

University Ordinances & Legislations

Disorderly Conduct and Use of Unfair Means in Examination-Ordinance X-A

For the purposes of this Ordinance –

- (a) Examination means an examination conducted by the University of Delhi;
- (b) The year means the academic year;
- (c) Candidate includes an examinee taking any examination in a particular year and, wherever the context so permits, every student on the rolls of the University or of a recognized College or Institution;
- (d) The use of dishonest or unfair means in the examination includes:
 - (i) assisting in any manner whatsoever any other candidate in answering the question paper during the course of the examination;
 - (ii) taking assistance from any other candidate or any other person or from any book, paper, notes or other material in answering the question paper during the course of the examination;
 - (iii) carrying into the examination room any book, paper, notes, or other material whatsoever likely to be used directly or indirectly by the candidate in connection with the examination;
 - (iv) smuggling in an answer book or a continuation sheet;
 - (v) taking out or arranging to send out an answer book or its any page or a continuation sheet;
 - (vi) replacing or getting replaced an answer book or its any page or continuation sheet during or after the examination;
 - (vii) getting impersonated by any person in examination.
 - (viii) deliberately disclosing one's identity or making any distinctive mark in the answer book for that purpose;
 - (ix) communicating with or talking to any other candidate or unauthorised person in or around the examination room during the course of the examination;

(x) communicating or attempting to communicate directly or through a relative, guardian and friend with an examiner with the object of influencing him in the award of marks;

(e) Disorderly conduct in the examination includes:

(i) misbehaviour in connection with the examination, with the superintendent, the Invigilator on duty or the other staff working at the Examination Centre, or with any other candidate, in or around the examination centre, before, during or after the examination hour;

(ii) leaving the examination room before the expiry of half an hour or without handing over the answer book to the Invigilator-in-charge or without signing the attendance sheet;

(iii) intentionally tearing off the answer book or a part thereof or a continuation sheet;

(iv) disturbing or disrupting the examination;

(v) inciting others to leave the examination room or to disturb or disrupt the examination;

(vi) carrying into the examination centre any weapon of offence.

2. No candidate shall make use of any dishonest or unfair means or indulge in disorderly conduct in the examination.

3. A candidate found guilty of the use of dishonest or unfair means or disorderly conduct in the examination may be disqualified from passing the examination for which he was a candidate, and may, in addition, be debarred from appearing at any future examination of the University for a further period to be stated or be expelled from the University and declared not a fit and proper person to be admitted to any further examination of the University.

4. (a) Any candidate who, in the opinion of the Invigilator on duty or the Examiner conducting a practical or oral examination or the Superintendent of the Examination Centre contravenes or is suspected of contravening the provisions of clause 2 in the examination room, shall be forthwith challenged by such Invigilator, Examiner or Superintendent who shall ask for a signed

statement from the candidate. The candidate may be subjected to a search of his person to recover any incriminating material from him by the examination staff on duty.

(b) Without prejudice to the provision contained in sub-clause (a) above the Superintendent of an Examination Centre or the Examiner conducting practical or oral examination shall also have the power to expel a candidate who in his opinion, has contravened the provisions of clause 2, from the examination centre for the remaining duration of the paper.

5. (a) The Superintendent of the Examination Centre or the Examiner or any Officer of the University, as the case may be, shall report in writing to the Controller of Examinations the case of every student who has contravened the provision of clause 2.

(b) The reporting authority shall give full facts of the case in his report and forward with it the statements, if any, made on the occasion by the candidate and the Invigilator on duty and papers, books and other material recovered from the candidate, if any.

6. There shall be one or more Examination Disciplinary Committees. Each such Committee, hereinafter referred to as the Examination Disciplinary Committee shall be constituted as under :

(a) On the recommendation of the Vice-Chancellor the Executive Council shall, at the beginning of each year, draw up a panel of teachers of the University to be nominated on the Examination Disciplinary Committee.

(b) Each Examination Disciplinary Committee shall comprise of two teachers to be nominated by the Vice-Chancellor from amongst the panel, one of them being of the status of at least a Reader.

(c) The Controller of Examinations or any person authorized by him, of the rank of not less than an Assistant Controller of Examinations, will function as non-member Secretary of The Examination Disciplinary Committee.

