

The West Bengal National University of Juridical Sciences Hostel (Discipline and Conduct) Rules, 2009 (As Amended in 2016)

I. PRELIMINARY

1. Nomenclature, extent and commencement:

(1) These rules shall be called The West Bengal National University of Juridical Sciences Hostel (Discipline and Conduct) Rules, 2009 (as amended in **2016**).

(2) They shall apply to all student residents of WBNUJS hostels of the WBNUJS as on the date of commencement of these rules.

(3) These rules shall come into force from 1.7.2010.

2. Definitions

(a) '*Disciplinary Committee*' means the body selected by **committee consisting of faculty members and wardens** for the purposes of dealing with matters regarding the hostels.

(b) '*Grounding*' means to be restricted from going out of the university premises and remaining in specified areas of university as directed and shall amount to eight hours a day to serve simultaneously or otherwise as specified in the order.

(c) '**Community service**' means **any service related to academic, administrative or mess works.**

(d) '*Hostel*' means the halls of residence for students of the WBNUJS and includes all areas within the gates of such halls of residence.

(e) '*Night Out*' means staying out of the hostel of the WBNUJS overnight with the authorization prescribed from the relevant authorities.

(f) '*Student*' means any registered student of the WBNUJS.

(g) '*Student Resident*' means a student who has been allotted a room in hostel and would include a student of the university who has not been allotted a room in hostel, but who is found on university campus after 8:00 p. m.

(h) 'Warden' means Wardens appointed by the University and includes Chief Warden and Warden-in-Charge.

(i) 'University' means the West Bengal National University of Juridical Sciences.

(j) 'Visitor' means a person who is not a resident of the hostel.

(k) 'Campus timing' means period from 5 a.m. to 11 p.m. or any other timing which may be prescribed from time to time by the competent authority.

(l) 'Hostel timing' shall correspond to the library timing.

II. AUTHORITIES

3. Authorities exercising jurisdiction on matters pertaining to hostel discipline and conduct:

(1) The Disciplinary Committee has the primary responsibility of ensuring discipline and proper conduct of the student residents in the hostels. It is competent to exercise powers as prescribed in these rules.

Explanation: The Disciplinary Committee shall not have any jurisdiction with regard to any matter concerning post graduate students.

(2) The Wardens appointed by the University are competent to deal with all matters pertaining to discipline and conduct of the hostels, of which they have been appointed as Wardens. They are empowered to exercise powers as prescribed in these rules and other relevant rules of the university. The wardens are competent to deal with the above said matters and exercise the above said powers with regard to all students including the post graduate students.

(3) The Warden-in-Charge appointed by the university is competent to exercise powers as prescribed in these rules and other rules and regulations of the university, with regard to all students and hostels.

(4) The Registrar of the University is the Chief Warden of the hostels. The Chief Warden is the highest amongst the authorities mentioned in sub rules (1) and (2) above. Of the authorities mentioned in these rules, the Chief Warden has the final say in all matters pertaining to discipline and conduct of the hostels.

4. Procedure & eligibility for Disciplinary Committee meetings:

(1) The Disciplinary Committee shall meet fortnightly except in the cases

where there are special reasons for not doing so.

(2) All decisions of the Disciplinary Committee are to be reached by vote and are to be duly recorded.

(3) Every proceeding or decision of the committee shall be maintained in writing, and may be examined by any resident of the Hostels with permission of the Warden-in-Charge on written application with reasons stated.

(4) If a breach of Hostel Rules is brought to the notice of the DC, the Convener shall, after a preliminary investigation by the concerned DC members,

(a) Hold a meeting of the entire Committee if the breach concerns both the Hostels.

(b) Hold a meeting of the DC members of the concerned Hostel, if the breach concerns only one of the Hostels. This procedure however, may be avoided for those offences which require immediate action to be taken.

(5) If the commission of the breach is in dispute, the affected persons shall be called and heard individually in the presence of all the DC members available as far as possible but not below the quorum

(6) Any final decision on such dispute has to be reached only through consensus, or a vote if such consensus is lacking.

