

CHRIST (Deemed to be University), Lavasa

Regulation for Prevention and Control of Substance Abuse

Policy

CHRIST is committed to maintain all its Campuses, Work Locations and Residences free of health hazards for all its participating stakeholders to provide an environment that is free from tobacco, alcohol and/or other substances. 'Substance' abuse harms students, threatens the safety of the academic environment, disrupts the educational process and defeats the very purpose of education. There shall be in place adequate mechanism for creating awareness on the ill effects of addiction to smoking, alcohol, and substance usage as well as for its early detection and treatment facilitation. There shall be reasonable opportunity given with parental intervention, for the affected students to rehabilitate themselves and to recover from the problem. Any student/member of faculty or staff of the University who indulge in causing/encouraging the consumption of or acting as conduit for storage, distribution or supply of banned substances whether directly or indirectly shall be liable to be summarily expelled from the University and wherever felt expedient shall be referred for prosecution under the Narcotic Drugs and Psychotropic Substances Act, 1985.

Regulation

This Regulation for Prevention and Control of Substance Abuse is intended to ensure a safe educational environment in the University and in its premises free from substance linked health hazards and shall be applicable to all premises of the University in all its Campuses and shall be effective retrospectively from the Academic year 2019-20.

1. Mandatory Code of Conduct

As guided by applicable directions of the UGC, the Code of Conduct with reference to this Regulation to be followed mandatorily by all categories of enrolled students for any of the regular or add-on programmes of the University and employees of the University, both teaching and non-teaching, engaged contractors/agencies and their employees shall be as under.

- a) No smoking of cigarettes/cigars/beedi/hookah (including Electronic Nicotine Delivery Systems) or use of any other tobacco product/s in any form (including chewing) within **any of the academic premises** of the University.
- b) No Consumption of Alcohol/Alcoholic substances, narcotics, and/or Psychotropic substances and/or not being under the influence of such substances **within any of the premises** of the University.
- c) Not to encourage, influence, coerce or otherwise provoke fellow students or colleagues to indulge in smoking/drinking or to consume narcotic/psychotropic substances within or outside the premises of the University, whether or not, in parties or gatherings and whether or not such parties/gatherings are organised as an event of or with the permission of the University.
- d) Not to indulge in direct or indirect selling or free distribution of any of the tobacco/alcohol/narcotic/psychotropic products to any fellow students or colleagues.

e) Not to get apprehended by the Police/Law Enforcement Authorities for any of the offences under the COTPA Act or under NDPS Act.

For the purpose of this Clause:

- i. 'Academic Premises' means and includes the perceivable Campus areas, lounges, passages, building corridors and staircases, lifts, etc., and the earmarked locations where teaching/learning/training activity takes place and shall include classrooms, faculty/staff rooms, seminar/ conference halls, auditoriums, libraries, counselling and health centres, playgrounds, canteens, food courts, dining halls, Gyms, shops, hostels, restrooms, university vehicles and the like.
- ii. 'Premises' means and includes the Academic Premises, hostels and residences (whether or not owned by the University), transport vehicles, and the locations (in or outside the Campus) of events/fests/seminars/workshops/study tours and the like whether or not organised by the University.
- iii. 'Substance' means and includes any material which is likely to have an adverse impact on the normal senses of the user, such as narcotic drugs and psychotropic substances, whether administered orally, inhaled, sniffed, taken intravenously, or smoked.

Provided that, this Clause shall not affect or apply to limited customary serving of wine and/or other alcoholic beverages in the events and/or ceremonies organised by the University and/or its Departments /Centres with prior approval of the Vice Chancellor.

2. Consequence of Misconduct

- i. Any contravention of the Mandatory Code of Conduct specified in Clause 1 (a) by anyone concerned whether knowingly or unknowingly, with or without any motive shall be treated as Offence of Level 1 and shall be punishable in accordance with this Regulation.
- ii. Any contravention of the Mandatory Code of Conduct specified in Clause 1 (b) and (c) by anyone concerned whether knowingly or unknowingly, with or without any motive shall be treated as Offence of Level 2 and shall be punishable in accordance with this Regulation.
- iii. Any contravention of the Mandatory Code of Conduct specified in Clause 1 (d) and (e) by anyone concerned whether knowingly or unknowingly, with or without any motive shall be treated as Offence of Level 3 and shall be punishable in accordance with this Regulation.