7. The Vice-Chancellor shall determine from time to time the number of Examination Disciplinary Committees.

8. (a) The Controller of Examinations or any person authorised by him in this behalf shall communicate to the candidate, in respect of whom a report has been received pursuant to clause 5(a), the precise nature of allegations against him and shall require him to furnish his written explanation within a stipulated period.

(b) On receipt of the explanation from the candidate or on the expiry of the period stipulated for submitting explanation if no explanation is received from him the Vice-Chancellor shall assign his case for consideration to the Examination Disciplinary Committee and, where there are more Committees than one, such Examination Disciplinary Committee as he may deem fit.

9. After considering all the material on record including the explanation, if any, submitted by the candidate, the Examination Disciplinary Committee if satisfied that the candidate is guilty of the use of dishonest or unfair means or disorderly conduct in the examination, shall recommend to the Executive Council the punishment that may be imposed on the candidate under clause 3 according to the nature of the offence.

10. The Executive Council may, after considering the report, of the Examination Disciplinary Committee take such action against the candidate under clause 3 as it may deem fit.

11. A candidate on whom any punishment has been imposed under clause 3 may, within 30 days from the date of the receipt of the communication in that behalf, make a representation to the Vice-Chancellor for review of his case and the Vice-Chancellor, if satisfied that the case is fit for reconsideration, refer the same to the Executive Council. The Executive Council may thereupon review the case and pass such orders as it may consider fit.

12. In the case of a candidate who has been expelled from the University in terms of provisions of Clause 3, the Executive Council may, on the

recommendation of the Vice-Chancellor, on the expiry of three years after such expulsion including the examination in connection with which he was punished, exempt a candidate from further operation of the punishment awarded.

13. If within four months of the publication of the results, it is brought to the notice of the Controller of Examinations that a candidate was guilty of the use of dishonest or unfair means at the examination in respect of which his result was declared, the provisions of this Ordinance shall apply mutatis mutandis to the case of such a candidate provided that before imposing any penalty including the penalty of cancellation of his result, he shall be given another opportunity, to show cause against the proposed punishment and his explanation, if any, shall be the Executive Council.

13. A A candidate against whom an enquiry is pending about his allegedly having resorted to the use of dishonest or unfair means or disorderly conduct in the examination or against whom action is initiated under the provisions of the preceding clause shall, if he takes or has taken any subsequent examination, be deemed to have been only provisionally admitted to that subsequent examination. That examination will stand cancelled and his result thereof would not be declared if on account of the punishment imposed on him as a result of the said enquiry or action, he would not have been entitled to take that examination but for his provisional admission thereto.

14. If a person, not otherwise covered by these provisions, is found guilty of having impersonated a candidate or of having written, outside the examination hall, an answer book or its any page or a continuation sheet which he knows or has reason to believe will be smuggled into the examination hall for the benefit of any candidate, or of having managed otherwise to replace the answer book or its any page of the candidate after the examination, he shall be disqualified from appearing in any University examination for a period to be stated. The provisions of this Ordinance relating to the manner of imposition of penalty shall, in so far as they may be applicable, apply to the case of such a person.

Withholding conferment of any Degree/Diploma or Award of any Certificate Ordinance X-B

Notwithstanding anything contained in Ordinance X-A or in any other Ordinance, the Executive Council may, on the recommendation of the Vice-Chancellor, by a resolution passed with the concurrence of not less than two thirds of the members voting, withhold for such period as they may deem fit, conferment of any Degree/Diploma or Award of any Certificate to any successful candidate at an examination of the University, for reasons, which, in their opinion, justify such withholding e.g., unruly or disorderly conduct, or violence on the campus or in a College, or conviction for an offence involving violence or moral turpitude.

Maintenance of Discipline among Students of the University Ordinance XV-B

1. All powers relating to discipline and disciplinary action are vested in the Vice- Chancellor.

2. The Vice-Chancellor may delegate all or such powers as he/she deems proper to the Proctor and to such other persons as he/she may specify in this behalf.

3. Without prejudice to the generality of power to enforce discipline under the Ordinance, the following shall amount to acts of gross indiscipline:

(a) physical assault, or threat to use physical force, against any member of the teaching and non-teaching staff of any Institution/ Department and against any student within the University of Delhi;

(b) carrying of, use of, or threat to use of any weapons;

(c) any violation of the provisions of the Civil Rights Protection

(d) violation of the status, dignity and honour of students belonging to the scheduled castes and tribes;

(e) any practice-whether verbal or otherwise-derogatory of women;

(f) any attempt at bribing or corruption in any manner;

(a) willful destruction of institutional property;

(b) creating ill-will or intolerance on religious or communal grounds;

(i) causing disruption in any manner of the academic functioning of the University system;

(ii) ragging as per Ordinance XV-C.

