Statute 6 to the authority immediately superior to the authority passing the order:

Provided that in the case of posts not specified in the schedule, the holder or holders of posts may appeal against the orders passed in exercise of the powers conferred by Statute 6 to the authority immediately superior to the authority passing the order.

(4) Notwithstanding anything contained in Clauses (1) to (3)—

- (a) where a person, who made the order appealed against becomes by virtue of his subsequent appointment or otherwise, the appellate authority in respect of such order, an appeal against such order shall be to the authority to which such person is immediately subordinate ;
- (b) an appeal against an order in a common proceeding held under Statute 13 shall lie to the authority to which the authority functioning as the disciplinary authority for the purpose of that proceeding is immediately subordinate.

19. Appeal against other order: (1) Every employee shall be entitled to appeal to the Chancellor against any order passed by a subordinate authority, which—

- (a) denies or varies to his disadvantage, his pay, allowances, pension or other conditions of service as regulated by an order, Statute or by agreement, or
  - (b) interprets to his disadvantage, the provisions of any such order, Statute or agreement whereby his pay, allowances, pension or other conditions of service are regulated.
- (2) An appeal against an order—
- (a) reverting to a lower service, grade or post, otherwise than as a penalty;
  - (b) reducing or withholding the pension or denying the maximum pension admissible to him;
  - (c) determining the subsistence and other allowances to be paid to the employee for the period of suspension or for the period during which he is deemed to be under suspension or for any portion thereof;
  - (d) determining his pay and allowances—
    - (i) for the period of suspension, or
    - (ii) for the period from the date of his dismissal, removal or compulsory retirement from service, or from the date of his reduction to a lower service, grade or post, time scale or stage in a time scale of pay, to the date of his reinstatement or restoration of his service, grade or post, or
  - (e) determining whether or not the period from the date of his suspension or from the date of his dismissal, removal, compulsory retirement or reduction to a lower service, grade, post, time scale or stage in a time scale of pay to the date of his reinstatement or restoration to his service, grade or post, time scale or stage in a time scale shall be treated as period spent on duty for any purpose, shall lie—
    - (i) in the case of an order made in respect of an employee on whom the penalty of dismissal from service can be imposed only by the Chancellor, to the Chancellor; and
    - (ii) in the case of an order made in respect of any other employee, to the authority to whom an appeal against an order imposing upon him the penalty of dismissal from service would lie.

*Explanation* :—In these Statutes,

- (i) the expression "employee" includes a person who has ceased to be in University service.
  - (ii) the expression "Pension" includes additional pension, gratuity and any other retirement benefits.
- (3) Notwithstanding anything contained in these Statutes, there shall be no appeal against non-selection for a selection post.

20. **Period of Limitations for an Appeal:** - No appeal under this part shall be entertained unless it is submitted within a period of three months from the date of order appealed against :

Provided that the appellate authority may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant had sufficient cause for not submitting the appeal in time.

21. **Form and Contents of Appeal:** (1) Every person submitting an appeal shall do so separately and in his own name.

(2) Every appeal preferred under these Statutes shall be accompanied by a copy of the order appealed against, shall contain all material statements and arguments relied on by the appellant and shall be complete in itself and shall not contain any disrespectful or improper language.

22. **Submission of Appeals:** Every appeal shall be submitted directly to the appellate authority.

23. **Summary Dismissal of Appeals:** The appellate authority may summarily dismiss the appeal if—

- (i) it is an appeal against the order from which no appeal more lies ; or
- (ii) it does not comply with any of the provision of Statute 21 ; or
- (iii) it is not submitted within the period specified in Statute 20 and no reasonable cause is shown for the delay ; or
- (iv) it is a repetition of an appeal already decided and is made to the same appellate authority by which such appeal has been decided and no new facts or circumstances are adduced which afford grounds for reconsideration of the case ; or
- (v) it is addressed to an authority to which no appeal lies under these Statutes ; or
- (vi) it contains materials or documents which are treated as confidential and which the appellant could have come to know only as a result of breach of Statute 10 of the Mysore University Employees' (Conduct) Statutes 1983 :

Provided that in every case in which an appeal is so summarily dismissed, the appellant shall be informed of the fact and reasons for it.

24. **Consideration of Appeals:** (1) In the case of an appeal against an order of suspension, the appellate authority, after calling for the relevant records, shall consider whether in the light of the provisions of Statute 7 and having regard to the circumstances of the case, the order of the suspension is justified or not and confirm or revoke the order accordingly.

