

**PART II**

---

**EFFICIENCY AND DISCIPLINE**

---



---

**THE UNIVERSITY EMPLOYEES (EFFICIENCY AND  
DISCIPLINE) STATUTES, 1975**

---



**<sup>1</sup>[ THE PUNJAB UNIVERSITY EMPLOYEES (EFFICIENCY AND DISCIPLINE)  
STATUTES, 1975 ]**

**1. Short title, commencement and application: -**

- (1) These statutes may be called the Punjab University Employees (Efficiency and Discipline) Statutes, 1975.
- (2) They shall come into force at once and apply to all University Employees except holders of such posts, as may be specified by the Chancellor.

**2. Definitions :**

(1) In these statutes, unless the context otherwise requires:-

- (a) **"Accused"** means an employee of the University against whom action is taken under these statutes;
  - (b) **"Authorised Officer"** means a person authorised by the competent authority to perform functions of an authorised officer under these statutes ;
  - (c) **"Competent Authority"** means an Officer or Authority, competent to appoint the accused ;
  - (d) **"University employee"** includes a teacher and an officer other than the Chancellor, Pro-Chancellor or Vice-Chancellor;
  - (e) **"Misconduct "** means conduct prejudicial to good order of service, discipline or conduct unbecoming of an officer and a gentleman and includes any act on the part of a University employee to bring or attempt to bring political or other outside influence directly or indirectly to bear on the Chancellor, the Pro-Chancellor, or any Officer/Authority of the University in respect of any matter relating to the appointment, promotion, transfer, punishment, retirement or other conditions of his service; and
  - (f) **"Penalty"** means a penalty which may be imposed under these statutes.
- (2) In case two or more University employees are to be proceeded against jointly, the competent authority or, as the case may be, the authorised officer for such an employee senior-most in rank, shall be the competent authority or, as the case may be, the authorised officer in respect of all such accused.
- (3) Words and expressions used but not defined shall bear the same meanings as they bear in the University of the Punjab Act, 1973.

---

1. Approved by the Chancellor, vide No. S.O. (Univ.)1/185-75, dated 24 April, 1975.

3. **Grounds for penalty- A University employee, who :-**

- (a) is inefficient or has ceased to be efficient ; or
- (b) is guilty of misconduct; or
- (c) is corrupt, or may reasonably be considered corrupt because :-
  - (i) he is, or any of his dependents or any other person through him or on his behalf, is in possession of pecuniary resources or of property disproportionate to his known sources of income, which he cannot reasonably account for; or
  - (ii) he has assumed a style of living beyond his ostensible means; or
- (d) is engaged, or is reasonably suspected of being engaged in subversive activities, or is reasonably suspected of being associated with others engaged in subversive activities or is guilty of disclosure of official secrets to any unauthorised person, and his retention in service is, prejudicial to the interest of the University or national security; shall be liable to be proceeded against under these statutes and one or more of the penalties hereinafter mentioned may be imposed on him.

4. **Penalties :**

(1) The following are the minor and major penalties, namely :

(a) **Minor Penalties: -**

- (i) Censure;
- (ii) Withholding, for a specific period, promotion or increment, otherwise than for unfitness for promotion or financial advancement in accordance with the Statutes or orders pertaining to the service or post;
- (iii) Stoppage, for a specific period, at an efficiency bar in the time-scale, other-wise than unfitness to cross such bar ;
- (iv) Recovery of the whole or any part of any pecuniary loss caused to the University by negligence or breach of orders.

(b) **Major Penalties: -**

- (i) Reduction to a lower grade or post or time-scale or to a lower stage in a time-scale;
- (ii) Compulsory retirement;
- (iii) Removal from service; and
- (iv) Dismissal from service.

- (2) Removal from service does not, but dismissal from service does, disqualify for future employment under the University.
- (3) In this statute, removal or dismissal from service does not include the discharge of a University employee:
  - (a) appointed on probation, during the period of probation, or in accordance with the probation or training rules applicable to him; or
  - (b) appointed, otherwise than under a contract, to hold a temporary appointment, on the expiration of the period of appointment; or
  - (c) engaged under a contract, in accordance with the terms of the contract.

5. *Initiation of proceedings.* If, in the opinion of the competent authority, there are sufficient grounds for proceeding against a University employee, it shall direct the authorised officer to proceed against the said University employee.