4. Without prejudice to the generality of his/her powers relating to the maintenance of discipline and taking such action in the interest of maintaining discipline as may seem to him/her appropriate, the Vice- Chancellor, may in the exercise of his/her powers aforesaid order or direct that any student or students-

(a) be expelled; or

(b) be, for a stated period rusticated; or

(c) be not for a stated period, admitted to a course or courses of study in a College, Department or Institution of the University; or

(d) be fined with a sum of rupees that may be specified; or

(e) be debarred from taking a University or College or Departmental Examination or Examinations for one or more years: or

(f) that the result of the student or students concerned in the Examination or Examinations in which he/she or they have appeared be cancelled.

5. The Principals of the Colleges, Heads of the Halls, Deans of Faculties, Heads of Teaching Departments in the University, the Principal, School of Correspondence Courses and Continuing Education and Librarian shall have the authority to exercise all such disciplinary powers over students in their respective Colleges, Institutions, Faculties and Teaching Departments, in the University as may be necessary for the proper conduct of the Institutions, Halls and teaching in the concerned Departments. They may exercise their authority through, or delegate authority to, such of the teachers in their Colleges, Institutions or Departments as they may specify for these purposes.

6. Without prejudice to the powers of the Vice-Chancellor and the Proctor as aforesaid, detailed rules of discipline and proper conduct shall be framed. These rules may be supplemented, where necessary, by the Principals of Colleges, Heads of Halls, Deans of Faculties and Heads of Teaching Departments in this University. Each student shall be expected to provide himself/herself with a copy of these rules.

7. At the time of admission, every student shall be required to sign a declaration that on admission he/she submits himself/herself to the disciplinary jurisdiction of the Vice Chancellor and the several authorities of the University who may be vested with the authority to exercise discipline under the Acts, the Statutes, the Ordinances and the Rules that have been framed there under by the University.

Prohibition of and Punishment for Ragging Ordinance XV-C.

1. Ragging in any form is strictly prohibited, within the premises of College/Department or Institution and any part of Delhi University system as well as on public transport.

2. Any individual or collective act or practice of ragging constitutes gross indiscipline and shall be dealt with under this Ordinance.

3. Ragging for the purposes of this Ordinance, ordinarily means any act, conduct or practice by which dominant power or status of senior students is brought to bear on students freshly enrolled or students who are in any way considered junior or inferior by other students and includes individual or collective acts or practices which:-

(a) involve physical assault or threat to use of physical force;

(b) violate the status, dignity and honour of women students;

(c) violate the status, dignity and honour of students belonging to the scheduled castes and tribes;

(d) expose students to ridicule and contempt and affect their self esteem;

(e) entail verbal abuse and aggression, indecent gestures and obscene behaviour.

4. The Principal of a College, the Head of the Department or an Institution, the authorities of College, of University Hostel or Halls of Residence shall take immediate action on any information of the occurrence of ragging.

5. Notwithstanding anything in Clause (4) above, the Proctor may also suo moto enquire into any incident of ragging and make a report to the Vice-Chancellor of the identity of those who have engaged in ragging and the nature of the incident.

6. The Proctor may also submit an initial report establishing the identity of the perpetrators of ragging and the nature of the ragging incident.

7. If the Principal of a College or Head of the Department or Institution or the Proctor is satisfied that for some reason, to be recorded in writing, it is not reasonably practical to hold such an enquiry, he/she may so advise the Vice-Chancellor accordingly.

8. When the Vice-Chancellor is satisfied that it is not expedient to hold such an enquiry, his/her decision shall be final .

9. On the receipt of a report under Clause (5) or (6) or a determination by the relevant authority under Clause (7) disclosing the occurrence of ragging incidents described in Clause 3 (a), (b) and (c) the Vice-Chancellor shall direct or order rustication of a student or students for a specific number of years.

10. The Vice-Chancellor may in other cases of ragging order or direct that any student or students be expelled or be not for a stated period, admitted to a course of study in a college, departmental examination for one or more years or that the results of the student or students concerned in the examination or examinations in which they appeared be cancelled.