(2) In the case of an appeal against the order imposing any of the penalties specified in clause (1) of Statute 5, the appellate authority after calling for the records of the case, should consider—



- (a) whether the procedure prescribed in these Statutes has been complied with, and if not, whether such non-compliance has resulted in violation of any provisions of the Constitution or in failure of justice;
- (b) whether the findings are justified;
- (c) whether the penalty imposed is excessive, adequate or inadequate and pass orders —
  - (i) setting aside, reducing, confirming or enhancing the penalty ; or
  - (ii) remitting the case to the authority which imposed the penalty or to any other authority with such directions as it may deem fit in the circumstances of the case.

Provided that

- (i) the appellate authority shall not impose any enhanced penalty unless such authority or the authorities, which made the order appealed against is competent to impose such penalty ;
  - (ii) no order imposing the enhanced penalty shall be passed unless the appellant is given an opportunity of making any representation which may wish to make against the proposed enhanced penalty.
  - (iii) if the enhanced penalty which the appellate authority proposes to impose is one of the penalties specified in items (iv) and (vi) to (x) of Clause (1) of Statute 5 and the inquiry under Statute 9 has not already been held in the case, the appellate authority shall, subject to the provisions of Statute 14, itself hold such inquiry or direct such inquiry to be held and thereafter on consideration of the proceedings of such inquiry, pass such orders as it may deem fit.
- (3) In the case of an appeal against any order specified in Clause (b) of Statute 18 or Statute 19, the appellate authority shall consider all the circumstances of the case and pass such orders as it deems just and equitable.

#### Part V—REVIEW

25. Chancellor's power to Review : Notwithstanding anything contained in these Statutes, the Chancellor may, on his own motion or otherwise, after calling for records of the case, review any order which is made or is appealable under these Statutes or the Statutes repealed by Statute 30 and,

- (a) confirm, modify or set aside the order ;
- (b) impose any penalty or set aside, reduce, confirm or enhance the penalty imposed by the order ;
- (c) remit the case to the authority which made the order or to any other authority directing such further action or inquiry as he consider proper in the circumstances of the case ; or
- (d) pass such other orders as he deems fit.

288 59

Provided that

- (i) an order imposing or enhancing a penalty shall not be passed unless the person concerned has been given an opportunity of making any representation, which he may wish to make, against such penalty or enhanced penalty ;
- (ii) if the Chancellor proposes to impose any of the penalties specified in items (iv) and (vi) to (x) of Clause (1) of Statute 5 in a case where an inquiry under Statute 9 has not been held, he shall, subject to provisions of Statute 14, direct such inquiry be held thereafter, on consideration of the proceedings of such inquiry, pass such orders as he may deem fit :

Provided further that no application by an employee for reviewing an order shall lie in a disciplinary proceeding imposing any penalty other than those specified in items (iv) and (vi) to (x) of Clause (1) of Statute 5 and in respect of which an appeal is provided.

26. Review of orders in disciplinary cases: The authority to which an appeal against an order imposing any of the penalty specified in Clause (1) of Statute 5 lies, may, of its own motion or otherwise, call for the records of the case in the disciplinary proceeding, review any order passed in such a case and pass such orders as it deems fit, as if the employee had preferred an appeal against such order :

Provided that no action under these Statutes shall be initiated after one hundred and eighty days from the date of the order to be reviewed.

#### Part VI — MISCELLANEOUS

27. Appearance of Legal Practitioner: Save as otherwise provided in these Statutes, no legal practitioner shall be allowed to appear in any proceedings under these Statutes.

28. Services of order, Notices, etc : (1) Every order, notice and other process made or issued under these Statutes shall be served in person on the employee concerned or communicated to him by registered post.

(2) Where the employee refuses to receive, or keeps out of the way for the purpose of avoiding the service of such order, notice or other process, the same may be served by affixing a copy thereof on the notice board of the office of the disciplinary authority or of the inquiring officer and upon some conspicuous part of the house, if any, in which he is known to have last resided, or by publication in two daily newspapers having wide circulation in the State.

29 Power to relax time limit and to condone delay: Save as otherwise expressly provided by these Statutes, the authority competent under these statutes to make any order may, for good and sufficient reasons or if sufficient cause is shown-

204 60

extend the time specified in these Statutes for anything required to be done under these Statutes or condone any delay.

30. **Repeal and Savings :** (1) The Mysore University Services (Classification, Control and Appeal) Rules 1965 and any notification issued, rules and orders made under any such rules and all other rules and orders made by any competent authority to the extent to which they apply to persons to whom these Statutes apply and in so far as they relate to the classification of the University employees specified in the schedule or confer powers to make appointments, impose penalties or entertain appeals are hereby repealed :

Provided that

- (a) such repeal shall not affect the previous operations of the said rules, notifications or orders or anything done or any action taken thereunder ;
- (b) any proceedings under the said rules, notifications or orders pending at the commencement of these Statutes shall be continued and disposed of, as far as may be, in accordance with the provisions of these Statutes.