(7) The quorum for the purposes of functioning of DC including voting has to be one third of the total number of the DC members of that semester. Quorum is not complete unless the Convener and Co Convener is present

(8) No student against whom any disciplinary action is taken and punished shall be eligible for membership of the Disciplinary Committee.

Explanation: *This shall not include disciplinary actions taken by the Disciplinary Committee*

5. Periodic Reports- (1) The Disciplinary Committee shall report to the Wardens of the respective hostels at regular intervals and keep them apprised of events, violation of rules and action taken with regard to matters within their jurisdiction and otherwise. The wardens shall at regular intervals report to the Warden-in-Charge and Warden-in Charge in turn to the Chief Warden.

6. **Jurisdiction-** (1) The Disciplinary Committee shall have jurisdiction over all minor offences as prescribed in these rules and is empowered to administer the punishments and penalties prescribed for the same.

(2) The Wardens shall have jurisdiction over all offences reported or referred to their office and those of which cognizance has been taken by themselves.

III. MINOR OFFENCES

7. **Violation of Campus and Hostel Timings-** (1) **Any student, who fails to enter the campus premises within the prescribed hostel timings, has committed an offence under this rule.**

(2) Any student, who fails to enter the hostel premises within the prescribed hostel timings, has committed an offence under this rule.

Provided, that no student who has been authorized by the Wardens on application, to enter the **campus or** hostel premises after the prescribed timings shall be considered to have committed an offence under this rule, if the said student enters the **campus or** hostel premises within the time authorized in the application.

8. **Punishment for violation of campus and hostel timings-**

(1) **Any student who violates rule 7(1) shall be punished with fine upto Rs 1000 and community service.**

(2) **Any student who violates rule 7(2) shall be punished with grounding for two days.**

(3) **Any student who has been authorized under the proviso to rule 7 and who fails to return within the authorized time in the application shall be punished with fine upto Rs 2000 and community services**

(4) Any student who commits an offence under rule 7 for the second time shall be **punished with double of punishment as** prescribed in the relevant sub rule.

9. **Absenteeism-** Any student who fails to enter the hostel premises before 5:00 a.m. of the following day, without the prescribed authorization for a night-out by Chief Warden, has committed the offence of absenteeism.

- 10. Punishment for Absenteeism** - Any student who has committed the offence of absenteeism upto seven (7) days shall be punishable **with fine upto Rs. 1000 and** grounding for a period upto 10 days and if the absenteeism continues beyond seven (7) days, such a student may forfeit his or her hostel accommodation.
- 11. Misbehaviour**- Any student who misbehaves with fellow students, other residents of the hostel or with any person working in the hostels including the security staff, mess staff, cleaners and others, shall be punished with seven days of grounding along with a fine upto Rs. 2000 (Rupees two thousand only)
- 12. Nuisance**- Any student who causes nuisance to other residents of the hostel in any manner shall be fined with a sum upto Rs. 1000 (Rupees one thousand only.)

Illustration

A student playing loud music, bursting fire crackers, behaving in an unruly manner or littering the hostel premises whereby causing difficulties to fellow residents, is said to be causing nuisance to them.

- 13. Changing of rooms without permission** - Any student who shifts from the room allotted to him/her by the Wardens and occupies a different room in the hostels shall be punishable with grounding upto 7 days and a fine of Rs. 1000 (rupees one thousand only) which may extend up to Rs. 3000 (Rupees three thousand only).
- 14. Repeat Offence** - For a repeat offence under Rule 7, 9, 11, 12 and 13 the quantum of punishment shall be double the one prescribed under the said rule. A third or further offence would invite punishment to be decided by the Chief Warden, which may extend to expulsion from the Hostel.
- 14A. Misbehaviour with the guards** or speaking with the guards in an unruly manner would lead to imposition of penalty on the concerned student / students. Penalty amount to be decided by the Chief Warden.
- 14B. Unauthorised movement of furniture** from one room to the other room / common area without permission of the Warden-in-Charge would incur heavy penalty on the concerned resident. Penalty amount to be decided by the Chief Warden.

