



BUITEMS

Efficiency & Discipline Rules



Quality & Excellence in Education

**Balochistan University of Information Technology,
Engineering & Management Sciences**

Balochistan University of Information Technology & Management Sciences, Quetta

Dated: 10-6-2008

NOTIFICATION

No. DR/HR/BUIITEMS/08/..... In exercise of the powers conferred by sub section (2) of Section 25 of the Balochistan University of Information Technology & Management Sciences Ordinance, 2002 the Chancellor is pleased to make the following Rules.

Part-1 (General)

1). Title and commencement

- (1) These rules may be called the Balochistan University of Information Technology & Management Sciences Efficiency and Discipline Rules, 2008.
- (2) These shall come into force at once.

2). Definitions

In these Rules unless there is anything repugnant in the subject or context:-

- 2.1 **“Authority”** means the officer or authority, specified in the appendix-A, competent to appoint and take disciplinary action against a University authorized by such authority to act on its behalf.
- 2.2 **“Misconduct”** means conduct prejudicial to good order of service, discipline or unbecoming of a University Employee and civilized person as listed in section 3 of these Rules.
- 2.3 **“Penalty”** means a penalty which may be imposed under these rules.
- 2.4 **“Employee”** means a person who holds a post of the university in connection with the affairs of the university but does not include a person employed on contract or on work charged basis or who is paid from contingencies.
- 2.5 **‘Vice Chancellor’** means the Vice Chancellor of the Balochistan University of Information Technology and Management Sciences (BUIITEMS) Quetta.
- 2.6 **‘Ordinance’** means the Balochistan University of Information Technology and Management Sciences Ordinance, 2002 and as amended from time to time.
- 2.7 **‘Rules’** means the Balochistan University of Information Technology and Management Sciences (Efficiency and Discipline) Rules, 2008.

Terms and expressions used but not defined in these rules, unless the context otherwise requires, shall have the meanings assigned to them in the Balochistan University of Information Technology & Management Sciences Ordinance, 2002 as amended from time to time.

3). **Ground for Penalty**

Sufficient grounds for imposition of penalties will be deemed to exist where in the opinion of the Vice Chancellor or the authority, a University Employee:-

- 3.1 is inefficient, or has ceased to be efficient, whether by reason of infirmity of mind or body, or otherwise and is not likely to recover his/her efficiency within a reasonable period; or
- 3.2 is inefficient or negligent towards his/her duties;
- 3.3 is guilty of the following act of commissions and omissions which :- which constituent misconduct;
 - 3.3.1 willful insubordination or disobedience, whether alone or in combination with others, to any lawful and reasonable orders of a superior;
 - 3.3.2 theft, fraud, or dishonesty in connection with the University's business or property;
 - 3.3.3 willful damage to or loss of University's goods or property;
 - 3.3.4 taking or giving bribes or any illegal gratification;
 - 3.3.5 habitual absence without leave for more than ten days;
 - 3.3.6 habitual late attendance and / or non-punctuality;
 - 3.3.7 habitual breach of any law applicable to the establishment;
 - 3.3.8 riotous or disorderly behavior during working hours at the establishment or any act subversive of discipline;
 - 3.3.9 habitual negligence or neglect of work or duty;
 - 3.3.10 frequent repetition of any act or omission referred to in clause (1);
 - 3.3.11 Sticking work or inciting others to strike in contravention of the provisions of any law, or rule having the force of law;
 - 3.3.12 Smoking and use of drugs on the university premises.
- 3.4 is corrupt, or may reasonably be considered to be corrupt because;
 - 3.4.1 he/she is, or any of his/her dependents or any other person through him/her or on his/her behalf, is in possession (for which he/she cannot reasonably account for) of pecuniary resources or of properly disproportionate to his/her known sources of income.
 - 3.4.2 he/she has assumed a style of living beyond his/her ostensible means; or
- 3.5 is engaged or reasonably suspected of being engaged, in activities detrimental to the environment of the University by spreading sectarian and ethic hatred; or is reasonably suspected of being associated with others in such activities, and whose retention in service is considered prejudicial to the environment of the University; or
- 3.6 becomes a member of or is associated in any capacity with an association of any kind other than as association organized by or under the aegis of the University, without obtaining prior permission of the Vice Chancellor in writing; or
- 3.7 is engaged directly or indirectly in any trade, business or occupation (on his/her own account) which may in the opinion of the appointing authority interfere with the due performance by him/her of the duties of his/her office. Without the prior permission of the appointing authority in writing ;or