6. *Inquiry procedure to be observed by the authorised officer.* The following procedure shall be observed by the authorised Officer when a University employee is proceeded against under these statutes:-

- (1) In case where a University employee is accused of subversion, corruption or misconduct, the authorised officer may require him to proceed on leave, if due, or, with the approval of the competent authority, suspend him provided that any continuation of such leave or suspension shall require approval of the competent authority after every three months;
- (2) The authorised officer shall decide whether in the light of facts of the case or the interests of justice an inquiry should be conducted through an Inquiry Officer or Inquiry Committee. If he so decides he shall appoint an Inquiry Officer or Inquiry Committee consisting of two or more persons who or one of whom shall be of the rank senior to the accused or all of the co-accused and the procedure indicated in statutes 7 and 8 shall apply.
- (3) If the authorised officer decides that it is not necessary to have an inquiry conducted through an Inquiry Officer or Inquiry Committee, he shall --
  - (a) by order, in writing, inform the accused of the action proposed to be taken in regard to him and the grounds of the action; and
  - (b) give him a reasonable opportunity of showing cause against that action;

Provided that no such opportunity shall be given where the competent authority is satisfied that in the interest of the security of Pakistan or any part thereof it is not expedient to give such opportunity.

- (4) On receipt of the explanation of the accused, if any, the authorised officer shall determine whether the charge has been proved. If it is proposed to impose a minor penalty he shall pass orders accordingly. If it is proposed to impose a major penalty, he shall forward the case to the competent authority alongwith the explanation of the accused, and his own recommendations regarding the penalty to be imposed.

7. *Procedure to be observed by the Inquiry Officer and Inquiry Committee:-*

Where an Inquiry Officer or Inquiry Committee is appointed, the authorised officer shall:-

- (1) Frame a charge and communicate it to the accused together with statement of allegations explaining the charge and of any other relevant circumstances which are proposed to be taken into consideration.
- (2) Require the accused, within a reasonable time, which shall not be less than seven days or more than fourteen days from the day the charge has been communicated to him, to put in a written defence and to state, at the same time, whether he desires to be heard in person.
- (3) The Inquiry Officer or the Committee, as the case may be, shall enquire into the charge and examine such oral or documentary evidence in support of the charge or in defence of the accused, as may be considered necessary, and the accused shall be entitled to cross-examine the witness against him.
- (4) The Inquiry Officer or the Committee, as the case may be, shall hear the case from day to day and no adjournment shall be given except for reasons to be recorded in writing. However, every adjournment, with reasons therefore, shall be reported forthwith to the authorised officer. Normally no adjournment shall be for more than a week.
- (5) Where the Inquiry Officer or the Committee, as the case may be, is satisfied that the accused is hampering or attempting to hamper the progress of the enquiry, he or it shall administer a warning and if, thereafter, he or it is satisfied that the accused is acting in disregard of the warning, he or it shall record a finding to that effect and proceed to complete the enquiry in such manner as he or it thinks best suited to do substantial justice.
- (6) If the accused absents himself from the enquiry on medical grounds, he shall be deemed to have hampered or attempted to hamper the progress of the enquiry unless medical leave, applied for by him is sanctioned on the recommendation of a Medical Board. Where, in view of the serious condition of the accused, it may not be possible for him to appear before the Medical Board, the Board shall examine him at his residence of which complete address must always be given in the leave application and at which he must be available.  
Provided that the authorised officer may, in his discretion, sanction medical leave upto seven days without the recommendation of the Medical Board.



- (7) The Inquiry Officer or the Committee, as the case may be shall, within ten days of the conclusion of the proceedings or such longer period as may be allowed by the authorised officer, submit his or its findings and the grounds thereof to the authorised officer.
- (8) On the receipt of the report of Inquiry Officer or Inquiry Committee, the authorised officer shall determine whether the charge has been proved. If it is proposed to impose a minor penalty, he shall pass orders accordingly. If it is proposed to impose a major penalty, he shall forward the case to the competent authority alongwith the charge-sheet, a statement of allegations served on the accused, explanation of the accused, the findings of the Inquiry Officer or Inquiry Committee and his own recommendations regarding penalty to be imposed.

**8. Action by the competent authority.**

In the case of any proceedings the record of which has been reported for under clause (4) of statute 6 or clause (8) of Statute 7 the competent authority shall, after affording the accused an opportunity of being heard in person, pass such order as it may deem fit.