11. In case any students who have obtained degrees of Delhi University are found guilty under this Ordinance appropriate action under Statute 15 for withdrawal of degrees conferred by the University shall be initiated.

12. For the purpose of this Ordinance, abetment to ragging whether by way of any act, practice or incitement of ragging will also amount to ragging.

13. All institutions within the Delhi University system shall be obligated to carry out instructions/directions issued under this Ordinance, and to give aid and assistance to the Vice-Chancellor to achieve the effective implementation of the Ordinance.

Sexual Harassment Ordinance XV-D

1. Short Title and Extent:

The present ordinance is based on the Policy against Sexual Harassment by the Delhi University and seeks to maintain and create an academic and work environment free of sexual harassment for students, academic and non-teaching staff of the Delhi University. The ordinance will also apply to outsiders and residents, on the Delhi University campus, to the extent specified herein these rules and procedures.

2. Definitions:

(i) "Students" includes regular students as well as current ex-students of Delhi University.

(ii) "Teaching staff" include any person on the staff of the Delhi University or any colleges or institution affiliated to it, who is appointed to a teaching and/or research post, whether full time, temporary, ad-hoc, part-time, visiting, honorary, or on special duty or deputation and shall also include employees employed on a casual or project basis.

(iii) "Non-Teaching Staff" includes any person on the staff of the Delhi University or of any colleges or institutions affiliated to it, who is not included in the teaching staff. It includes employees who are full-time, temporary, ad-hoc, part-time, visiting, honorary, or on special duty or deputation, and employees employed on a casual or project basis.

(iv) "Member of the University" includes all those included in categories (i)-(iii) above.

(v) "Resident" includes any person who is a temporary or permanent resident of any of the accommodations or premises allotted to an employee by the University of Delhi or by any of its affiliated colleges or institutions.

(vi) "Outsider" includes any person who is not a member of the University or a resident. It also includes, but is not limited to, any private person offering residential, food and other facilities to students, teaching staff or non-teaching staff of the Delhi University or any college or institution affiliated to Delhi University.

(vii) "Campus" includes all places of work and residence in the Delhi University or any College or institutions affiliated to the Delhi University. It includes all places of instruction, research and administration, as well as hostel, health centres, sports grounds, staff quarters and public places (including shopping centres, eating places, parks, streets and lanes) on the Delhi University campus or the campus of any college or institution affiliated to the Delhi University.

(viii) "Sexual harassment" includes any unwelcome sexually determined behaviour, whether directly or by implication and includes physical contact and advances, a demand or request for sexual favours, sexually- coloured remarks, showing pornography or any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Explanation: "Sexual harassment" shall include, but will not be confined to the following:

(a) When submission to unwelcome sexual advances, requests for sexual favours, and verbal or physical conduct of a sexual nature are made, either implicitly or explicitly, a ground for any decision relating to employment, academic performance, Extra-curricular activities, or entitlement to services or opportunities at the Delhi University

(b) When unwelcome sexual advances, and verbal, non-verbal and/or physical conduct such as loaded comments, remarks or jokes, letters, phone calls or e-mail, gestures, exhibition of pornography, lurid stares, physical contact, stalking, sounds or display of a derogatory nature have the purpose and/or

effect of interfering with an individual's performance or of creating an intimidating, hostile, or offensive environment.

(c) When a person uses, with a sexual purpose, the body or any part of it or any object as an extension of the body in relation to another person without the latter's consent or against the person's will, such conduct will amount to sexual assault.

(d) When deprecatory comments, conduct or any such behaviour is based on the gender identity/sexual orientation of the person and/or when the classroom or other public forum of the University is used to denigrate/discriminate against a person or create a hostile environment on the basis of a person's gender identity/sexual orientation.

3. Scope of the Ordinance: This ordinance shall be applicable to all complaints of sexual harassment made:

- (i) by a member of the University against any other member of the University irrespective of whether the harassment is alleged to have taken place within or outside the campus.
- (ii) by a resident against a member of the University or by a member against a resident irrespective of whether the sexual harassment is alleged to have taken place within or outside the campus.
- (iii) by an outsider against a member of the University or by a member of the University against an outsider if the sexual harassment is alleged to have taken place within the campus.
- (iv) by a member of the university, against an outsider if the sexual harassment is alleged to have taken place outside the campus. In such cases the Committee shall recommend that the University college authorities initiate action by making a complaint with the appropriate authority. Further the committee will actively assist and provide available resources to the complainant in pursuing the complaint.