- 3.8 absents himself/herself from duty or overstays sanctioned leave without sufficient cause acceptable to the authority; or
- 3.9 Exercise unwholesome influence or is reasonably suspected of exercising unwholesome influence on the academic, moral and corporate life of the University.
- 3.10 Refuses to comply with reasonable orders or refuses to receive written orders pertaining to work or show cause notices pertaining to disciplinary proceedings/ inquiries.

4). **Penalties**

- 4.1 The following penalties may be imposed under these rules upon University employee:-
 - 4.1.1. Censure;
 - 4.1.2. Withholding of increment, including stoppage at an efficiency bar for a specified period.
 - 4.1.3. Recovery from pay of the whole or part of any pecuniary loss, caused to the University by negligence or breach of orders.
 - 4.1.4. Reduction to a lower post or time-scale or to a lower stage in a time scale;
 - 4.1.5. Compulsory retirement;
 - 4.1.6. Removal from service; and
 - 4.1.7. Dismissal from service.
- 4.2 Penalty specified in clauses 4.1.1 shall be deemed, for the purposes of these rules to be minor penalty and those specified in clauses 4.1.2 to 4.1.7 of that paragraph to be major penalties.
- 4.3 Removal does not, but dismissal does, disqualify from future employment under the University.
- 4.4 for misconduct, any penalty in paragraph 4.1 may be imposed but the penalties to be ordinarily imposed for inefficiency, indifference, non-punctuality and irregularity in attendance of duties, becoming a member of an association without permission, engaging directly or indirectly in trade without permission or absenting himself from duty or overstaying sanctioned leave or for corruption shall be those set out in clause (4.1.2) (4.1.3) (4.1.4) (4.1.5) of that paragraph.
- 4.5 The Vice Chancellor shall be competent to impose any penalty set out in (4.1.1) to (4.1.7) of paragraph 4.1.
- 4.6 In these Rules, removal or dismissal from service does not include the discharge of the person:-
 - 4.6.1 appointed on probation, during the period of probation;
 - 4.6.2 appointed otherwise than under contract to hold a temporary appointment, on the expiration of the period of the appointment; or
 - 4.6.3 engaged under contract, in accordance with the terms of his/her contract

5. **Inquiry procedure in all cases,** under Rule 3, inquiry procedure shall be observed as under;
 - 5.1. the Vice Chancellor/authority, shall issue a First Show Cause Notice, in writing, to the University Employee contain details of the allegations against the employee and call upon the employee to explain in writing as to why action be not taken against him/her in this regard. The reply of the employee shall be submitted within seven (7) days from date the First Show Cause Notice is communicated to the employee.
 - 5.2. The authority may as it deems fit, on receipt of the written explanation of the employee either impose a minor penalty under clause 4.1.1.
 - 5.3. If the authority feels that the seriousness of the allegations and unsatisfactory explanation, or non-receipt of written explanation in time of the employee warrant imposition of major penalty, and holding of a formal inquiry, the Vice Chancellor shall, within a week of receipt of the explanation, frame Charge Sheet and communicate it to the accused employee and direct him/her to appear before an inquiry officer or committee notified for the purpose of conducting the inquiry.
 - 5.4. The inquiry officer / committee will conduct the inquiry on a day to day basis and will complete the inquiry proceedings within 15 (fifteen) days and record the proceedings in writing. Adjournment of proceedings will not be allowed except for reasons to be recorded in writing and shall not exceed more than 3 days at a time.
 - 5.5. The accused employee will be afforded full opportunity for defense of his case by having the charge read out to him/her and given full opportunity to cross-examine any witness produced against him as well as produce witnesses in his own defense who may also be cross-examined by the inquiry officer / committee. Provided that the inquiry officer / committee may, for reasons recorded in writing, refuse to call a particular witness or to summon or admit any particular evidence.
 - 5.6. If the accused fails to appear before the inquiry, the case may be conducted on ex-parte basis.
 - 5.7. The Inquiry Officer / Committee will record its findings and recommendations in writing and submit them to the Vice Chancellor immediately on completion of the inquiry.
 - 5.8. If the Vice Chancellor / Authority decides to impose a major penalty, it will issue a Final Show Cause Notice *accompanied with enquiry report* to the accused employee to explain within 3 (three) days of receipt of Final Show Cause Notice in writing or verbally as to why the proposed major penalty be not imposed upon him/ her.
 - 5.9. If the Vice Chancellor / authority finds the explanations to the Final Show Cause Notice unsatisfactory, it will impose the proposed major penalty and communicate its Final orders to the accused employee in writing.

