

CONDUCT, DISCIPLINE AND APPEAL RULES
(Amended as on 27.05.2020)

RULE 1

1. SHORT TITLE AND COMMENCEMENT

These Rules shall be called the 'Chennai Petroleum Corporation Limited Conduct, Discipline and Appeal Rules' and shall come into force on 1st June, 1983.

RULE 2

2. APPLICATION

These rules shall apply to all employees except those governed by the Standing Orders under the Industrial Employment (Standing Orders) Act, 1946.

RULE 3

3. DEFINITIONS

In these rules, unless the context otherwise requires-

- 3.1 **'Employee'** means a person in the employment of the Corporation other than the one as defined in the Industrial Disputes Act, 1947, but includes a person on deputation to the Corporation.
- 3.2 **Deleted**
- 3.3 **'Corporation'** means Chennai Petroleum Corporation Limited
- 3.4 **'Board'** means the Board of Directors of the Corporation and includes, in relation to the exercise of powers, any committee of the Board/Management or any officer of the Corporation to whom the Board delegates any of its powers for the purposes of these Rules
- 3.5 **'Managing Director'** means the Managing Director of the Corporation and includes any other person authorised to act as such for the time being.
- 3.6 **'Disciplinary Authority'** means the authority specified in the Schedule appended to these rules, or any authority higher than it, and competent to impose any of the penalties specified in Rule 23.
- 3.7 **'Government'** means the Government of India as well as State Government.
- 3.8 **'Appellate Authority'** means the Authority specified in the Schedule appended to these Rules.
- 3.9 **'Reviewing Authority'** means the Appellate Authority or any Authority higher than it.

3.10 **'Family'**: In relation to an employee includes:-

- i) The wife or husband as the case may be, of the employee, whether residing with him or her or not, but does not include a wife or husband as the case may be, separated from the employee by a decree or order of a competent Court.
- ii) Sons or daughters or step-sons or step-daughters of the employee and wholly dependent on him or her, but does not include a child or stepchild who is no longer in any way dependent on the employee or of whose custody the employee has been deprived by or under any law.
- iii) Any other person related whether by blood or marriage to the employee or to such employee's wife or husband and wholly dependent on such employee.

3.11 **'Public Servant'** shall mean and include a person as mentioned in Section 21 of the Indian Penal Code as amended from time to time.

3.12 **'Chief General Managers'** mean any person(s) designated as such or any other person acting as such or authorised to act in their place or any other person authorized by them.

3.13 Deleted

3.14 Deleted

3.15 **'Refinery'** means the Refinery owned and operated by the Corporation situated at Manali/ Nagapattinam including such utilities as are adjacent or ancillary to the Refinery including the marine loading and unloading facilities, connecting lines, Corporation rail road lines, landing, etc., and includes offices forming part of one or other departments of the Refinery.

3.16 **'Premises'** means the area or properties owned, leased to or hired by Chennai Petroleum Corporation Limited.

3.17 Deleted

3.18 **'Director'** means the Functional Director or any other authority in whom the Board vests the powers or functions of the Director or any other Official who holds charge of the administrative functions of the Director for the time being.

3.19 **'Competent Authority'** means the authority as specified in these Rules and failing such specifications means the authority specified by the Board by any general or special Resolution, Rule or Order to discharge the function or the powers specified in these Rules or any of them. Wherever not specified, the Disciplinary Authority shall be the Competent Authority.

- 3.20 **‘Sexual Harassment’** includes unwelcome sexually enacted behaviour (whether directly or by implication) with regard to any other employee at the work place such as:
- a) Physical contact and/or advances;
 - b) A demand or request for sexual favour; sexually coloured remarks;
 - c) Showing pornography;
 - d) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
- 3.21 **‘Complaints Committee’** means the Complaints Committee constituted by the Corporation for redressing complaints of sexual harassment.
- 3.22 **‘Person’** Unless repugnant to the subject or context thereof, the expression “person” used in these Rules shall include any Corporation or body corporate, proprietorship, partnership or association of persons (whether registered or not), and the singular shall include the plural and vice versa, and the masculine shall include the feminine and vice versa.
- 3.23 **“Designated Employee”** of the Corporation shall have the same meaning as provided under “The Code for prevention of insider trading in the securities of “CPCL” as hosted on the website of the Corporation www.cpcl.co.in. In case any designated employee separates from the services of the Corporation due to superannuation / resignation / termination etc., he shall continue to be considered as such for a further period of six months subsequent to the date of his separation from the Corporation as envisaged under SEBI (Prohibition of Insider Trading) Regulations, 1992.

