

MAHARASHTRA NATIONAL LAW UNIVERSITY MUMBAI REGULATIONS

Procedure for Inquiring and Deciding on Student Misconduct/Indiscipline

1. Introduction:

Any disruption due to student indiscipline affects the harmony within the institute. Therefore, it is imperative for the institute to establish a code of conduct and fair policies to address violations thereof. The Code of Conduct is designed to uphold the core missions of the University, ensure the scholarly and civic development of students, and maintain a safe and secure learning environment. The purpose of this policy is to outline the procedure for inquiring and deciding on Students Misconduct/Indiscipline, initiate disciplinary proceedings and take decisions on disciplinary actions within the framework of applicable rules and regulations of the University.

2. Applicability:

The Code of Conduct applies to all students enrolled in a degree Program or diploma or certificates at Maharashtra National Law University Mumbai. It encompasses all activities (individual or joint) wherever University is being represented. Any incident occurring in the hostel in violation of hostel regulations or students' code of conduct or any other matter pertaining to conduct in the hostel shall be first investigated by Hostel authorities. The committee shall act upon receiving a report duly investigated by the hostel authorities that the case has been found fit for further examination by Committee.

3. Definitions:

- i) Competent Authority' for the purposes of these Regulations means the Vice-Chancellor of the University.
- (ii) University shall mean, academic premises, hostels and university provided transport.
- iii) Committee refers to Student Disciplinary Committee
- iv) Student' means and includes a person who is enrolled/admitted to the University, for receiving instructions and/or qualifying for any degree or diploma or certificates of the University.

4. Purpose Statement:

This policy aims to address misconduct issues within the University lawfully and transparently, adhering to the principles of natural justice.

5. Procedure for Conducting Disciplinary Proceedings:

I) Complaint: The aggrieved party must lodge a complaint within 15 days of occurrence of the incident along with any evidence on official institutional email id sdcc@mnlumumbai.edu.in .

The committee may at its discretion condone the delay if there is sufficient/reasonable ground. Such condonation shall only be granted under exceptional circumstances.

The complaint will be forwarded to all committee members by the presiding officer. The committee shall send a notice to the respondent via email within 15 working days from the date the receipt of complaint.

II. Response: The respondent must submit a written statement along with any evidence within a maximum of 15 days of receiving the notice via email. However, in cases of urgency, the time for submitting response can be reduced by the committee to anywhere between 03-07 working days. Failure to submit a response may entail *ex-parte* disciplinary proceedings.

III. Amicable settlement- If the committee identifies potential for negotiation between the parties, the matter can be resolved through negotiation only if both parties agree to the proposed arrangement in writing. A deadline for negotiation will be communicated, and upon successful negotiation, the matter will be closed. If negotiation fails, disciplinary proceedings will continue.

IV Representation: No party can be represented by their parents, legal counsel or any other person during the proceedings.

V. Absence from Proceeding - If a party is unable to appear before the committee on a scheduled date, prior communication at the earliest with reasons must be made to the committee via email.

VI. Ex-Parte Hearing: If any party fails to appear before the committee for two consecutive hearings or three times in total during the course of the proceeding the matter shall be heard ex-parte, and a decision will be made accordingly unless the committee decides otherwise.

VII. Proceeding: During the proceeding opportunity shall be given to both the parties to present their case. This is to ensure that all relevant perspectives are heard and considered in the decision-making process. Additionally, the evidence provided by both parties will be thoroughly scrutinized by the committee. Based on the arguments presented and the evidence scrutinized, a decision will be reached by the committee.

VIII. Suo Motu Cognizance by committee (Violations of Student Code of Conduct and Bringing Disrepute): In cases where the conduct of a student violates both the provisions of the Student Code of Conduct as specified by the university and brings disrepute to the institution, the committee reserves the right to take suo-motu cognizance of the matter. Upon initiating proceedings, the student will be provided with a notice specifying all allegations made against them, including the violations of the Student Code of Conduct and the actions that brought disrepute to the university. The student will then be given a period of 15 working days to file a reply or response to the allegations.

IX. Quorum for proceeding and Decision Making : In disciplinary proceedings, a quorum of at least four out of the eight committee members must be present to ensure that decisions are made with adequate representation and deliberation. This requirement helps maintain the integrity and fairness of the decision-making process. Decisions during the proceedings will be made through a voting process. After thorough discussion and consideration of the evidence and arguments presented by both parties, committee members will cast their votes. A majority vote is required to reach a decision. In the event of a tie, where an equal number of committee members vote for and against a decision, the presiding officer will have the casting vote.

