

## **OFFICE OF CHIEF PROCTOR**

### **Statute 32(5) of the Statutes of the University**

As per this statute University has a Proctorial system where administration of student related matters pertaining to all acts of indiscipline are delegated to the Chief Proctor. He/She is assisted by two additional proctors; one of the proctors is a woman. Thus, the Proctorial Board comprises of a three member body.

#### **Norms and Procedures followed during enquiry:**

After receipt of a complaint it is scrutinized by the Proctorial Board to ascertain if it pertains to the jurisdiction of Proctorial Enquiry. Subsequently, either a one/two/three member(s) Proctorial Enquiry Committee is set up to conduct an in depth investigation into the matter. Proctorial enquiry is an internal enquiry of JNU and hence, no other person except the Board members is allowed to be present during hearings. The accused or complainants is not allowed to be represented by a third party. Similarly, He/She cannot have an observer during the process of enquiry.

After it is ascertained that an enquiry required, following procedure/norm is generally followed:

- ( 1) The complainant is called for hearing and his deposition is recorded.
- ( 2) The accused person(s) is called for recording his/her statement.
- ( 3) Witnesses mentioned by both parties is listed and they are called for recording their depositions.
- ( 4) Any evidence, from security staff/JNU staff or other persons, who were present there and had witnessed the incident are called and their statements recorded.
- (5) A cross-examination of the accused and the complainant is conducted.
- (6) If any material evidence, like audio/video tapes/paper documents etc. is available, the same is examined. The veracity is established from the person who submits these.
- (7) Finally a comprehensive report is prepared where specific charge against the accused is framed and a show cause notice is issued.
- (8) The defense given by the accused persons in the show cause notice is studied and examined.
- (9) Finally, a report is prepared and as per the “Rules of discipline and proper conduct of students of JNU,” appropriate disciplinary action is recommended. (Rules of discipline and proper conduct of students of JNU is given in appendix).

- (10) Final report and recommendations is submitted to Vice-Chancellor for approval & final decisions.
- (11) Consequently, the award of punishment is conveyed to the student.
- (12) The punished student has the right to appeal against the punishment and Vice-Chancellor is the empowered authority to deal with appeals.
- (13) The abovementioned norms and procedures are generally followed. However, the Proctorial Board at its discretion can add additional norms or delete existing ones separately depending on the nature and need of the enquiry.

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## APPENDIX

### **PREAMBLE**

Whereas by virtue of Sections 5 (10)\* of the JNU Act read with Statute 32(1)\*\* of the Statutes of the University, the Vice-Chancellor has been vested with all the powers relating to discipline and disciplinary action in relation to students and whereas Statute 32(5)\*\*\* empower the University to frame detailed rules of discipline and proper conduct; and now in pursuance of the same the Vice-Chancellor has approved the following rules of discipline and proper conduct among the students of the University.

### **1 SHORT TITLE AND COMMENCEMENT**

- (i) These Rules shall be called “The JNU Students’ Discipline and conduct Rules” hereafter referred to as the “Rules”.
- (ii) These Rules shall come into force with effect from the date of notification.\*\*\*\*

### **2. APPLICATION OF RULES**

- (1) These Rules shall apply to all students of the University (including part-time students) whether admitted prior to the commencement of these Rules or after the commencement of these Rules.

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\* To regulate and enforce discipline among students and employees of the University and take such disciplinary measures in this regard as may be deemed necessary.

\*\* All powers relating to discipline and disciplinary action in relation to students shall vest in the Vice-Chancellor.

\*\*\* Without prejudice to the powers of the Vice-Chancellor and the Chief Proctor as aforesaid, detailed rules of discipline and proper conduct shall be framed. The Principals or, as the case may be, the Heads of the Colleges, Institutions, Departments, Special Centres of Specialised Laboratories may frame such supplementary rules as they deemed necessary for the aforesaid purposes. Every student shall provide himself with a copy of these Rules.

\*\*\*\* These Rules shall come into force w.e.f. 19<sup>th</sup> June 2000.

(2) Any breach of discipline and conduct committed by a student inside or outside the JNU Campus shall fall under the purview of these Rules.

(3) Without prejudice to the generality of the power to enforce discipline under Statue 32 of the Statutes of the University, the acts mentioned in Rules 3 shall amount to acts of misconduct or indiscipline or both.