RULE 4

4 GENERAL

- 4.1 Every employee of the Corporation shall at all times
- i) Maintain absolute integrity;
 - ii) Maintain devotion to duty;
 - iii) Do nothing which is unbecoming of an employee
- 4.2 Every employee of the Corporation holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all employees for the time being under his control and authority
- 4.3 Every employee shall at all times conduct himself soberly and temperately while on the official premises and show proper respect and civility to all concerned and shall use his utmost endeavours to promote the interests of the Corporation and to maintain and promote the good reputation thereof
- 4.4 No employee shall, in the performance of his official duties or in the exercise of powers conferred on him, act otherwise than in his best judgement except when he is acting under the direction of his official superior and shall, where he is acting under such direction, obtain the direction in writing wherever practicable, and where it is not practicable to obtain the direction in writing, he shall obtain written confirmation of the directions as soon thereafter as possible.

Explanation:

Nothing in Rule 4.4 shall be construed as empowering an officer to evade his responsibilities by seeking instructions from, or approval of a superior officer or authority, when such instructions are not necessary under the scheme of distribution of power and responsibility.

4.5 Deleted

RULE 4 A**4A INTIMATION ABOUT CONVICTION**

It shall be the duty of every employee covered in this rule to inform his immediate superior in case of conviction that he has been convicted by a court of law. This circumstance of the conviction shall also be intimated. Failure to inform the immediate superior shall be regarded as suppression of material information and will render him liable to disciplinary action on this ground alone, apart from the penalty called for on the basis of the offence on which his conviction was passed.

RULE 4 B**4B INTIMATION ABOUT DETENTION**

It shall be the duty of every employee who may be arrested for any reason to intimate the fact of his arrest and the circumstances connected therewith to his immediate superior promptly. Failure to inform will be regarded as suppression of material information and will render him liable to disciplinary action on this ground alone, apart from the action that may be called for on the outcome of the police action against him.

RULE 4 C**4C SCOPE OF SERVICE:**

Unless in any case it be otherwise distinctly provided, the whole time of an employee shall be at the disposal of the Corporation and he shall serve the Corporation in its business in such capacity and at such place as he may from time to time, be directed.

RULE 4 D**4D LIABILITY TO ABIDE BY RULES AND ORDERS:**

Every employee of the Corporation shall conform to and abide by the Rules of the Corporation, as may be made applicable to him from time to time, and shall observe, comply with and obey the orders and directions given to him in the course of his official duties by any person or persons under whose jurisdiction, superintendence or control he may, for the time being, be placed.

RULE 5

5. MISCONDUCT

Without prejudice to the generality of the term 'misconduct', the following acts of omission and commission shall be treated as misconduct rendering an employee liable for disciplinary action.

- 5.1 Theft, fraud or dishonesty in connection with the business or property of the Corporation or of property of another person within the premises of the Corporation.
- 5.2 Taking or giving bribes or any illegal gratification, or demanding or offering bribes or any illegal gratification.
- 5.3 Possession of pecuniary resources or property disproportionate to the known sources of income by the employee or on his behalf by another person, which the employee cannot satisfactorily account for.
- 5.4 Furnishing false information regarding name, age, father's name, qualification, ability or previous service or any other matter, germane to the employment at the time of employment or during the course of employment.
- 5.5 Acting in a manner prejudicial to the interests of the Corporation.
- 5.6 Willful insubordination or disobedience, whether or not in combination with others, of any lawful and reasonable order of a superior.
- 5.7 Absence without leave or over staying the sanctioned leave.
- 5.8 Habitual late or irregular attendance.
- 5.9 Neglect of work or negligence in the performance of duty including malingering or slowing down of work.
- 5.10 Causing damage to work in progress or to any property of the Corporation either willfully or through negligence.
- 5.11 Non-observance of safety precautions or Rules, or interfering or tampering with any safety devices installed in or about the premises of the Corporation.
- 5.12 Drunkenness or riotous or disorderly or indecent behaviour in the premises of the Corporation or outside such premises where such behaviour is related to or connected with the employment.
- 5.13 Gambling within the premises of the Corporation.
- 5.14 Smoking within the premises of the establishment, or using naked lights, where it is prohibited.
- 5.15 Collection without the permission of the Competent Authority, of any money within the premises of the Corporation except as sanctioned by any law of the land for the time being in force or rules of the Corporation.
- 5.16 Sleeping while on duty under any pretext, whatsoever.