**9. Statutes not to apply in certain cases :-**

Nothing in these statutes shall apply to a case;

- (a) Where the accused is dismissed or removed from service or reduced in rank, on the ground of conduct which has led to a sentence of fine or of imprisonment;  
or
- (b) Where the authority is satisfied that, for reasons to be recorded in writing, it is not reasonably practicable to give the accused an opportunity of showing cause.

**10. Procedure of inquiry against officers lent to the Government or other Universities, institutions etc:**

- (1) Where the services of a University employee to whom these statutes apply are lent to any Government or to other Universities or to a local or other authority, in these statutes referred to as the borrowing competent authority, the borrowing competent authority shall have the powers of competent authority for the purpose of placing him under suspension or requiring him to proceed on leave and of initiating proceedings against him under these statutes;

Provided that the borrowing competent authority shall forthwith inform the competent authority which has lent his services, hereinafter in these statutes referred to as the lending competent authority, of the circumstances leading to the order of his suspension or the commencement of the proceedings, as the case may be;

Provided further that the borrowing competent authority shall obtain prior approval of the Syndicate before taking any action under these statutes against a University employee holding a post in Grade 17 or above.

- (2) If, in the light of the findings in the proceedings taken against a University employee in terms of clause (1) above, the borrowing competent authority is of the opinion that any penalty should be imposed on him, it shall transmit to the lending competent authority the record of the proceedings and thereupon the lending competent authority shall take action as prescribed in these statutes.

**11. *Power to order Medical Examination as to mental or bodily infirmity:***

- (1) Where it is proposed to proceed against a University employee on the ground of in-efficiency by reasons of infirmity of mind or body, the competent authority may, at any stage, whether or not an authorised officer has been directed to proceed against him, require the University employee to undergo a medical examination by a Medical Board or a Medical Officer/ Superintendent as the competent authority may direct, and the report of the Board or the Medical Superintendent shall form part of the proceedings.
- (2) If a University employee refuses to undergo such an examination, his refusal may, subject to the consideration of such grounds as he may give in support of it, be taken into consideration against him as showing that he had reason to believe that the result of the examination would prove unfavourable to him.

**12. *Appeal or review against penalty:***

Any University employee on whom a penalty has been imposed under these statutes, may, within 30 days from the date of the communication of the order, appeal against or apply for review of the order as provided in section 43 of the Act:

Provided if the Syndicate or the Chancellor as the case may be is satisfied that there is sufficient ground for extending the time it or he may entertain the appeal or the review petition at any time.

**13. *Petition of appeal or review:***

Every appeal or review petition preferred under these statutes shall be made in the form of a petition in writing and shall set forth concisely the grounds of objection to the order appealed from or sought to be reviewed and shall not contain disrespectful or improper language and shall be submitted to the Vice-Chancellor and he shall forward the same alongwith the comments, within a fortnight, to the Syndicate or the Chancellor as the case may be.

**14. *Determination of appeal by the Syndicate:***

The Syndicate shall cause notice to be given to the appellant and the competent authority or the authorised officer imposing penalty, of the time and place at which such appeal will be heard. The Syndicate shall send for the record of the case, if such record is not already with it. After perusing such record and hearing the appellant, if he appears and the representative of the punishing authority, if he appears the Syndicate may, if it considers that there is no sufficient ground for interfering, dismiss the appeal or may :-

- (1)
  - (a) reverse the finding and acquit the accused; or
  - (b) order and direct that further or fresh inquiry be made; or
  - (c) alter the finding maintaining the penalty or with or without altering the finding, reduce the penalty; or
  - (d) subject to the provisions of clause (2) enhance the penalty.
- (2) where the Syndicate proposes to enhance the penalty, it shall :-
  - (i) by order, in writing, inform the accused of the action proposed to be taken and the grounds of the action; and
  - (ii) give him a reasonable opportunity to show cause against that action.
- (3) In dealing with an appeal, the Syndicate, if it thinks additional evidence to be necessary, may either take such evidence itself or direct it to be taken by the authorised officer and when such evidence has been taken the Syndicate shall thereupon propose to dispose of the appeal.

**15. *Determination of review petition by the Chancellor:***

The Chancellor, while determining the review petition may, in his discretion, exercise any of the powers conferred by Statute 14 on the Syndicate:

Provided that it shall not be necessary for the Chancellor to cause notice to be given to the accused or punishing authority or to afford the accused an opportunity to be heard in person except where the Chancellor proposes to increase the penalty, in which case he shall, by order in writing, inform the accused of the action proposed to be taken and the grounds of the action and give him a reasonable opportunity to show cause against that action.