3. Recognition of Misconduct

- i. The University by its Disciplinary Committee under this Regulation shall take cognizance of the alleged actual or potential commission of any of the specified misconduct (contravention of the Mandatory Code of Conduct) and shall initiate disciplinary proceedings in any of the following cases.
 - a) Reference or complaint made by the designated Student Counsellor, Class teacher or any other teacher in writing in respect of any student belonging to the particular department duly forwarded through the Head of the Department.
 - b) Reference or complaint made by any student/s in writing in respect of any student belonging to any department of the University irrespective of whether the alleged misconduct has taken place within or outside the premises of the Campus.

- c) Reference or complaint made by the Warden of the Hostel or Caretaker of the Residence in writing duly forwarded through the Director in charge of the Hostels/Residences in respect of any student belonging to any department of the University irrespective of whether the alleged misconduct has taken place within or outside the Hostel/Residence whether located inside or outside the Campus.
 - d) Reference or complaint made by any person (including a student) within or outside the University in writing in respect of any student/s belonging to any department of the University or of any employee/s of the University of teaching and non-teaching, engaged contractors/agencies and their employees irrespective of whether the alleged misconduct has taken place within or outside the premises of the Campus.
 - e) Reference or complaint made by any person (including a student) within or outside the University in writing in respect of any person within or outside the University engaged in storing and/or selling or supplying tobacco/alcohol/narcotic/ psychotropic products to any student/s or employee/s of the University of teaching and non-teaching, engaged contractors /agencies and their employees irrespective of whether the alleged misconduct has taken place within or outside the premises of the Campus.
- ii. Any reference or complaint of misconduct under this Clause shall be made soon after its occurrence but not later than three (3) working days thereof and must be in the prescribed format as given in Annexure A, duly signed by the Referrer/Complainant with such details and evidence as may be specified. The Referrer/ Complainant must be willing to appear before the Disciplinary Committee, if and when called for.
 - iii. If any reference or complaint filed under this Regulation on its scrutiny/independent enquiry is found to be false, untrue or malicious by the Disciplinary Committee the Referrer/Complainant shall be liable to be punished as if the offence was perpetrated by the Referrer/Complainant.
 - a) Provided that mere inability to substantiate a complaint or provide adequate proof thereof shall not by itself be sufficient reason for concluding the complaint as frivolous.
 - b) Provided further that the malicious intent of the Referrer/Complainant must be substantiated by appropriate supporting evidence.

4. Disciplinary Committee

- i. There shall be a Disciplinary Committee under this Regulation empowered to initiate, enquire and decide on any Reference/Complaint made under Clause 3. ii. The Disciplinary Committee shall have the following members:
 - a) An Officer/Director of the University– Chairperson
 - b) One Senior Dean
 - c) One Professor/Associate Professor of the School of Law
 - d) One Senior Counsellor of the University
 - e) One Student representative of the University Student Council
 - f) One Senior staff of the University as a non-member Secretary
- iii. All the members, including the Chairperson, shall be nominated by the Vice Chancellor. The Chairperson shall have a tenure of three years but shall be eligible for

re-nomination. The other members shall have a tenure of two years at a time but shall be eligible for re-nomination. The Non-Member Secretary shall be nominated by the Chairperson of the Committee and shall have a tenure of three years.

- iv. The Committee shall meet as and when needed, with a disinterested quorum of three Members including the Chairperson present in person. The Chairperson shall have a Casting Vote in case of equality of votes - by voice/show of hands/ballot.
- v. Any member of the Committee who is affected/involved and/or otherwise interested in the Reference/Complaint made under this Regulation shall be ipso-facto disqualified to be a Member of the Committee and the vacancy so created shall be filled up with the approval of the Vice Chancellor.

5. Powers of the Disciplinary Committee

The Disciplinary Committee in order to effectively conduct its proceedings under this Regulation shall have the following powers.

- i. To initiate disciplinary proceedings against the misconduct under this Regulation either *suo moto* based on own information or on reference/complaint made under Clause 3 and to award punishment/s as provided herein.
- ii. To summon the person accused of the misconduct or any other person connected with or in relation to the misconduct for personal appearance for the purpose of enquiry proceedings.
- iii. To seek/demand information and/or evidence from all concerned in relation to the alleged misconduct.
- iv. To suspend a student/employee from attending classes/functional departments as the case may be pending completion of the enquiry under the circumstances or for reasons it may deem fit.
- v. To direct the person accused of the misconduct to undergo medical and/or other clinical examination/tests either at the in-house health centre of the University or at approved external medical centres, for the purpose of the enquiry.
- vi. To examine and cross examine the accused and the witness(es) independently or otherwise.
- vii. To permit extended time for personal appearance, if so requested by any one summoned where the Committee is convinced/justified of the reasons for such request.
- viii. To conduct the enquiry proceedings for extended hours beyond the normal working time of the University if in the opinion of the Committee, the offence of misconduct committed is grave/serious warranting urgent disposal.
- ix. To nominate a Professor / Associate Professor of the University of relevant-knowledge to independently study and report on any suspected or alleged misconduct.
- x. To refer the matter of misconduct to the jurisdictional Police where the accused refuses to cooperate with or turns hostile to the enquiry process.
- xi. To recommend to the Vice Chancellor for any additional punitive or reformatory action against the accused in addition to the award of prescribed punishment under this Regulation.
- xii. To take any other legitimate action towards its effective functioning under this Regulation.