(2) Nothing in these Statutes shall operate to deprive any person to whom these Statutes apply, of any right of appeal which had accrued to him under the rules, notifications or orders repealed by Clause (1) in respect of any orders passed before the commencement of these Statutes.

(3) An appeal pending at or preferred after the commencement of these Statutes against an order made before such commencement shall be considered and orders thereon shall be passed, in accordance with these Statutes.

#### Schedule to Statute No. 4

##### Group 'A'

- I. *Pay Scale: Rs. 1,950-2,450*
  1. Registrar, if employee of the University
  2. Finance Officer, if employee of the University
  3. System Manager
- II. *Pay Scale: Rs. 1,725-2,350*
  4. Administrative Officer
  5. Deputy Registrar
  6. Deputy Controller of Examinations
  7. Director of Prasaranga
  8. System Engineer, Computer Centre

9. Maintenance Engineer
  10. Controller of Examinations, if employee of the University
  11. Executive Engineer, if employee of the University
  12. Deputy Finance Officer, if employee of the University
- III. *Pay Scale: Rs. 1,600-1,800*
13. Director, Institute of Correspondence Course and Continuing Education
- IV. *Pay Scale: Rs. 1,500-2,500*
14. Professors (Post-graduate)
  15. Dean of Student Welfare
- V. *Pay Scale: Rs. 1,320-2,250*
16. Professors (Under-Graduate)
- VI. *Pay Scale: Rs. 1,200-2,175*
17. Readers (Under-graduate)
  18. Assistant Controller of Examinations
  19. Chief Editor
  20. Deputy Director, Oriental Research Institute
  21. Deputy Director, Institute of Kannada Studies
  22. Deputy Director, Prasaranga
  23. Assistant Dean of Student Welfare
  24. Executive Editor
  25. Co-ordinating Editor
  26. Science Editor
  27. Humanities Editor
  28. Director, University Printing Press
  29. Medical Officer
  30. Assistant Finance Officer, if employee of the University
  31. Assistant Registrars
- VII. *Pay Scale: Rs. 1,200-1,900*
32. Readers (Post-Graduate)
- VIII. *Pay Scale Rs. 1,050-1,950*
33. Lecturers (Under-graduate)
  34. Assistant Executive Engineer
  35. Superintendent, Central Workshop
  36. Assistant Directors
  37. Maintenance Engineer (Junior)
  38. Programmers
  39. Research Officer
  40. Private Secretary to Vice-Chancellor
  41. Deputy Editor (English and Kannada Dictionary)

226 62

- IX. *Pay Scale: Rs 1,000-1,500*  
42. Librarian
- X. *Pay Scale: Rs. 950-1,800*  
43. Project Co-ordinator, NSS
- XI. *Pay Scale: Rs. 900-1,750*  
44. Epigraphist
- XII. *Pay Scale: Rs. 700-1,600*  
45. Lecturers (Post-Graduate)
- XIII. *Pay Scale Rs. 700-1,300*  
46. Documentation-cum-Reference officer
- XIV. *Pay Scale Rs. 700-1,250*  
47. Deputy Director, Institute of Correspondance Course and Continulng Education  
48. Director, Physical Education
- XV. *Pay Scale: Rs. 700-1,100*  
49. Assistant Director, Mineralogical Institute
- XVI. *Pay Scale: Rs. 400-950*  
50. Asst. Director of Physical Education  
51. Deputy Librarian

*Group 'B'*

- I. *Pay Scale : Rs 1,050-1,950*  
1. Asst. Epigraphist  
2. Curator  
3. Editorial Assistant  
4. Coach  
5. Superintendent
- II. *Pay Scale: Rs. 920-1,725*  
6. Translator  
7. Asst. Translator  
8. Editor  
9. Asst. Editor  
10. Research Assistant Grade-I  
11. Asst. Superintendent of Gardens  
12. Asst. Editor Grade-I  
13. Asst. Editor Grade-II  
14. Epigraphical Assistant  
15. Computer Operator (Junior)  
16. Antiquity Assistant  
17. Physical Assistant  
18. Co-ordinator

28/63

19. Asst. Librarian
20. Chemical Assistant
21. Oriental Pandit
22. Asst. Engineer
23. Research Assistant
24. Stationery Assistant
25. Field Assistant
26. Curator
27. Statistical Assistant

III. *Pay Scale Rs. 860-1,650*

28. Research Assistant Grade-II
29. Senior Assistant

IV. *Pay Scale Rs. 750-1,500*

30. Foreman (Yuvaraja's College, Mysore)
31. Glass Blower
32. Draftsman
33. Junior Engineer
34. Horticultural Assistant Grade-I
35. Swimming Coach
36. Nurse
37. Foreman (Printing Workshop)
38. Photographer (Ancient History and Archaeology Department; and Zoology Department)