- 5.17 Commission of any act, which amounts to a criminal offence involving moral turpitude.
- 5.18 Absence from the employee's appointed place of work without permission or sufficient cause.
- 5.19 Purchasing properties, machinery, stores, etc., from or selling properties, machinery, stores, etc. to the Corporation without express permission in writing from the Competent Authority.
- 5.20 Commission of any act subversive of discipline or of good behaviour.
- 5.21 Abetment of or attempt at abetment of any act, which amounts to misconduct.
- 5.22 Striking work either singly or with other employees in contravention of any statute, law, rule or enactment for the time being in force, or inciting any employee while within the precincts of the Corporation to strike work.
- 5.23 Surrounding, blocking or detaining or gheraoing any employee or employees either inside or outside the premises of the Corporation.
- 5.24 Use of impolite or insulting or abusive language, threat, intimidation, or coercion within the premises of the Corporation against any other employee or person authorised to work in the Corporation, an assault or threat of assault within the premises of the Corporation on any employee and any such act outside the premises of the Corporation if it directly affects the discipline of the Corporation.
- 5.25 Holding or attending a meeting within the premises of the Corporation without previous written permission of the Corporation.
- 5.26 Refusal to accept a charge sheet, order or any communication from the Corporation.
- 5.27 Failure to attend work beyond normal working hours or on a weekly or other holiday when required to do so.
- 5.28 Possession of weapons, explosives, ignitable or inflammable materials, cameras or radios within the premises of the Corporation without Corporation's permission.
- 5.29 Engaging in trade, or money lending or doing private or personal work, within the premises of the Corporation during working hours with or without tools or materials belonging to the Corporation without the previous permission of the Corporation.
- 5.30 Unauthorised removal or aiding or abetting unauthorised removal of Corporation property and failure to report knowledge of unauthorised removal of Corporation property.
- 5.31 Refusal to be searched by any Corporation security personnel or any other authorized person.
- 5.32 Causing disfigurement, destruction or alteration of any records of the Corporation.
- 5.33 Leaving one's place of work during or at the end of shift without being properly relieved.
- 5.34 Failure to observe duly notified Corporation's regulations for the prevention of fire.
- 5.35 Not obeying instructions relating to fire precautions, fire drill practice or willfully refraining from doing or conducting fire drill practice when required to do so.

- 5.36 Engaging in self-employment or in employment of others to the detriment of the Corporation. Ownership wholly or in part of a newspaper or other publication or association with a newspaper or periodical without Corporation approval.
- 5.37 Acts or omissions which lower the quality of goods manufactured and/or reduce the production.
- 5.38 Carrying unauthorised persons in Corporation's vehicle.
- 5.39 Allowing unauthorised persons to operate Corporation vehicles or equipment's.
- 5.40 Breach of driving rules or Motor Vehicles Act or breach of the Corporation's health, security and/or safety regulations.
- 5.41 Distributing or exhibiting within the premises of the Corporation any newspapers, handbills, pamphlets, or posters, or causing to be displayed by means of signs or writing or other visible representation any matter without the prior written permission of the Corporation.
- 5.42 Disclosing to any unauthorised person or persons any information in regard to the working or process of the Corporation, which might come into the possession of the employees during the course of their work.
- 5.43 Making false or malicious statements, public or otherwise against the Corporation or any employee of the Corporation.
- 5.44 Publication or dissemination of matters relating to the Corporation or oil industry either through the press or broadcasts or speeches without prior written approval of the Corporation.
- 5.45 Loitering whilst on duty or otherwise in the Corporation premises.
- 5.46 Canvassing in support of the business or Insurance Agency, Commission Agency etc., owned or managed by his spouse or any other member of his family.
- 5.47 Issuing or giving certificates or testimonials of service to another employee or ex-employee of the Corporation without permission.
- 5.48 Any act which violates local body or State or Central Government laws or Corporation's rules and regulations.
- 5.49 Leaving Headquarters without the prior permission of the Corporation.
- 5.50 Violation of the Code of Internal Procedure and conduct for prevention of insider trading in dealing with the securities of the Corporation by designated employees.
- 5.51 Using Official email, Internet or other electronic equipment or facilities provided by the Corporation for the purpose other than the affairs related to the business of the Corporation.
- 5.52 Any non-compliance or violation of the Corporation's Information Security Policy.