6). Power to order medical examination as to mental or bodily infirmity

6.1 Where it is proposed to proceed against a University employee on the ground of inefficiency by reason of infirmity of mind or body, the Vice Chancellor may, at any stage, require the University employee to undergo a medical examination by Medical Board and the report of the Board shall form part of the proceedings.

6.2 If University employee refuses to undergo such examination, his/her refusal may, subject to the consideration of any grounds he/she may give in support of it, be taken into consideration against him/her showing that the he/she had reason to believe that the result of the examination would prove unfavorable to him.

7). Suspension

7.1 A University employee against whom action is proposed to be taken under Rule 3, may be placed under suspension for a period not exceeding two months, if, in the opinion of the authority, suspension is necessary or expedient.

8). Provident Fund, Gratuity etc, of the University Employees compulsorily retired, Removed or dismissed

8.1 Subject to any order of the authority, as the case may be as to the amount of provident fund or gratuity to be paid, a University employee compulsorily retired shall except as hereinafter provided, be entitled to such Provident Fund or gratuity benefits as would have ordinarily been admissible to him on the date of his/her compulsorily retirement under the University Rules applicable to his/her service or post if he/she had been discharged from service on account of the abolition of his/her post without alternative suitable employment being provided.

8.2 Subject to any order of the authority as the case may be made on compassionate grounds, a University employee who is removed or dismissed shall not be entitled to any Provident Fund or Gratuity benefits accruing from University contributions to his Provident Fund account.

9). Re-instatement.

9.1 If a University employee, proceeding on leave in pursuance of an order under Rule 5.1.1 is not dismissed, removed, reduced in rank or compulsorily retired, he/she be reinstated in service, or the case may be restored to his/her or given at equivalent rank, and the period of such leave shall be treated as duty on full pay.

9.2 Reinstatement after suspension shall be governed by the relevant University rules.

10). Appeal

A University employee on whom a penalty is imposed shall have the right to prefer an appeal, within (7) seven days of the receipt by him / her of the order imposing the penalty, to the appropriate appellate authority specified in the Appendix to these rules.

- 11). These Rules shall supersede all University Rules relating to the efficiency and discipline of the University employees.

11.1 Notwithstanding the supersession of the University Rules referred to in sub-rule 14.1 above (hereinafter referred to as the said rules) any Departmental inquiry or proceeding pending immediately before the coming into force of the Rules, shall be completed and order passed thereon as if the said Rules has not been superseded.

12). **Power of *Syndicate* to issue instructions**

For the purpose of these Rules, the *Syndicate* may from time to time, issue instructions for the maintenance of appropriate standards of efficiency, good conduct, discipline and integrity.

*By orders of the
Chancellor BUITMS*

1. Executive Secretary to the Vice Chancellor, BUITEMS
2. Pro Vice Chancellor, BUITEMS
3. Director Finance, BUITEMS
4. Controller of Examinations, BUITEMS
5. All Deans, BUITEMS
6. All Chairmen, BUITEMS
7. All Section Heads, BUITEMS
8. Resident Auditor, BUITEMS
9. Master File.

(Muhammad Afzal Kasi)
Registrar

(Encl. Appendix page 7)

APPENDIX

S.No.	Class of Employees	Appointing Authority	Authority to take disciplinary action	Appellate authority
a	b	c	d	e
01	Vice Chancellor, Pro Vice Chancellor, Registrar , Controller of Exams and Director Finance	Chancellor	Chancellor	Senate
02	All members of teaching staff and non teaching staff in pay scale 16 & above.	Vice Chancellor	Vice Chancellor	Chancellor
03	Non Teaching staff from B-1 to B-15	Registrar	Registrar	Vice Chancellor



