

MAHARASHTRA NATIONAL LAW UNIVERSITY, NAGPUR



MAHARASHTRA NATIONAL LAW UNIVERSITY, NAGPUR ACADEMIC CODE OF CONDUCT FOR THE STUDENTS, 2023

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MAHARASHTRA NATIONAL LAW UNIVERSITY, NAGPUR ACADEMIC CODE OF CONDUCT FOR THE STUDENTS

Preamble

Maharashtra National Law University, Nagpur aims to promote an inclusive and supportive environment for the students and prepare them as socially responsible, technically sound, and professionally competent legal professionals. A quality teaching-learning pedagogy depends on the academic freedom of students and faculties in a conducive environment; where thoughts and actions are received and reciprocated in an appropriate manner. A sense of order allows the students to thrive, personally and professionally, in their pursuit towards excellence and helps the University to achieve the objectives as enshrined in Section 4 of the Maharashtra National Law University Act, 2014. The University is committed to providing the students a holistic development by promoting unity, integrity, and fraternity towards maintaining academic excellence.

This Academic Code of Conduct seeks to further the University objectives and defines expectations and standards of conduct for students at the University. The University is a centre for creation, dissemination, and preservation of knowledge through its various practices. The University strives for the establishment of ethical practices in teaching, learning and research. It embodies the spirit of collaboration, intellectual development, personal discipline, and professional integrity which supports the vision of the University. It aims to create awareness about responsible conduct towards academic activities and to promote academic integrity by establishing expected academic and professional conduct.

Chapter-I

PRELIMINARY

I.1 Application of the Code

- i. This Code shall be called Maharashtra National Law University, Nagpur Academic Code of Conduct for the Students, 2023.
- ii. The Code shall apply to the students of the University.
- iii. The Code shall govern the conduct of the students in the activities on and off the University Premises.

Explanation: The activities include apprenticeship(s), internship(s), training(s), participation in curricular, extra-curricular and co-curricular activities and/or any event where the student represents the University.

Notwithstanding anything contained in this Code, shall in any manner, be deemed to affect, contradict, or impede any civil or criminal proceeding(s), by or against any student under the law.

I.2 Definitions

In this Code, unless the context otherwise requires:

- i. 'Academic Integrity' is the commitment and demonstration of honesty. It includes intellectual honesty in proposing, performing and reporting any academic activity.
- ii. 'Academic Misconduct' refers to Academic Misconduct by the student as provided under Chapter-II of this Code.
- iii. 'Act' means the Maharashtra National Law University Act, 2014 (Maharashtra Act No. VI of 2014).

- iv. '*Complainant*' means any Member of the University who is aggrieved due to the misconduct of a student.
- v. '*Competent Authority*' means the Vice Chancellor of the University.
- vi. '*Code*' refers to the Academic Code of Conduct for Students of Maharashtra National Law University, Nagpur.
- vii. '*Disciplinary Committee*' means a committee constituted under Chapter IV of this Code.
- viii. '*Discrimination*' means and includes any act leading to disability, liability, restriction, or condition against any person based on grounds only of religion, race, caste, sex, descent, place of birth, residence, marital status, ethnic, social origin, colour, sexual orientation, age, disability, conscience, belief, culture, language or any of them.
- ix. '*Halls of Residence*' means Halls of Residence for boys and girls at University Premises.
- x. '*He*' wherever the pronoun 'He' and its derivatives are used for any person it shall include male, female and transgender.
- xi. '*Inquiry*' means an inquiry conducted by the Disciplinary Committee under Chapter IV of this Code.
- xii. '*Members of the University*' includes any person employed by the University whether contractual or permanent or outsourced and members of statutory bodies, visitors, guests, alumnus, invitees etc.
- xiii. '*Misconduct*' means and includes any act or omission contrary to the provisions of this Code; forbidden by law; or of such nature that would defeat the provision of any law; deceptive; fraudulent; involves and implies injury to the body, reputation or property of another; immoral; opposed to public policy, order, decency, morality; and incitement to an offence.
- xiv. '*Public Spaces*' includes all buildings and open spaces on the University campus, including classrooms, library, offices, commercial and recreational areas, cafeteria, dining hall, canteen, student centre, wellness centre, fitness centre and gym, indoor sports arena, common area, courtyard, service areas, lawns, etc., at the halls of residence.
- xv. '*Registrar*' refers to the Registrar of the University under Section 29 of the University Act.
- xvi. '*Student*' means all existing students enrolled in any course offered by the University.
- xvii. '*Student Representative*' means an Office Bearer as elected by the Student Bar Council.
- xviii. '*Technology Resources*' means technology that results and/or assists to produce, manipulate, store, communicate, or disseminate information. These resources include, but are not limited to, wired and wireless data, video and audio networks, computers for processing information, and other devices for storing and archiving information.
- xix. '*University*' refers to the Maharashtra National Law University, Nagpur established by Act No. VI of 2014.