- 5.53 Obtaining any advance or withdrawal from the Corporation or any provident or other fund or Trust administered by the Corporation or administered by Trustees appointed by the Corporation in whole or part by fraudulent means or misrepresentation or false pretences.
- 5.54 Occupying or taking possession in an unauthorised manner or refusal to vacate or deliver possession of Corporation's quarter(s) or any of its premises, owned or hired, when required to do so by the Corporation.
- 5.55 "Misuse/abuse of any scheme / facility provided by the Corporation viz. Medical scheme, loans & advances, etc."
- 5.56 Sexual harassment

Note: The above instances of misconduct are illustrative in nature, and not exhaustive.

RULE 6

6 EMPLOYMENT OF NEAR RELATIVES OF THE EMPLOYEES OF THE CORPORATION IN ANY CORPORATION OR FIRM ENJOYING PATRONAGE OF THE CORPORATION.

- 6.1 No employee shall use his position or influence, directly or indirectly, to secure employment for any person related whether by blood or marriage to the employee or the employee's wife or husband, whether such person is dependent on the employee or not.
- 6.2 No employee shall, except with the previous sanction of the Competent Authority, permit his son, daughter or any member of the family to accept employment with any Company or firm with which he has official dealings, or with any Company or firm having official dealings with the Company.
Provided that where the acceptance of the employment cannot await the prior permission of the Competent Authority, the employment may be accepted provisionally subject to the permission of the Competent Authority, to whom the matter shall be reported forthwith.

The Competent Authority for the purpose of this Rule is:

- a) In the case of Officer below Grade H, the Officer in Grade H to whom the Officer directly or indirectly reports;
 - b) In the case of Officer in Grade H and above, the Functional Director of the Division concerned.
- 6.3 No employee shall in the discharge of his official duties deal with any matter or give or sanction any contract to any Corporation or firm or any other person if any member of his family is employed in that Corporation or firm or under that person or if he or any member of his family is interested in such matter or contract in any other matter and the employee shall refer every such matter or contract to his official superior and the matter or the contract shall thereafter be disposed of according to the instructions of the authority to whom the reference is made.

6A ABSENCE FROM DUTY

No employee shall absent himself from duty without having obtained the permission of the authority empowered to grant him leave. No employee shall leave station where he is posted without obtaining previous permission of the authority referred to above.

"If an employee overstays beyond the period of leave originally granted or subsequently extended or is otherwise absent beyond 21 days continuously without prior permission of, or intimation to, authority empowered to grant him leave, he shall be treated to have voluntarily abandoned the Corporation's service and the Competent Authority may pass orders accordingly. A communication relating to such order having been passed by the Competent Authority shall be sent to the employee concerned at his last known address on record".

6B ACCEPTANCE OF REWARDS

- 1) Except in the following cases, an employee of the Corporation shall not without the prior approval of the Competent Authority accept a reward from any source:
 - a) The premium awarded for any essay or plan in Public competition.
 - b) Any reward offered for the arrest of a criminal or for information or special service in connection with the administration of justice.
 - c) Any reward payable in accordance with the provisions of any Act or Regulation or Rules framed there under.
 - d) Any reward sanctioned for services in connection with the administration of the Customs and Excise Laws; and
 - e) Any fee payable to an employee for duties which he is required to perform in his official Capacity under any special or local law by order of the Government.
- 2) The Competent Authority for the purpose of this Rule is:
 - a) In the case of an Officer below the rank of Officer in Grade H, the Officer in Grade H to whom the Officer directly or indirectly reports.
 - b) In the case of Officer of the rank of Officer in Grade H and above, the Functional Director of the Division concerned.