IV. MAJOR OFFENCES

15. Consumption and possession of tobacco or alcohol- (1) Any student found consuming alcohol or tobacco or found to be in the possession of any of the two, within the university premises shall be punishable with **community service** and a fine which may extend up to Rs. **4000** (rupees **four** thousand only).

Explanation: If alcohol or cigars, cigarettes, biddies (*Biri*) or any other substance which consists of tobacco in any form is found in/just outside the room of a student, then such student(s) shall be deemed to be in possession of such substance. In case of a double room both the residents will be liable.

(2) Any student, who has been punished once under sub rule (1) above, and found punishable under the same for a second time shall be punished with **community service** and a fine which may extend up to Rs. **8,000** (rupees **eight** thousand only).

(3) Any student who violates **sub** rule 1 for the third time or more shall be suspended from the hostel with immediate effect pending enquiry and shall be liable to be expelled from the hostels.

16. Substance Abuse- Any student found using substances, apart from tobacco and alcohol, which are known to have intoxicating effect, for any purpose other than medicinal, shall **be punished with a minimum fine of Rs. 5000 (rupees five thousand only) which may extend up to Rs. 10,000 (rupees ten thousand only) and suspension from the hostel.**

Explanation 1: Consumption of 'bhang' is included in this rule.

Explanation 2: To prove the fact of medicinal purpose, the concerned student shall produce relevant documentary and other evidence and shall present himself/herself for medical examination by the university doctor or as directed by the university as and when required.

17. Consumption and possession of narcotic substances- Any student found to be consuming any narcotic substance or being in possession of any such substance shall be suspended from the hostel pending enquiry and shall be liable to be expelled from the hostel **and shall also be fined with Rs. 5000 (Rupees Five thousand only) which may be extend upto Rs. 10000 (Rupees Ten thousand only).**

Explanation – Narcotic substance includes ganja (Indian hemp).

18. Ragging- RAGGING IS PROHIBITED IN WBNUJS. Any student found prima facie to be engaging in the act of ragging shall be suspended from the hostel with immediate effect pending enquiry and shall be punished with suspension from the hostels for a minimum period of one semester and may extend up to expulsion from the hostels. The matter shall also be reported to the concerned authorities under the relevant legislations governing such acts.

19. Damage to university and hostel property - Any student who causes damage to or destroys any property of the university in the hostel or any property of the hostels shall be liable to make good for the loss caused by such damage and a minimum fine of Rs. 1,000/- (Rupees one thousand) up to Rs. 10,000 (Rupees ten thousand) and shall also be punished with grounding for a period extending up to 14 days or with suspension from the hostels for a period which may extend up to 6 months. Suspension may be in addition to and subsequent to the punishment of fine and grounding.

Explanation – changing the colour of the room or making painting(s) on the walls of the room amounts to damage to hostel property.

20. Entering other hostels without permission- (1) Any student, who is not a resident of the girls' hostel with the exception of female students, found to be entering the premises of the girls' hostel without the permission of the Wardens shall be punished with a minimum fine of Rs. 2000 (Rupees Two thousand only) and which may extend upto Rs. 5000 (Rupees Five Thousand only) and/ or suspension from the hostel.

(2) Any student, who is not a resident of the boys' hostel with the exception of male students, found to be entering the premises of the boys' hostel without the permission of the Wardens shall be punished with a minimum fine of Rs. 2000 (Rupees Two thousand only) and which may extend upto Rs. 5000 (Rupees Five Thousand only) and/ or suspension from the hostel.

Provided that sub rule (1) and (2) above shall not be applicable to the boy's hostel mess till 10:00 p.m. everyday and other premises of the hostels which are declared to be common areas by the university authorities.