- xx. *'University Premises'* means and includes permanent campus of the University and any other premises under the control of the University.
- xxi. *'University Property'* means and include corporeal or incorporeal, moveable and immovable, tangible or intangible and legal documents, deeds and instruments in any form including electronic or digital, evidencing title or interest of the University in such property or assets.
- xxii. *'University-Sponsored Activity'* means any activity on or off the University premises, which is initiated, aided, authorised, or supervised by the University, either directly or through any agency appointed by the University.
- xxiii. *'Vice-Chancellor'* refers to the Vice-Chancellor of the University under Section 28 of the University Act, 2014.

Chapter-II

ACADEMIC CONDUCT OF THE STUDENTS

II.1 Expected Academic Conduct

The expected academic conduct of the students is to:

- i. maintain absolute academic integrity, responsible and professional manner;
- ii. abide by and comply with the provisions of the Act / Statutes / Rules and Regulations of the University and all orders and directions of the faculty members and administration, issued in the course of discharging their professional/official responsibilities from time to time;
- iii. extend utmost courtesy and attention to all Members of the University;
- iv. endeavour to promote interests and reputation of the University and shall not act in any manner prejudicial thereto;
- v. ensure the fulfilment of eligibility and selection criteria for the purpose of admission to the respective course;
- vi. produce required document(s) to the University for the purpose of admission to the respective officers;
- vii. ensure authenticity, genuineness, and validity of the document(s) and information submitted to the University;
- viii. submit projects/assignments in proper form, mode and within the deadline;
- ix. strive towards academic excellence; however, students are required to know on regular basis about their academic performance in the classroom participation, examination, projects and research activities;
- x. refrain from any form of communal activity or inappropriate remarks on caste, creed, religion, race, gender, sex, sexual orientation or disability with regards to the Members of the University;
- xi. adhere to the decisions of administrative and academic bodies and/or functionaries of the University;
- xii. refrain from canvassing in any form of political ideology in any matter of the University;
- xiii. avail duly approved academic leaves to participate and represent University in various curricular, co-curricular and extra-curricular activities.
- xiv. refrain from any activity which is against the aims, objectives and vision of the University; and

- xv. refrain from defamation of any Member of the University or portraying any Member of the University in an indecent and derogatory manner.

II.2 Responsibilities of the Students

In order to achieve objectives of the University, the responsibilities of the students are to:

- i. attend classes regularly and punctually, pay due attention on contents of lecture/academic deliberation(s), and complete all academic assignment on time;
- ii. maintain decorum in the class through mutual respect and dignified conduct;
- iii. prepare for lecture, tutorial, moot court, seminar, project presentation, and examination;
- iv. use University property with due approval/permission of the authorised person with due care and caution;
- v. return University property to the authorised person within due time or on accomplishment of the purpose, whichever is earlier;
- vi. conduct themselves with due respect and professionalism towards the Members of the University;
- vii. maintain professional demeanour in all academic and extracurricular activities;
- viii. strive to achieve academic excellence by meeting the University's academic standards;
- ix. promote team spirit by extending cooperation and coordination to the best of their abilities;
- x. foster diverse learning environment by respecting cultural, linguistics, religious, and ideological diversities among the Members of the University;
- xi. use technological resources and artificial intelligence (AI) ethically;
- xii. adhere with the examination policy and examination regulations of the University;
- xiii. inform any instance of violation of this Code, if any, at the earliest to the Chairperson of the Disciplinary Committee to take cognizance or any other preventive, precautionary, or appropriate measures;
- xiv. follow the Dress Code laid down by the University. Further, the students are expected to dress themselves in professional or proper formal attire while attending events/academic activities/representing the University/interacting with the Members of the University. Furthermore, the students are also expected to dress decently during their cultural, sports or any other such event organised by the University.
- xv. promote the interests and reputation of the University and not to act in any manner prejudicial thereto;
- xvi. use social media ethically, in particular not to be prejudicial to the interest of the University and/or Members of the University;
- xvii. use proper channel for any communication with the University authorities;
- xviii. abide diligently in spirit, all the directions issued by the University authorities from time to time in discharging their duties/functions provided by the Act/statutes/rules/regulations;
- xix. avail duly approved academic leave, not beyond fifteen (15) calendar days in a semester under any circumstances; and
- xx. avail medical leave only in case of serious ailments within the prescribed norms.