V. *Pay Scale Rs. 700-1,600*

39. Statistician
40. Co-ordinator (Examination Reform Cell)

VI. *Pay Scale : Rs. 700-1,300*

41. Asst. Librarian (Post-Graduate Centre—B.R. Project)

VII. *Pay Scale: Rs. 675-1,320*

42. Sub Asst. Editor
43. Photographer
44. Store-keeper
45. First Division Clerk
46. Stenographer
47. Store-keeper (B R. Project)
48. Asst. Librarian (Oriental Research Institute)
49. Field Assistant (Institute of Correspondence Course and Continuing Education)

288 64

- 50. Sub-Editor
- 51. Taxidermist

VIII. *Pay Scale: Rs 630-1,200*

- 52. Key Punch Operator
- 53. Laboratory Assistant
- 54. Harbarium Keeper
- 55. Micro Technician
- 56. Cost Accountant
- 57. Proof Reader, Grade-I
- 58. Technician
- 59. Folklore Modeller and Artist
- 60. Administrative Assistant
- 61. Store-Keeper (Prasaranga)
- 62. Technical Assistant (Manuscript)
- 63. Technical Assistant (Language Laboratory)
- 64. Stage Assistant (Fine Arts College)
- 65. Asst. Librarian (Post-graduate Centre, B.R. Project)
- 66. Horticulture Assistant (B R. Project)
- 67. Mechanic (Central Workshop)
- 68. Technical Assistant (Journalism Department)
- 69. Laboratory-cum-Library Assistant
- 70. Junior Translator
- 71. Laboratory Assistant

IX. *Pay Scale: Rs 550-1,050*

- 72. Mechanic
- 73. Sanitary Inspector
- 74. Tracer
- 75. Horticultural Assistant, Grade-II
- 76. Laboratory Technician
- 77. Pharmacist
- 78. Draftsman (Geography Department and Institute of Development Studies)
- 79. Technical Assistant (Geography Department)

X. *Pay Scale Rs. 500-1,200*

- 80. Technical Assistant (Psychology Department)

XI. *Pay Scale: Rs 490-950*

- 81. Section Cutter
- 82. Telephone Operator
- 83. Mechanic
- 84. Wireman

229 65

85. Foreman
86. Proof Reader, Grade II
87. Library Assistant
88. Swimming Instructor
89. Electrician
90. Second Division Clerk
91. Typist-cum-Clerk
92. Store-keeper
93. Carpenter

XII. *Pay Scale: Rs 460-1,000*

94. Radiographer

XIII. *Pay Scale : Rs. 400-950*

95. Physical Culture Instructor

#### Group C

I. *Pay Scale: Rs. 410-700*

1. Meter Reader
2. Driver
3. Fitter
4. Cook
5. Caretaker
6. Workshop Assistant
7. Animal Caretaker
8. Tractor Driver
9. Fieldman
10. Attender-cum-Technician
11. Jamedar
12. Daffedar
13. Attender
14. Laboratory Attenders
15. Mechanic (Physics Department)
16. Field Assistant

II. *Pay Scale : R. 390-550*

17. Gardener/Malies
18. Field Assistant
19. Guard



66

20. Ward Attendent (Male)
21. Ward Attendent (Female)
22. Bill Collector
23. Helper
24. Life Saver
25. Peon/Maid Servant
26. Watchman
27. Helper
28. Scavenger
29. Sweeper
30. Museum Keeper

III. Pay Scale : Rs. 175-350

31. Electrician
32. Welder

IV. Pay : Rs. 150/-

33. Asst. Cook

**19.4. \*Mysore University Employees' (Conditions of Service) Statutes (Revised) 1984**

In exercise of the powers conferred by Clause (h) of Sub-section (2) of Section 23 read with Clause (m) of Section 35 of the KSU Act, 1976 (Karnataka Act 28 of 1976), the Senate of the Mysore University hereby makes the following Statutes, namely :—

1. Title and Commencement :—(1) These Statutes may be called the "Mysore University Employees' (Conditions of Service) Statutes, 1984".

(2) They shall come into force on the date of the publication by the University.

(3) They shall apply to all employees of the University of Mysore ;

Provided that nothing in these Statutes shall apply to—

- (a) a member of the All India Services ;
- (b) a State or Central Government Servant, who is appointed on deputation ;
- (c) an employee of the Mysore University in the Mysore University Printing Press, for whom the provisions of the Industrial Employment (Standing Orders) Act, 1946 applies ;
- (d) persons in Casual Employment ;
- (e) persons appointed on contract.

\*Assented to by the Chancellor on 18-2-1988 and communicated by the Government vide Letter No. ED 60 UMS 87 dated 1-3-1988; Notified by the University vide No. A.3-845/83-84 dated 28-3-1988.

7

8

9