6. Proceedings of the Disciplinary Committee

- i. As soon as a Reference/Complaint is received by the Committee and not later than two working days of its receipt the Secretary of the Committee shall cause to issue a notice of at least three working days to the accused/s to his/her registered email address mentioning the details of misconduct charged with a copy of the Reference/Complaint filed, seeking personal appearance before the Committee on a specified date and time to be fixed in consultation with the Chairperson.
- ii. Copy of the Notice under (i) above shall be marked to all the Members of the Committee which shall also be deemed to be Notice to the Members to attend the meeting.
- iii. The Committee may either proceed with the enquiry based on the information made available to it or may seek a report under Clause 5(ix) while progressing on its proceedings.
- iv. The Committee will enquire and examine the alleged misconduct duly hearing the person/s concerned and considering relevant documents/evidences in a just and equitable manner and shall arrive at its decision about the truth of the alleged misconduct and on the level of offence committed as specified in Clause 2 and the punishment applicable.
- v. While arriving at the decision the Committee shall give sufficient opportunity for the accused to defend himself/herself against the allegations either personally or subject to prior approval of the Committee, with the assistance of his/her friend/colleague (other than an Advocate).
- vi. The Committee shall conclude its proceedings, pass its detailed Order awarding the punishment as may be applicable as contained in Clause 7 hereto and communicate the same to the accused person as soon as possible but not later than thirty (30) working days from the commencement of the proceedings.

7. Indicative Punishments

Pursuant to the enquiry proceedings of the Disciplinary Committee if the alleged offence of misconduct is confirmed the accused shall be awarded punishment matching with the different levels of offence of misconduct as indicated in the table hereunder:

Level of Offence	Nature of the Offence of Misconduct	Periodicity of occurrence of the offence	Indicative Punishment
1	Smoking of cigarettes/cigars/ beedi/ hookah (including Electronic Nicotine Delivery Systems) or use of any other tobacco product/s in any form (including chewing) within any of the academic premises of the University	First Time	1. Letter of warning with copy to parent.
		Second Time	1. Suspension for a period up to one week with a copy to parent

		Third Time or more	1. Detention for one semester/two trimesters Expulsion from the University for further repeat of the offence
2	Consumption of Alcohol / Alcoholic substance, Narcotic and / or Psychotropic Substance and/or being under the influence of such substances within any of the premises of the University.	First Time	1. Fine of up to Rs. 1500/- 2. Suspension for a period of up to one week with copy to parent
		Second Time	1. Fine of up to Rs. 2000/- 2. Detention for up to one Semester/two trimesters Expulsion from the University for further repeat of the offence

3	Encourage, influence, coerce or otherwise provoke the fellow students or colleagues to indulge in smoking/drinking or to consume narcotic/psychotropic substances within or outside the premises of the University, whether or not, in parties or gatherings and whether or not such parties /gatherings are organised as an event of or with the permission of the University.	First Time	1. Fine of up to Rs. 5000/- 2. Suspension for a period of up to one Semester/two trimesters or with a copy to parent
		Second Time	1. Fine of up to Rs.10000/- 2. Detention for two semesters/three trimesters. Expulsion from the University for further repeat of the offence
4	Indulge in direct or indirect selling or free distribution of any of the tobacco/ alcohol/ narcotic/ psychotropic products to any fellow students or colleagues.	First Time	1. Expulsion from the University.2. Reference to Police

5	Apprehended by the Police / Law Enforcement Authorities for any of the offences under the COTPA Act or under NDPS Act	First Time	1. Expulsion from the University.
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Note:

- i. Apart from the specified indicative punishment, the Disciplinary Committee may at its discretion impose additional strictures such as removing any one or more of the privileges availed such as library usage, institutional representation or participation in fests/sports, or other competitions, fee concessions, and the like.
- ii. The decision to expel the student shall be subject to the approval of the Vice Chancellor/Pro-Vice-Chancellor.
- iii. Any resident (student/employee) of the hostel/residence owned, leased, or controlled by the University, if convicted of any offence under this Regulation, irrespective of the level of offence, shall be forthwith expelled from the hostel/residence.
- iv. Punishment for the employees, commensurate to the offense, shall be as decided by Committee

8. Appeal against the Order of the Disciplinary Committee

Any person (including the students), aggrieved by the decision of the Disciplinary Committee, may file an appeal to the University Grievance Redressal Appellate Committee (UGRAC) constituted under Clause B (2) (b) of the CHRIST Regulation for Redress of Grievances of Students 2022 within seven (7) days of the Order of the Disciplinary Committee. The decision of the UGRAC in accordance with the said Regulation shall be final and binding.

9. Confidentiality of the Proceedings

Any matter relating to the usage of any substance covered by this Regulation that involves students, in particular, shall be dealt with in the absolute confidentiality it deserves. The personal identity of the affected students or other persons shall be disclosed or reported only to such Authorities, Agencies, Law Courts, Advocates, or other Officials who are directly responsible for the enquiry, investigation, or judicial/administrative proceedings under this Regulation and such disclosure or reporting shall be only for the purposes of and in the course of such enquiry or investigation. The information relating to any particular person investigated under this Regulation, being confidential in nature, shall be exempt under Section 8 of the Right to Information Act for any disclosure under the said Act. No information about any person involved in any of the offenses of misconduct under this Regulation shall be disclosed to the general public or to the media of any form whatsoever. All records relating to the cases under this Regulation shall remain in the safe custody of the Disciplinary Committee and access to such records shall be permitted only with the prior written approval of the Chairperson of the Committee.

10. Preventive Initiatives by the Institution

- i. It is expected that the students will adapt to healthy ways of life and will behave responsibly not to get afflicted by any harmful substance that will endanger their health. In order to enable the students and other members to have adequate exposure to the social, physiological, and psychological consequences of 'substance use' the University shall undertake all necessary preventive measures.
- ii. There shall be proper orientation lectures on the ill effects of smoking, drinking, and usage of substances given to all students prior to the commencement of every academic session.
- iii. The Holistic Education session shall have specific modules on relevant aspects of alcoholism and drug abuse, implications of the guiding statutes (such as the COTPA Act or under NDPS Act) with pertinent case studies wherever possible.
- iv. The Student Council /Student Welfare Office/ Peer Education Group must organise department-wise or deanery-wise Role Plays, Skits, Seminars, Workshops, and /or documentary movies to educate and sensitise the students on the use and ill effects of addiction to health hazardous materials, at least one in every semester.
- v. The Counsellors and the Class Teachers concerned shall regularly observe the behavior/attitude changes of any particular student and enquire into its ulterior reasons with reference to:
 - a) Consistent decline in academic performance.
 - b) Declining trend in attendance.

- c) Regular late reporting to classes.
- d) Unexplained expression of anger, sulkiness, violence, or indiscipline inside or outside the class, etc.
- e) Tendency to take breaks in between the classes or while in the class. All such cases which may be considered for any suspected use or possession of a 'substance' must be brought to the notice of the Head of the Department for reporting to the Parents concerned and to the Class Mentors (Teachers) to take appropriate remedial measures. The Counsellor shall maintain a full record of such instances including the ones reported through the Class Teacher.
- vi. The Centre for Counselling and Health Services of the University must have a special cell to attend to affected students who will be encouraged voluntarily to seek assistance to overcome their problems.
- vii. The University shall have in all its Campuses a Drug Abuses Monitoring Cell (DAMC) consisting of at least two Assistant Professors (one of them to be its Coordinator) and two Student Representatives nominated by the Director of Student Affairs or Campus Director as may be applicable. The DAMC shall make regular but unscheduled surveillance of student assembly points and other vulnerable locations to identify and report on the Misconduct under this Regulation. The DAMC shall at the close of every month submit a written report on the monitoring done to the Director of Student Affairs. The role of DAMC shall not be intended to take any punitive or disciplinary action but to save the students from any potential impact of drug abuse by facilitating remedial treatment.
- viii. The website of the University as well as the Student Handbook shall publish relevant extracts of this Regulation for the information of all concerned.
- ix. The University shall include appropriate 'undertaking of non-use' by the concerned in its Application forms for Student Admission, Staff Recruitment, and in the contracts signed with vendors or other agencies.
- x. The University may introduce any other measure as it may deem fit to prevent the menace of banned substances within its Campuses.

14 December 2021



Director