Chapter-III

MISCONDUCT

III.1 Misconduct Related to Academic Administration

The following shall amount to misconduct, if any student:

- i. dishonestly uses or attempts to use any evidence as a genuine proof which he knows to be false or fabricated.
- ii. intentionally provides any document/ information/ statement which is false, and which he knows or believes to be false or knows it to be prejudicially affecting interest of any Member of the University.
- iii. acts in such a manner prejudice or likely to be prejudice interests and reputation of the University.
- iv. acts in such a manner inconsistent or incompatible with the due or peaceful discharge of the responsibilities of the students.
- v. acts in such a manner abusive or disturbing peace at the University premises.
- vi. habitually negligent in respect of his responsibilities.
- vii. acts in such a manner unfaithful, dishonest against the spirit of the University Act and Members of the University;
- viii. strike, picketing, gherao or inciting others to strike which interrupts or impacts normal working of the University;
- ix. habitually absent from classes or halls of residence without due permission;
- x. without specific or general permission of the university authority, accesses or secure access to ERP, computer system, computer network or computer resource belonging to the University.
- xi. introduces any computer contaminant or virus or malfunctions in the ERP, computer system, computer network or any other I.T. resources belonging to the University or to any Member of the University.
- xii. damages, disrupts or manipulate ERP, computer system, computer network or computer resource belonging to the University or to any Member of the University.
- xiii. denies or causes denial of access to any person authorised to access ERP, computer system, computer network or computer resource belonging to the University by any means.
- xiv. provides or facilitates any person unauthorised access to ERP, computer system, computer network or computer resource belonging to the University by any means.
- xv. act directly or indirectly causing loss, destruction or deuteration of the University property.
- xvi. it also includes the definition of misconduct as provided in chapter-I, I.2, xiii.

In case of violation as referred herein, such student(s) shall bear the loss arising from such misconduct.

III.2 Misconduct Related to Admission

i. Submission of Forged Documents

- (a) intentionally furnishes any document/ information which is false, and which he knows or believes to be false, for the purpose of admission to the respective course.

- (b) intentionally omits to provide any document to the University for which he is bound to produce for the admission to the respective course.
- (c) submission of forged documents for the registration in any course shall amount to violation of this Code.
- (d) misrepresentation stands as a clear violation of University's commitment to academic honesty and integrity.

ii. **Fabricated Testimony**

Deliberately giving false information about personal and professional records before, during, or after the admission process.

iii. **Non-Payment of Fee**

- (a) fee for first year of undergraduate degree courses and one-year LL.M. (Postgraduate) degree course is collected at the time of admission counselling.
- (b) all students from second year to fifth year of undergraduate degree courses are required to pay fee into two equal instalments in the month of June and December of every calendar year respectively.
- (c) failure to pay the fee within the stipulated time and schedule shall amount to violation of this Code.
- (d) levy of late fee as approved by the Executive Council from time to time shall be imposed on non-payment of fee within the stipulated time.
- (e) in case of non-compliance of clause (e), a student shall not be permitted to appear in end semester examinations.

III.3 Misconduct Related to Academics

Academic misconduct refers to any action of a student who undermines the principles of academic integrity. Academic misconduct shall include the following activities:

i. **Plagiarism**

Plagiarism is an act of taking another's ideas and representing them as one's own. This may involve the use, without proper acknowledgement, of published or unpublished work (including art and digital resources), of work done partly or wholly by another person, of work obtained from an essay bank or a web site, or of recorded material from lectures and tutorials. Plagiarism also includes not just the actual copying of text verbatim (which may also be a breach of copyright) or replication of code, or close paraphrasing of text, but also the unacknowledged presentation of ideas from other sources as if they were original to the author or the assembling of pieces of the work of others into a new whole. Further plagiarism constitutes a grave breach of academic ethical activity.