Complaint Mechanism: Implementation of the University policy against sexual harassment shall be achieved through:

- (i) The Apex Complaints Committee, which shall be an apex regulatory and appellate body of the University of Delhi for redressal and resolution of complaints.

- (ii) University Units Complaints Committees, which shall be set up in clusters of University Departments/Centres as complaints and redressal bodies.
- (iii) College Complaints Committees, which shall be set up in each college of the University of Delhi as complaints and redressal bodies.
- (iv) Central Pool Complaints Committees, which shall be complaints and redressal bodies (one each for the North and South Campuses) for those units that are not affiliated to any College/ Department/Institution and have not been included in either CCC or UUCC.

4. Redressal :

- (i) UUCC/CCC/CPCC/ACC may ask the College/University to suspend the alleged harasser from an administrative post/class if his/her presence is likely to interfere with the enquiry.
- (ii) The victim of sexual harassment shall have the option to seek transfer of the perpetrator or her/his own transfer where applicable.
- (iii) Notwithstanding the contents of any other ordinance relating to service conditions etc., the head of the institution upon receipt of the enquiry report, shall refer the same to the Governing Body/Executive Council (EC) and take disciplinary action on the basis of recommendations of the Complaint Committees provided that in the case of termination of service the existing rules of the University will also be forwarded.
- (iv) The disciplinary action shall be commensurate with the nature of the violation.

A. In the case of University/College employees; disciplinary action may be in the form of :

- (i) Warning;
- (ii) Written apology;
- (iii) Bond of good behaviour;
- (iv) Adverse remarks in the Confidential Report;
- (v) Debarring from supervisory duties;
- (vi) Denial of membership of statutory bodies;

- (vii) Denial of re-employment;
- (viii) Stopping of increments/promotion
- (ix) Reverting, demotion;
- (x) Suspension;
- (xi) Dismissal;
- (xii) Any other relevant mechanism.

B. In case of students, disciplinary action may be in the form of:

- (i) Warning;
- (ii) Written apology;
- (iii) Bond of good behaviour;
- (iv) Debarring entry into a hostel/campus;
- (v) Suspension for a specified period of time;
- (vi) Withholding results;
- (vi) Debarring from exams;
- (vii) Debarring from contesting elections;
- (viii) Debarring from holding posts;
- (ix) Expulsion
- (x) Denial of admission;
- (xi) Declaring the harasser as “persona non grata” for a stipulated period of time.
- (xii) Any other relevant mechanism.

C. In the case of third party harassment, the University/College authorities shall initiate action by making a complaint with the appropriate authority.

Powers and Duties of ACC/UUCC/CPCC/CCC:

Preventive:

1. To create and ensure a safe environment that is free of sexual harassment.
2. To create an atmosphere promoting equality and gender justice.
3. To publicise the policy in Hindi and English widely, especially through prospectuses, notice boards etc.
4. To publicise in English and in Hindi the names and phone numbers of members of the committees.

5. To plan and carry out programmes for gender sensitisation with the assistance of the Gender Sensitising Committees and the WDCs (wherever they exist).

Remedial:

1. The mechanism for registering complaints should be safe, accessible and sensitive.

2. To take cognisance of complaints about sexual harassment, conduct enquiries, provide assistance and redressal to the victims, recommend penalties and take action against the harasser, if necessary.

3. To recommend to the concerned authorities follow-up action and Monitor the same.

4. To advise the disciplinary authority concerned to issue warnings or take the help of the law to stop the harasser, if the complainant consents.

5. To seek medical, police and legal intervention with the consent of the complainant.

6. To make arrangements for appropriate psychological, emotional and physical support (in the form of counselling, security and other assistance) to the victim if she/he so desires.

For University Ordinances and Regulations please refer to Link1

University of Delhi issued notification No. Estab.II(1)/27/ACC/2006/ dated 9 January, 2014 declaring that the provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressed) Act, 2013, supersede the University Ordinance XV-D. University of Delhi constituted its own Internal Complaints Committee as directed under the Act, vide Notification No. Estab.II(i)/027/ACC/2006 dated 16 January, 2014 (**Please refer to Link 3**). All colleges/institutions under University of Delhi were also directed to constitute their own Internal Complaints Committees.

