

Anti-bribery and corruption policy

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**Employees Efficiency and Discipline Statutes, 2016**

**Grounds of Penalty**

1 Where an employee, in the opinion of the Authorized Officer, or, Authority, as the case may be:

- (a) is inefficient or has ceased to be efficient; or
- (b) is guilty of plagiarism; or
- (c) is guilty of misconduct; or
- (d) is corrupt, or may reasonably be considered as corrupt because;
  - i he is, or any of his dependents or any other person through him or on his behalf is, in possession (for which he cannot reasonably account) of pecuniary resources or of property disproportionate to his known sources of income; or
  - ii. he has assumed a style of living beyond his ostensible means; or
  - iii. he has a persistent reputation of being corrupt; or
- (e) 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 un-authorized person, and his retention in service is, therefore, prejudicial to

the national security; the Authority or Authorized Officer, as the case may be, may impose on him one or more penalties.

**Penalties**

6 (1) The following are the minor and major penalties;

- (a) Minor penalties:
  - i. Censure;
  - ii. with-holding, for a specified 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; and

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**Employees Efficiency and Discipline Statutes, 2016**

- iii. recovery from pay of the whole or any part of the pecuniary loss caused to the University by negligence or breach of orders, besides such fine as may be deemed appropriate.

(b) Major penalties:

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- iii. removal from service; and
- iv. dismissal from service.

→ **Explanation**

- (i) The order, withholding an increment or increments, or imposing reduction to a lower stage in a time scale, shall indicate the period for which the withholding or reduction is proposed.
- (ii) Removal from service does not, but dismissal from service does, disqualify for future employment.
- (iii) In this Section, removal or dismissal from service does not include the discharge of a person:
  - (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 such appointment; or
  - (c) engaged under a contract, in accordance with the terms of the contract of the Act.

→ **Inquiry Procedure**

7 (1) Where an employee is accused of corruption, subversion or misconduct, the Authorized Officer may require him to proceed on leave or, with the approval of the Authority, suspend him; provided that any continuation of such leave or suspension shall require the approval of the Authority after every 90 days.

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### Employees Efficiency and Discipline Statutes, 2016

opportunity, which shall not be less than seven days or more than fourteen days, to defend himself against the proposed action.

- (5) If on receipt of the final show cause notice, and after hearing the defendant if he so desired, it is proposed to impose a minor penalty, the Authorized Officer shall pass orders accordingly. If it is proposed to impose a major penalty, he shall forward the case to the Authority along with the charges and statement of allegations served on the defendant, the explanation of the defendant to the show cause notice, the findings of the inquiry Committee, if appointed, and his own recommendations regarding the penalty to be imposed. The Authority shall pass such orders as it may deem proper.
- (6) While imposing a penalty under the Statutes, the Authorized Officer, or the Authority, as the case may be, shall ensure that the penalty corresponds to the degree of involvement of the defendant with particular reference to the nature of guilt, i.e., corruption, negligence, inefficiency, or misconduct, and shall make a judicious decision, according to the facts of the case and the extent of involvement of the defendant in it.

Provided that if the Authorized Officer or the Authority is not in agreement with the findings of the Enquiry Committee, he may order a fresh enquiry through another Enquiry Committee as deemed appropriate.

- (7) Nothing in this Section shall apply to a case:
  - (a) Where the defendant is dismissed or removed from service or reduced in rank, on grounds of conduct which has led to a sentence of fine or