ii. **Self-plagiarism**

Self-plagiarism is an act of submitting a piece of own work already (or simultaneously) submitted for assessment. Self-plagiarism also includes the submission of work that has substantial overlap with parts of work submitted elsewhere.

iii. **Use of AI (Artificial Intelligence)**

Subject to the AI policy adopted by the University from time to time, the usage of an AI tool(s) by the student to generate academic work on his behalf or present AI ideas as his own without appropriate acknowledgement, shall be considered as violation of the Code.

iv. **Research Misconduct**

Unauthorised use of data, false or forged citation, citing of a source of information when the source does not contain that information, or when the information cited was not obtained from that source.

v. **Fabrication of Data**

Fabrication of data is strictly prohibited by law and subject to severe consequences. This misconduct pertains to the falsification of data, research findings, or any academic information. In pursuit of knowledge, academic excellence, honesty and transparency are non-negotiable. Fabrication undermines the very essence of scholarly endeavours by distorting truth and misrepresenting one's contribution.

vi. **Academic Sabotage**

Deliberate actions intended to interfere with the academic progress of others, amounts to misconduct under this Code.

vii. **Use of Mobile Phones in the Classroom/Seminar Hall/ Conference Hall/Moot Court Hall/Library**

Inappropriate use of mobile phones and other digital devices within the academic premises amounts to misconduct under this Code. Further, students are mandated to ensure that their phones remain on silent or vibrate mode while in the academic premises.

III.4 Misconduct Related to Examinations

i. **Using Electronic Devices**

Possessing any digital device which can store data or access the academic contents, software or materials in the examination halls irrespective of whether or not any use of such device was made. However, this Code shall have a separate Standard Operating Procedure (SoP) for online open source or proctored examination.

ii. **Misleading Information**

Providing with incorrect or misleading information related to the examination of member(s) of examination section.

iii. **Unauthorised use of Examination Material**

- (a) unauthorised access and use of an examination script and question papers from the examination halls.
- (b) unauthorised acquisition of examination questions prior to an examination, whether or not the student is a candidate for that examination.
- (c) unauthorised acquisition of examination property, stationary, open book material and bare acts.
- (d) unauthorised exit from the examination halls during the exam.
- (e) any act of misconduct relating to online, proctored or non-proctored examination.

iv. **Cheating**

Cheating is delineated as unauthorised use of materials, information, or assistance during examinations, assignments, or any form of academic evaluation. Any act of cheating amounts to misconduct under this Code.

v. **Impersonation**

Impersonation is an act of taking exams or submitting assignments on behalf of another student or allowing someone else to do so on one's own behalf.

vi. **Submitting False Medical Report**

If any medical certificate submitted by the student is found false or forged or obtained not from the qualified authority / hospital, shall amount to misconduct under this Code.

III.5 Misconduct Related to Media and Use of Public Domain

i. **Capturing Audio, Video, or Images without Awareness or Consent**

Unauthorized recording of audio, video, or images of Members of the University without their explicit consent is strictly forbidden. This prohibition extends to the use of electronic or other devices to capture audio, video, or photographic content, without their prior knowledge or in places where individuals reasonably anticipate privacy, especially when such recordings have the potential to cause harm, distress, or harm to one's reputation.

ii. **Misuse of Electronic Communication**

Using University-affiliated or personal telecommunication and data networks for unlawful or for inappropriate objectives, contravening University policies, regulations, or associated legal provisions shall amount to misconduct under this Code.

iii. **Inappropriate usage of I.T. Resources**

Using online platforms to break University guidelines, unauthorised sharing of login details, unauthorised access to computer labs, invading online privacy, engaging in unlawful business or illegal activities, sending threats, derogatory messages, or harassment using computer resources, corrupt computers or networks using computer viruses or any other form of inappropriate usage of computer resources shall amount to misconduct under this Code.

iv. **Media Contact**

Communicating with media on University issues and events without obtaining written permission from the competent authority of the University, circulating confidential information and records of the University without due authorisation shall amount to misconduct under this Code.

v. **Unauthorised Representation of the University**

Unauthorised usage of the University's official logo and branding, using profiles and photographs of any Member of the University without prior written permission and consent shall amount to misconduct under this Code.

vi. **Confidential Information**

Posting any confidential or sensitive information about University administration and Members of the University which is incorrect, defamatory, derogatory, discriminatory or illegal in nature shall amount to misconduct under this Code.