X. Record Keeping: All arguments and evidence presented will be documented, and copies of the decision will be provided to both parties.

XI. Appeals: A student shall be entitled to prefer an appeal against the punishment imposed upon him/her, to the Competent authority, within thirty days of receipt of an order of punishment.

XII. Meeting Schedule: Committee hearings may be held twice a month, with dates and times notified in advance. Emergency hearing may be called with one hour's advance notice.

6. Misconduct and Indiscipline:

The following acts, whether performed individually or collectively, shall be considered as misconduct and/or indiscipline within the university: (not exhaustive) to be read in conjunction with Conduct and Discipline regulations.

1. Any act that disrupts or attempts to disrupt the lawful functioning of the University.
2. Soliciting or accepting contributions without prior authorization.
3. Occupying University premises without permission.
4. Allowing unauthorized persons to occupy University accommodations.
5. Providing false information for admission purposes.
6. Obstructing legitimate activities of students within the campus.

7. Providing false information to seek privileges.
8. Possessing or using firearms, weapons, explosives, or dangerous substances.
9. Possessing or consuming drugs, intoxicants, tobacco, or alcohol on University premises.
10. Engaging in ragging, bullying, or harassment of any student.
11. Conducting acts causing annoyance or embarrassment to others.
12. Engaging in violence, assault, intimidation, or threats.
13. Destroying or tampering with University records, documents, or property.
14. Behaving inappropriately at University events.
15. Stealing or damaging University property.
16. Instigating or participating in violent demonstrations, agitations, or strikes.
17. Violating University regulations or orders of the Competent Authority.
18. Engaging in gambling on University premises
19. Displaying disorderly behavior or violating specific directives.
20. Refusing to appear before the committee
21. Conviction for criminal offenses in a court of law.
22. Any activity individual or joint that leads to disruption of university functioning or creates disturbance of peace or security in the University in any manner.
23. Any activity individual or joint that leads to inappropriate behavior against university, faculty and staff.
24. Acts contravening the Maharashtra National University Act, 2014, or its regulations.
25. Any other act deemed as misconduct and/or indiscipline by the Competent Authority.

7. Punishments:

The Committee & Competent Authority may impose the following punishments on students found guilty of misconduct and/or indiscipline:

- A. Warning/censure/reprimand in writing
- B. Fine not exceeding Rs.15,000.
- C. Cancellation of scholarships, awards, prizes, or medals with prospective effect.
- D. He/ She may be barred from holding any position in any centre/committees ranging from 6 months to one year.
- E. Ban from participation, ranging from 6 months to one year in any
 - External or internal competition
 - Internship or placements
 - Participation in any cultural/co-curricular & Extracurricular activities
- F. Debarment from admission to courses of study.
- G. Debarment from appearing in University examinations for up to 2 years.
- H. Cancellation of examination results.
- I. Suspension or expulsion from hostel.
- J. Rustication/expulsion from the University.

The punishments outlined in clauses F, G, H, and J shall be treated as major punishments, applicable only in cases of serious misconduct or indiscipline.

8. Contempt of committee:

Any student who engages in conduct deemed as contempt of committee regulations shall be subject to disciplinary action. This includes, but is not limited to, failing to cooperate or coordinate with the committee as required, using abusive language or derogatory communications towards committee members, making personal attacks against any member, attempting to influence or canvass the committee through external pressure or coercion, and involving external parties, such as parents, to exert undue influence on the committee or any other similar action. Such actions undermine the integrity of the committee and will be addressed in accordance with the committee's disciplinary procedures.

8. General Provisions:

(1) Record of the punishment imposed upon students shall be maintained by the Student Affairs section of the University.

(2) The University shall, on each occasion of any major or minor punishment being imposed on any student, intimate by a letter, to be sent via post or email, the fact of such imposition to the parent or guardian of such student on the address available in the record of the University.

(3) A copy of these Regulations shall be supplied to each student at the time of his/her admission to the University and a receipt for the same shall be obtained from the student. This receipt shall form a part of the record of admission of the student.

9. Notwithstanding Clause:

Notwithstanding anything contained in the above regulations, the Vice Chancellor shall have the final authority over the interpretation of the regulation or the decision made by the committee.