**16. *No second petition for review except in certain cases:***

- (1) No appeal shall lie against any order made by the Syndicate except in case the Syndicate enhances the penalty.
- (2) In every case, in which the Syndicate enhances the penalty imposed by the competent authority or the authorised officer, the accused may, within 30 days of the communication of the orders, apply to the Chancellor for the review of that order:

Provided if the Chancellor is satisfied that there is sufficient ground for extending the time, he may entertain the application for review at any time.

- (3) The application for review shall be filed in the manner indicated in statute 13 and the Chancellor shall determine the review petition in the manner provided in statute 15 and may, in his discretion, exercise any of the powers in the said statute.

**17. Revision:**

- (1) The Chancellor may call for and examine the record of any proceeding before any authorised officer or competent authority for the purpose of satisfying himself as to the correctness, legality or propriety of any finding, penalty or order recorded or passed and as to the regularity of any proceeding of such competent authority or officer.
- (2) On examining any record under this statute the Chancellor may direct the competent authority or the authorised officer to make further inquiry into the charges of which the accused has been acquitted and discharged and may, in his discretion, exercise any of the powers conferred on the Syndicate under statute:

Provided an order prejudicial to the accused shall not be passed unless he has been given an opportunity to show cause against the proposed action:

Provided further that an order imposing punishment shall not be revised *suo-moto* or otherwise after the lapse of a period of three months from the date of its communication to the accused if no appeal is preferred.

- (3) No proceeding by way of revision shall be entertained at the instance of the accused who has a right of appeal or review under these statutes and has not brought the appeal or review or where the order sought to be reviewed was made by the Chancellor.

**18. Repeal:**

- (1) The University of Punjab Employees (Efficiency and Discipline) Ordinances, 1961, in their application to the University employees to whom these statutes apply, are hereby repealed.
- (2) Notwithstanding the repeal of the University of the Punjab Employees Ordinances, 1961, hereinafter referred to in this statute as the said Ordinances:
  - (a) subject to the provisions of statutes 12 to 17 of these statutes any departmental inquiry or proceedings pending immediately before the coming into force of these statutes, shall be completed and orders passed thereon as if the said Ordinances had not been repealed; and
  - (b) any notification or instructions issued thereunder so far as they are not inconsistent with these statutes, shall be deemed to have been issued under these statutes.
- (3) Any person or competent authority, or the successor of the same, authorised to exercise powers of the competent authority immediately before the commencement of these statutes, shall, to the extent of the powers delegated and so far as is not inconsistent with these statutes, be deemed to be the competent authority designated under these statutes.

**WEST PAKISTAN GOVERNMENT SERVANTS  
(CONDUCT RULES), 1966**

[24. TAKING PART IN POLITICS AND ELECTIONS.

1. No Government servant shall take part in, subscribe aid of or assist in any way, any Political movement in Pakistan or relating to the affairs of Pakistan.
2. No Government servant shall permit any person dependent on him for maintenance or under his care or control to take part in, or in any way assist, any movement or indirectly to be, subversive of Government as by law established in Pakistan.
3. No Government servant shall canvass or otherwise interfere or use his influence in connection with or take part in any election to a legislative body whether in Pakistan or elsewhere.  
  
Provided that a Government servant who is qualified to vote at such election may exercise his right to vote, but if he does so, he shall give no indication of the manner in which he proposes to vote or has voted.
4. No Government servant shall permit any member of his family to act in a manner in which he himself is not permitted by sub-rule (3) to Act.
5. A Government servant who issues an address to electors or in any other manner publically announces himself or allows himself to be publically announced as a candidate or prospective candidate for election to a legislative body shall be deemed for the purpose of sub-rule (3) to have taken part in an election to such body.
6. The Provisions of sub-rules (3) and (5) shall, so far as may, be apply to elections to local authorities or bodies, save in respect of Government servants required or permitted by or under any law or order of Government for the time being in force, to be candidates at such elections.
7. If any question arises whether any movement or activity falls within the scope of this rule, the decision of Government thereon shall be final.]<sup>1</sup>

---

1. Adopted by the Syndicate/Senate, dated, 23 June, 1980 and 30 June, 1983 respectively.