vii. **Copyright**

Infringement of any copyright or other intellectual property owned by the University shall amount to misconduct under this Code.

viii. **Hacking/Phishing and other Cyber Crimes**

Hacking/identity theft/phishing any University account, website, database and ERP or engaging in cyberbullying/harassment/stalking shall amount to misconduct under this Code.

ix. **Pornography/Dark Web**

Visiting pornographic websites, dark web, and installing malicious software on University system, and impersonating credentials for any of the above stated activities shall amount to misconduct under this Code.

x. **Misuse of the University Server**

Misuse of the University server/network for personal or commercial gains, browsing internet irresponsibly, and unnecessary downloads shall amount to misconduct under this Code.

xi. **Personal Credentials**

Misusing official email IDs of any Member of the University or altering their passwords and profiles shall amount to misconduct under this Code.

III.6 General Misconduct

i. **Ragging**

The University has a coherent and an effective anti-ragging policy in place which is based on the UGC Regulation on Curbing the Menace of Ragging in Higher Educational Institutes, 2009. The said UGC Regulations shall apply *mutatis mutandis* and violating the same shall amount to misconduct under this Code.

ii. **Theft, Damage, Misappropriation and Vandalism of Property**

Any act causing harm, theft, embezzlement, damage, destruction, unauthorised possession, sale or transfer of University property and personal belongings of any Member of the University shall amount to misconduct under this Code.

iii. **Defaming Members of the University**

Engaging, encouraging, participating, attempting, causing or tarnishing reputation of Members of the University shall amount to misconduct under this Code.

iv. **Unauthorised Organising of Event(s)**

Initiation, formation, creation and promotion of any organisation, association, or events without formal approval from the University shall amount to misconduct under this Code.

v. **Failure to Comply with Directives of the Officers and Faculty Members**

Non-compliance with lawful directives issued by duly authorised officers of the University, law enforcement agencies, or faculty members during the execution of their official duties shall amount to misconduct under this Code.

vi. **Possession and Use of Weapon**

Possession and use of any weapon, ammunition, or any item that can be used as a weapon shall amount to misconduct under this Code.

vii. **Safety and Security**

Involving in any act which may compromise the rights, security, dignity and safety of the Members of the University shall amount to misconduct under this Code.

viii. **Accommodating Unauthorised Person**

Accommodating unauthorised person in the University premises, causing or colluding in the unauthorised entry of any person into the University premises shall amount to misconduct under this Code.

ix. **Discrimination**

Acts of discrimination as mentioned in the definition clause of this Code shall amount to misconduct under this Code.

x. **Act of Violence**

Act of Violence as indicated under Schedule-I of this Code shall amount to misconduct under this Code.

xi. **Disruptive Activity**

Any disruptive activity in classroom or in an event sponsored by the University, improper interference and/or causing nuisance in academic, administrative, sporting, cultural, social or other activities of the University or online gaming/ trading in the classroom shall amount to misconduct under this Code.

xii. **Disruption or Obstruction**

Disruption or obstruction of other students' ability to learn or actively participate in class, teaching, research, and other University activities, engaging in disorderly, lewd or indecent conduct/remarks shall amount to misconduct under this Code.

xiii. **Protest and Strikes**

Hunger strikes, *Dharnas*, group bargaining and any other form of protest leading to acts of violence and all forms of coercion such as *gheraos*, sit-ins or any variation of the same that disrupt the normal academic and administrative functioning of the University shall amount to misconduct under this Code.

xiv. **Making False Accusations against Members of the University**

Making accusations against any Member of the University which are not substantiated in whole or in part and where there are reasonable grounds to believe the accusations have been made maliciously or in bad faith shall amount to misconduct under this Code.

xv. **Prohibited Substance**

Possessing, consuming, distributing, selling, supplying, cultivating any prohibited substance/illegal drug shall amount to misconduct under this Code.

xvi. **Unauthorised Use Vehicles**

The unauthorised use of the University vehicles by the students is prohibited and shall amount to misconduct under this Code.

xvii. **Celebration of the Festival**

Celebration of festivals inside the University in an indecent manner, playing loud music, bursting crackers, shouting, whistling and taking out procession without due permission shall amount to misconduct under this Code.