V. SEARCH AND SEIZURE

21. Powers of search and seizure- (1) The Chief Warden, the Warden-in-Charge and the Wardens have the right to search the rooms of any resident of the hostels and seize goods, materials and substances the possession of which are illegal or amount to an offence under the

provisions of these rules. No prior intimation is required for such search and seizure.

Provided that in case of a search conducted in the boys hostel, a male member of the disciplinary committee or any male authority under these rules, as far as possible, shall be present during the search and in cases of a search conducted in the girl's hostel a female member of the disciplinary committee or any female authority under these rules, as far as possible, shall be present during the search.

(2) In case of any action of search and seizure by the disciplinary committee, the Wardens shall be informed of the same preferably, prior to the action, or in any case immediately after the action is taken.

22. Raids and Inspection by the Disciplinary Committee:

- (1) A raid may be conducted by at least two or more members of the DC with or without prior notification to the residents, but with prior permission of the warden.
- (2) For the purpose of effectiveness of raids, the DC has full discretion to check rooms at random and not necessarily uniformly.
- (3) Records of every raid shall be kept with the convener the DC.
- (4) During every raid a member of the General Body shall accompany the DC for the purpose of impartiality.
- (5) The DC reserves the right to enter a resident's room without his consent, provided he/she is present during the raid.
- (6) No person's room may be entered into by the DC during a raid if found locked or latched, or in the absence of the resident. If telephonic consent of the resident is granted, the DC may enter the room in the absence of a person sharing a neighboring room. However, such a room can be opened if permission is granted by the warden on request in writing.
- (7) No DC member is authorized to conduct a raid on his/her own without proper authorization.
- (8) No DC member shall conduct or be party to a raid or search for any purpose outside the jurisdiction of the DC or unless authorized by the wardens. If the contrary is reported or complained of, he/she shall be asked to furnish a written explanation by the wardens.

VI. OTHER VIOLATIONS AND APPEAL

23. For any other disciplinary violation not mentioned herein, punishment shall be decided by the Chief Warden.

24. For all decisions, the Vice Chancellor shall be the appellate authority. Appeals shall be filed within seven working days of the receipt of the punishment order. In case the order is sent by registered post, within 15 days of sending.

24A. Notwithstanding anything contained in the rules, the Vice Chancellor in exercise of his appellate power may reduce the quantum of punishment awarded in exceptional cases stating the reasons in writing for the same.

25. For matters which in the opinion of the Chief Warden require enquiry, the Chief Warden may appoint a commission of enquiry comprising such members of the faculty as he deems appropriate. The finding of the committee shall be final.

VII. MISCELLANEOUS

26. Room Allotment shall be made by the Wardens in their discretion.

27. Allotment of rooms in hostels- (1) all students of the first and second years shall be allotted double rooms. This rule does not apply to Cyber Committee members who would be allotted rooms with switches.

(2) All students of the third, fourth and fifth years shall be eligible for allotment of single rooms subject to the availability of rooms.

(3) With regard to allotment of single rooms to the students mentioned in sub rule (2) above, the students of a higher year shall be considered before students of a lower year and as between students of the same year, preference would be given to students having a higher academic rank in the class.

(4) In case any double rooms remain vacant after completion of allotment to first and second years, they shall be allotted to students of a higher year and as between students of the same year, preference would be given to students having a higher academic rank in the class.

(5) If any single rooms remain vacant after application of above rules, they shall be allotted to students of second year in accordance with their academic rank.

28. Visitors- No unauthorized visitors shall be permitted inside the hostels. Visitors shall take permission from the respective wardens

29. Electrical Appliances- Students shall not use any electrical appliances in the hostels other than the ones provided by the university, unless they obtain permission in writing from the Chief Warden. Violators shall be punished with a fine up to Rs. 5,000/- (Rupees five thousand)

30. Directions by Warden – Wardens may in their discretion issue directions to maintain hostel discipline. Failure to comply with the directions would be considered a major offence and punished with measures decided by the Chief Warden.

Explanation : The amended rules shall come into force on July 1st, 2016.

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