



राष्ट्रीय डिज़ाइन संस्थान
National Institute of Design
मध्यप्रदेश Madhya Pradesh

(An Institute of National Importance under DPIIT, Ministry of Commerce and Industry, Govt. of India)

NIDMP-1-9002/1/2024-NIDMP

Date: 14.03.2024

OFFICE ORDER NO: 70/2024

Disciplinary Committee and Procedure for Disciplinary Action

General

1. A Disciplinary Committee is constituted by the Director for the purpose of inquiring and investigating into complaints of misconduct. The composition is as under:

- | | | |
|-------|--|--------------------|
| (i) | Mr.-Pramod Kumar Marshal, DL CD | - Chairperson |
| (ii) | Dr. Rakesh K Vidhate (Senior Technical Instructor) | - Member |
| (iii) | Ms. Shejal Dewan, AE (IT) | - Member |
| (iv) | Mr. Ankit Verma, AAO | - Member |
| (v) | Mr. Kartik Kumar Sahu | - Member Secretary |

2. Three members shall form quorum for the meeting. The Disciplinary Committee shall submit a report not later than 15 working days from the date on which the case was referred to it.

Conduct of Inquiry

3. Preliminary Actions: As and when the inquiry is ordered, the Chairperson will assemble the committee for the following actions: -

- (i) Ensuring the complainant is safe and initiating all necessary actions to ensure this.
- (ii) Deciding upon the witnesses to be called for recording of the evidence and deciding on the sequence of witnesses to be called. List of material evidence which needs to be produced including audio/ video/ CCTV evidence should also be decided.
- (iii) Deciding on the date, time and place for conduct of the actual inquiry.

- (iv) The list of witnesses/ evidence and the date/ time/ place of inquiry be intimated in writing to the Registrar for making the necessary arrangements.
- (v) Study relevant ordinances / rules and legal provisions, if any, relevant to the case.

4. Calling Accused student/ Witnesses: Apart from the complainant, accused student/ students, other relevant witnesses should be called to give evidence. The aim of an inquiry is getting to the bottom of the case and unearthing the truth. Witnesses should be called in a sequence, which aids in ascertaining the truth, and not based on availability or convenience. These witnesses include: -

- (i) Person/ employee/ outsourced staff, who first received the complaint or who was the first witness to an incident.
- (ii) Hostel warden, in case the incident has taken place in the hostel.
- (iii) In the event of an injury/ medical-legal case, the medical officer and /or nursing assistant, as the case demands.
- (iv) Likely individuals who could have witnessed the incident.

5. Conduct of Inquiry: The inquiry will commence on assembly of all members on the date and time fixed. In case of absence of an individual member, the reason of absence will be recorded. It should be kept in mind that the quorum is complete. The procedure to be followed will be as under:-

- (i) The Accused/ Witness so called will be permitted to give out his/ her statement. He/ She can be permitted to read out a written statement. Before recording his/ her statement, the Accused/ Witness will say to the committee - "I, Mr/ Ms am giving this statement without any compulsion/ coercion/ prejudice. I am fully responsible for whatever is being stated by me".
- (ii) The Accused/ Witness will be allowed to narrate the statement without any interruption/ cross-question. However, the committee may guide the Accused/ Witness to remain relevant and factual. The Accused/ Witness shall be asked to write and submit his/ her statement. If due to any reason, the witness is not able to submit a written statement, one member of the committee will record the same in the "First Person" and the Accused/ Witness will sign it.
- (iii) The members of the Committee may question each Accused/ Witness with the aim of extracting the complete facts and filling the gaps in the statement narrated. All questions and answers should be recorded in the proceedings by the Member Secretary.
- (iv) Any Accused/ Witness may be called again for further questioning, should the committee feel so, while statement of another Accused/ Witness is being recorded.
- (v) Statements of the Accused/ Witness will be attached with the inquiry proceedings.

- (v) Statements of the Accused/ Witness will be attached with the inquiry proceedings.
6. Presence of the Accused during conduct of inquiry: If any student is accused of an act, which is likely to affect his/ her character/ reputation, he/ she will be called after recording of statement by Witness(es). The Accused may read the statement of the witness and will be permitted to cross-question him/ her.
7. Re-examining witnesses. If the inquiry committee feels the necessity of re-examining (questioning) an Accused/ Witness due to new facts emerging during the inquiry, it may do so.
8. Record of proceedings. A record of proceedings shall be kept in the form of minutes of each meeting.
9. Report in an inquiry is a logical summary of facts emerging out of the process of the inquiry. The following shall be kept in mind while writing the report:
- (i) It shall bring out the circumstances leading to the incident/s.
 - (ii) Specific references to the statements of relevant Accused/ Witnesses and/ or documentary evidence produced must be made while stating the facts.
 - (iii) The report should essentially include findings by the committee.
 - (iv) The opinion will be derived out of the findings. It will clearly bring out deductions which include, declaring individual/ individuals blameworthy for misconduct/ omissions; if blamed the gravity of the offences/ omissions; alternatively can also excoriate individuals who have been accused of misconduct etc.
 - (v) Opinion can also bring to the notice procedural lapses/ weaknesses as well as organizational issues.
 - (vi) Opinion should clearly bring out the verdict whether a particular individual is guilty or not guilty of a specific charge.
 - (vii) Specific recommendations will be included as to the punishments(s) recommended to be awarded to each individual who was found guilty of an offence. The recommendations should also include any change/ improvement in procedures needed to prevent such occurrences.

Penalties

10. The following penalties may be imposed on a student, for act of indiscipline or misconduct:
- (i) Written warning and information to the parents/ guardian.
 - (ii) Fine of Rs. 1,000/- which may extend up to Rs. 5,000/-.
 - (iii) Suspension from the Class/ Academic privileges/ Hostel/ Library or from availing of any particular facility/ area on campus.

- (iv) Suspension from Course(s)/ Semester/ Academic year.
- (v) Suspension or cancellation of scholarships, fellowship or any financial assistance from any source or recommendation to that effect to the sanctioning agency.
- (vi) Recovery of pecuniary loss/ damage/ destruction caused to Institute Property.
- (vii) Disqualification from holding any representative position in the Class/ Institute/ Hostel/ Mess/ Committees and similar other bodies.
- (viii) Disqualification from placement process.
- (ix) Permanent Expulsion from the Institute for very serious Misconduct.

11. The Institute may impose any one or more of the penalties provided above, taking into account the gravity of the misconduct along with facts and circumstances of a case. In addition to the above penalties, the Institute may direct the student to undergo compulsory counseling sessions from psychologist/ psychiatrist and/or campus community service.

12. Any student against whom a serious charge of misconduct has been made, pending enquiry or pending trial on a cognizable offence by a court of law may be suspended from the Hostel/ rolls of the Institute.

13. All serious cases of indiscipline/ misconduct shall be intimated to the parents/ guardian of the concerned student by email/ letter by the Academic Services department at the earliest.

14. Tenure of the Disciplinary Committee shall be two years from the date of its constitution.

Neeha
14/03/24
(Activity Chairperson Education)