Chapter-IV

PUNISHMENT AND PENALTIES

IV.1 Punishment and Penalties

In case where a student is found to have violated this Code or any other Regulations of the University, one or more of the following penalties may be applied:

- i. **Warning:** A written letter of reprimand, resulting from a student's misconduct.
- ii. **Monetary Fine:** Monetary Fine is a sanction in which the student will have to deposit a specific amount as a penalty. This will include forfeiture or adjustment of any amount deposited previously by the student.
- iii. **Restitution:** Restitution means compensation against any loss, injury or damage caused to the University or any other student, faculty or non-teaching staff.
- iv. **Confiscation:** Confiscation means seizing goods used or possessed by student(s) involved in the misconduct or in violation of University Regulations.
- v. **Restriction of Privileges:** Restriction of privileges means denying or limiting specific privileges including but not limited to access to student facilities, participation in inter or intra University, access to placement programmes for a defined period of time.
- vi. **Suspension:** Such an action will suspend a student's enrolment at the University for a specified period of time. The termination of a student's enrolment at the University for a defined period.
- vii. **Restriction to appear in semester exams in full or in part:** It means that student(s) will not be allowed to appear for the semester examination for one or more subjects for that particular semester.
- viii. **Restriction to attend classes:** It means that a student will not be allowed to attend classes for one or more subjects for that particular semester.
- ix. **Withholding of examination results:** Withholding of Examination Results means not declaring results of examination (Semester or continuous evaluation) for one or more subjects for a specified period of time.
- x. **Withholding/ withdrawing academic awards:** It means withholding/withdrawing of a certificate, diploma, degree or medal with regards to the student(s) committing a misconduct for a specified period or perpetually.
- xi. **Rustication:** Rustication is a permanent separation of the student(s) from the University without an opportunity for re-enrolment. Such an action must be taken with utmost caution and it will be implemented only after receiving a due approval from the Executive Council.
- xii. **Other sanctions:** Other appropriate penalties that may be imposed by the Disciplinary Committee either independently or in conjunction with any of the sanctions listed above.

Chapter-V

DISCIPLINARY COMMITTEE AND PROCEEDINGS

V.1 Disciplinary Committee

- i. There shall be a Disciplinary Committee (hereinafter referred to as the "Committee") to uphold and enforce the provisions of this Code.
- ii. The Vice-Chancellor shall constitute a Committee consisting of the following members:
 - (a) A Professor, who shall be the Convenor;
 - (b) Two Associate Professor;

- (c) Two Assistant Professor;
Provided that there shall be minimum one female member in the Committee.
- (d) A member of University Managerial Service, who shall be a member secretary;
- (e) An Office Bearer of the Student Bar Council, nominated by the Vice-Chancellor from time to time, who shall be the student representative to observe the proceedings.
- iii. The student representative, so nominated shall not have a right to vote in the proceedings; however, the Committee, if thinks fit, may take his opinion before concluding the proceedings.
- iv. The student representative shall maintain absolute confidentiality of the proceedings and at the time of conclusion of the proceedings, the student representative shall recuse from the same.
- v. In order to constitute a quorum, there shall be at least three members of the Committee who shall be present throughout the proceeding and the proceedings shall only be conducted with the quorum.
- vi. The Committee shall convene regular meetings to expedite the proceedings and the decisions ordinarily be unanimous or by a majority.
- vii. The Committee shall maintain confidentiality of all proceedings and information related to disciplinary matters.
- viii. The Committee shall have the authority to investigate allegations of misconduct and gather evidence as necessary.
- ix. In case of conflict of interest, such a member of the Committee shall inform the competent authority in writing. The competent authority may allow such member to recuse from the proceedings.
- x. In case of any member of the Committee resigns from the University or becomes incompetent to serve the University or recuses from the Committee with permission, the Competent Authority may reconstitute the Committee.
- xi. The Committee shall operate in compliance with the provisions of the University Act, rules, statutes and regulations, upholding the principles of fairness and due process in all its proceedings.
- xii. The Committee shall ensure that every student under inquiry is provided with a fair and impartial hearing by following the principles of natural justice.
- xiii. The Committee shall recommend suitable penalty, as provided under this Code.
- xiv. The Committee shall maintain a detailed record of all proceedings and findings.
- xv. The Committee shall submit its annual report to the office of the Registrar.