### 3. CATEGORIES OF MISCONDUCT AND INDISCIPLINE

#### CATEGORY-I

I . All acts of violence and all forms of coercion such as gheraos, sit-ins or any variation of the same which disrupt the normal academic and administrative functioning of the University and/or any act which incites or leads to violence.

ii. Gheraos, laying siege or staging demonstrations around the residence of any member of the University Community or any other form of coercion, intimidation or disturbance of right to privacy of the residents of the campus.

iii. Sexual harassment of any kind which shall also include:

Unwelcome sexual proposition/advancements, sexually graphic comments of a body, unwelcome touching, patting, pinching or leering of parts of the body or persistent offensive or unwelcome sexual jokes and/or comments.

#### CATEGORY-II

iv. Committing forgery, tempering with the Identity Card or University records, impersonation, misusing University property (movable or immovable), documents and records, tearing of pages, defacing, burning or in any way destroying the books, journals, magazines and any material of library or unauthorized photocopying or possession of library books, journals, magazines or any other material.

- v. Hunger strikes, dharnas, group bargaining and any other form of protest by blocking entrance or exit of any of the academic and/or administrative complexes or disrupting the movements of any member of the University Community.
- vi. Furnishing false certificates or false information in any manner to the University.
- vii. Any act of moral turpitude.
- viii. Eve-teasing or disrespectful behavior or any misbehavior with a girl student, woman staff member/visitor.
- ix. Arousing communal, caste or regional feeling or creating disharmony among students.
- x. Use of abusive, defamatory, derogatory or intimidatory language against any member of University Community.
- xi. Causing or colluding in the unauthorized entry of any person into the Campus or in the unauthorized occupation of any portion of the University premises, including halls of residences, by any person.
- xii. Unauthorized occupation of the hostel room or unauthorized acquisition and use of University furniture in one's hostel room or elsewhere.
- xiii. Indulging in acts of gambling in the University premises.
- xiv. Consuming or possessing dangerous drugs or other intoxicants in the University premises.
- xv. Damaging or defacing, in any form, any property of the University or the property of any member of the University Community.
- xvi. Not disclosing one's identity when asked to do so by a faculty member or employee of the University who is authorized to ask for such identity.
- xvii. Improper behavior while on tour or excursion.
- xviii. Coercing the medical staff to render medical assistance to persons not entitled for the same or any other disorderly behaviour in the Health Centre.
- xix. Blockade or forceful prevention of any normal movement of traffic, violation of security, safety rules notified by the University.
- xx. Any other offence under the law of land.

- xxi. Ragging in any form.
- xxii. Accommodating unauthorized guests or other persons in the halls of residence.
- xxiii. Engaging in any attempt at wrongful confinement of any member of the faculty, staff, student or anyone camping inside the campus.
- xxiv. Any intimidation or insulting behaviour towards a student, staff or faculty or any other person.
- xxv. Any other act which may be considered by the V.C. or any other competent authority to be an act of violation of discipline and conduct.

#### **4. PUNISHMENT**

The competent authority may impose any of the following punishments on any student found guilty of any of the acts of indiscipline or misconduct mentioned in Category-I or Category-II, as the case may be in Rule 3.

##### **CATEGORY I**

- (1) Cancellation of admission or withdrawal of degree or denial of registration for a specified period.
- (2) Rustication up to four semester period and/or declaring any part or the entire JNU Campus out of bounds.
- (3) Expulsion.

##### **CATEGORY II**

- 1. Admonition/Reprimand.
- 2. Fine up to Rs. 20,000/-
- 3. Recovery of any kind, such as scholarship/fellowship, any dues, cost of damages etc.
- 4. Withdrawal of any or all facilities available to a student as per, JNU Rules (such as Scholarship/Fellowship, hostel etc.)
- 5. Stoppage of any or all academic processes.
- 6. Declaring any Halls of Residences, premises, building or the entire JNU Campus out of bounds to any student.

7. Rustication up to two semesters.

5. **GENERAL**

(1) No punishment shall ordinarily be imposed on a student unless he/she is found guilty of the offence for which he/she has been charged by a proctorial any other inquiry after following the normal procedure and providing due opportunity to the student charged for the offence to defend himself.

(2) In case the Vice-Chancellor or any competent authority is of the opinion that on the basis of the available material and evidence on record, a prima facie case exists against a student, he may order suspension of the student including withdrawal of any or all facilities available a to bona fide student pending proctorial or any other inquiry.

(3) Notwithstanding any punishment mentioned in Rule 4, the Vice-Chancellor may keeping in view the gravity/nature of misconduct/act of indiscipline, the manner and the circumstances in which the misconduct/indiscipline has been committed, award a punishment in excess of or less than or other than what has been mentioned thereon for reasons to be recorded.

6. **INTERPRETATION**

In case any dispute arises with regard to the interpretation of any of these Rules the matter shall be referred to the Vice-Chancellor, whose decision thereon shall be final.