V.2 Initiation of Inquiry Proceeding(s)

- i. The Committee may inquire into a contravention of any provision of this Code in any of the following manner:
 - (a) on its own motion; or
 - (b) on receipt of a complaint or information, as the case may be; or
 - (c) a reference made to it by the Competent Authority.
- ii. The Committee shall preliminarily inquire into the contents of the complaint or information or reference made within five (5) days, to satisfy that the *prima facie* matter of violation of the Code exists:

- (a) If the Committee is of the opinion that there is no *prima facie* matter of violation of this Code, the Committee shall submit its report to the Competent Authority accordingly, with its reasons.

Notwithstanding anything contained in the report of the Committee, the Competent Authority may direct the Committee to inquire into the matter.

- (b) If the Committee is of the opinion that a *prima facie* matter of violation of this Code exists, the Committee shall submit its report to the Competent Authority for the purpose of obtaining permission to initiate inquiry into the matter. If the Competent Authority is satisfied with the report of the Committee, it shall direct the Committee to conduct due investigation.
- iii. The Committee may, if it deems necessary, call any Member of the University to form an opinion whether a *prima facie* matter exists.

V.3 Procedure for the Conduct of Inquiry

- i. After obtaining the approval to conduct an inquiry, the member secretary shall inform the student in writing the substance of the alleged misconduct/violation of the provision of the Code. The member secretary shall while informing the student, send a copy of the complaint, information or reference as the case may be.
- ii. The Committee shall fix a date and time for the submission of a written reply by the student and communicate the same to the student.
- iii. On being satisfied with the submissions so made by the student the committee shall fix a date and time for appearance and communicate the same to the student.
- iv. Where a student admits his guilt, this shall be recorded under the signature of the student and the Committee shall recommend an appropriate penalty as provided under Chapter IV of the Code.
- v. If the student fails to submit a written reply/ appear within the stipulated time/denies the allegation(s), the Committee shall proceed with the inquiry in a fair and transparent manner to form its opinion and findings based on the material made available to the Committee.

V.4 Report of the Disciplinary Committee

- i. After the conclusion of the inquiry, the Committee shall submit the report of its finding and recommendations to the Competent Authority within five (5) days.
- ii. The report of the Committee shall contain the established facts and findings along with all relevant material, document(s), statement(s) and analysis collected during the inquiry, forming the basis of its findings.

Provided that, when considered necessary, the competent authority, for maintaining confidentiality of sensitive information, may direct the Committee to submit its report in two parts. One of the parts shall contain the information to which access to the parties may be accorded and another part shall contain such sensitive information and documents to which access may be partially or totally restricted.

- iii. If the competent authority, on consideration of the report of the Committee, is of the opinion that further inquiry is called for, it may direct the Committee to conduct further inquiry and submit a supplementary report on specific observations made by the Competent Authority.

- iv. On receipt of the report of the Committee:
 - (a) if the report of the committee finds no contravention of any provision of this Code, the Competent Authority may approve the closure of the inquiry or direct further inquiry;
 - (b) if the report finds contravention of any provision of this Code, the Competent Authority may approve the recommendations of the Committee as it is or with necessary modifications regarding the imposition of penalty.
- v. If the Competent Authority approves the recommendations of the Committee regarding the imposition of penalty. The Registrar of the University shall furnish the student a copy of the order, report or any other document connected with the matter.

V.5 Execution on the Report

- i. On receipt of copy of the order from the Registrar of the University, the student may appeal within five (5) days to the appellate authority with written request and supporting documents as to why his appeal shall be admitted.
- ii. The order so made from the office of the Registrar shall not be executed during the period as provided in clause (i).
- iii. The competent authority to execute the order shall ordinarily be the Registrar of the University; however, the Vice-Chancellor may designate any other officer of the University for the said purpose.

Chapter-VI

APPEAL AND REVIEW

VI.1 Appeal

- i. Any party aggrieved by the decision of the disciplinary committee and order so issued can file an appeal.
- ii. Notwithstanding anything contained in this Code, no appeal shall lie against any direction in the nature of a step-in-aid of the final disposal of a disciplinary proceeding(s), made by the disciplinary committee or the Competent Authority.
- iii. The Ombudsperson shall be the appellate authority.
- iv. No appeal shall be entertained unless it is submitted within five (5) working days from the date on which a copy of the order was issued by the office of the Registrar.

Provided that the appellate authority may entertain the appeal even after the expiry of the said period, if it is satisfied that the appellant had sufficient cause for not submitting the appeal in time.

VI.2 Memorandum of Appeal

- i. The memorandum of appeal shall contain all grounds of appeal, all material statements, and arguments on which the appellant relies.
- ii. Memorandum of appeal shall not contain any disrespectful or improper language.

VI.3 Cognizance on Appeal

- i. The appellate authority may consider the appeal and pass such order as it deems fit and proper in the circumstances of the matter.
- ii. Appellate authority shall *inter-alia* consider the following and pass appropriate order:
 - (a) whether the procedure laid down in this Code has been followed, if not whether such non-compliance has resulted in violation of any provisions of the Code or in failure of justice;

- (b) whether the findings of the disciplinary committee are warranted by the evidence on record.

Provided that no order imposing an enhanced penalty shall be passed unless the appellant is given an opportunity of making any representation which he may wish to make against such enhanced penalty.

VI.4 Review

- i. Student with respect to whom a disciplinary action has been initiated may file a review application to the Vice-Chancellor against the imposed penalty and outcome of the appeal if any, within seven (7) working days of receiving a communication of such disciplinary action.
- ii. While considering the review application, following factors to be taken into consideration:
 - (a) extent of damage, injury, or harm caused by the misconduct;
 - (b) decision and findings of the Disciplinary Committee; and
 - (c) nature of misconduct and proportionality of penalty imposed.

Chapter-VII MISCELLANEOUS

VII.1 Amendment to the Code

The Code shall undergo periodic reviews to ensure that it remains aligned with effective and up-to-date academic and institutional practices.

VII.2 Whistle Blower

- i. The University supports a whistle blower policy that allows to maintain confidentiality of the information and the source thereof.
- ii. The Disciplinary Committee shall maintain confidentiality of the identity of an informant on a request made to it in writing.
- iii. Anonymous complaints/information shall not be considered for any inquiry or action thereon.

VII.3 Records and Documents Related to Disciplinary Matters

- i. All records of disciplinary proceedings shall be kept and maintained by the office as designated for the purpose from time to time by the Competent Authority.
- ii. The officer so designated shall be sole responsible for the safety and security of the documents and will not reveal the contents of any of the documents in any manner unless permitted in writing by the Competent Authority.

Schedule-I
Misconduct under the Academic Code of Conduct

In regard to misconducts under this Code, the classification against each misconduct as major and minor are merely illustrative and indicative, based on grievousness of the act, in general. *Provided that*, the Disciplinary Committee may, based on the seriousness of the matter and material produced before the Committee, consider major misconduct or minor misconduct, as the case may be, shall record the reason in writing for doing so.

Category	Major	Minor
Act affecting life/reputation Physical or Mental Health	<ul style="list-style-type: none"> • Act endanger to human life/personal safety • Grievous Hurt • Dangerous Weapons/Substance (possession/use) • Act to deter any Member of the University in respect of discharging their duty • Wrongful restraint/confinement • Act outraging modesty • Sexual Harassment • Voyeurism • Stalking • Abusive/racist/discriminatory comments • Threatening • Ragging • Defamation • Recording of videos, images without knowledge/altering of photograph of Member of the University 	<ul style="list-style-type: none"> • Hurt • Injury • Using force to do any act amounts to Misconduct • Provocation to do any act amounts to Misconduct • Assault • Criminal Intimidation • Insult • Annoyance
Act against Academic Integrity or Academic Excellence	<ul style="list-style-type: none"> • Any form of deception/personation to do any act amounts to Academic Misconduct • Destroying/Damaging any sign board/public notice/sitting plan • Making/Using false documents/false electronic records • Consuming/Possessing any substance of intoxication • Fraud • Cheating • Plagiarism • Impersonation • Being member of unlawful assembly 	<ul style="list-style-type: none"> • Continuous absence without permission • Not returning of books • Non-Payment of Fee • Refusal to attend classes without any valid reason • Promoting enmity between Members of the University • Act against public peace, harmony and tranquility
Act against Property of an individual or Property of the University	<ul style="list-style-type: none"> • Extortion • Theft • Misappropriation of University Property/ Property of the Member of the University • Possessing stolen property • Mischief • Criminal trespass • House-breaking 	<ul style="list-style-type: none"> • Misuse of University resources • Damaging library books

Registrar
Maharashtra National Law University, Nagpur