RULE 7

7. TAKING PART IN DEMONSTRATIONS

No employee of the Corporation shall engage himself or participate in any demonstration, which involves incitement to an offence.

RULE 8

8 CONNECTIONS WITH PRESS, RADIO OR TELEVISION

- 8.1 No employee of the Corporation shall, except with the previous sanction of the Competent Authority, own wholly or in part, or conduct or participate in the editing or management of any newspaper or other periodical or publication;
- 8.2 No employee of the Corporation shall, except with the previous sanction of the Competent Authority, or in the bonafide discharge of his duties, participate in a radio or TV broadcast or contribute any article or write any letter in his own name or anonymously, pseudonymously or in the name of any other person to any newspaper or periodical purporting to express any views on behalf of the Corporation or disclosing any information relating to the Corporation or its affairs.

The Competent Authority for the purpose of this Rule is:

- a) In the case of Officer below Grade H, the Officer in Grade H to whom the Officer directly or indirectly reports
- b) In the case of the Officer in Grade H and above, the Functional Director of the Division concerned.

RULE 9

9. Criticism of Government or Corporation or any of its Directors or Officers in Senior Management

- 9.1 No employee shall, in any radio/TV broadcast or in any document or letter or circular published under his name singly or jointly with another or others or in the name of any other person(s) or in any communication to the press or other media, or in any public utterance, make any statement :
- 1) Which criticises any policy or action of the Central Government or of the Corporation or any of its Directors or Officers in Senior Management; or
- 2) Which is capable of embarrassing the relations between the Corporation and the public or the Management of the Corporation and its employees. Provided that nothing in this Rule shall apply to any statement made or views expressed by an employee, of a purely factual nature which are not considered to be of a confidential nature, in his official capacity as an Officer of the Corporation or in due performance of the duties assigned to him as an Officer of the Corporation.

Note: Any bonafide expression of views by an employee as office bearer of a recognised trade union strictly for the purpose of safeguarding the conditions of service of such employees or for securing an improvement thereof would not fall in the purview of this Rule.

9A TAKING PART IN POLITICS AND ELECTIONS

- 1) No employee shall be an office-bearer of a political party or an organisation which takes part in politics.
- 2) No employee shall take part in or assist in any manner in any movement / agitation or demonstration of a political nature.
- 3) No employee shall contest in an election to any legislature or local authority or otherwise take part in such an election as for example by proposing /seconding the nomination of a candidate at such an election or acting as a polling agent: Provided that:-
 - a) An employee qualified to vote at such election may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted;
 - b) An employee shall not be deemed to have contravened the provisions of this sub-rule by reason only that he assists in the conduct of an election in the due performance of a duty imposed on him by or under any law for the time being in force.
- 4) No employee shall canvass in, or use his influence in connection with, any election to any legislature or local Authority.

Explanation:

The display by an employee on his person, vehicle or residence of any electoral symbol shall amount to using his influence

RULE 10

10. EVIDENCE BEFORE COMMITTEE OR ANY OTHER AUTHORITY

- 10.1 Save as provided in sub-rule (3) below, no employee of the Corporation shall, except with the previous sanction of the Competent Authority, give evidence in connection with any enquiry conducted by any person, committee or authority.
- 10.2 Where any sanction has been accorded under sub rule (1) above, no employee giving such evidence shall criticise the policy or any action of the Central Government or of a State Government, or of the Corporation.
- 10.3 Nothing in this rule shall apply to-
 - a) evidence given at any enquiry before an authority appointed by the Government, Parliament or a State Legislature or any Corporation;
 - b) evidence given in any judicial enquiry; or
 - c) Evidence given at any departmental enquiry ordered by authorities subordinate to the Government.

RULE 11

11 UNAUTHORISED COMMUNICATION OF INFORMATION

No employee shall, except in accordance with any general or special order of the Competent Authority or in the performance in good faith of the duties assigned to him, communicate, directly or indirectly any official document or any part thereof or information to any employee, or any other person to whom he is not authorised to communicate such document or information.

RULE 11 A

11 A PATENTS FOR INVENTIONS MADE

11 A1 Every employee shall, within one month of taking up his employment furnish the Corporation with:

- i) A list of all patents held by him or applied for in India or abroad whether in his own name or jointly with any other person(s)
- ii) Titles and nature of any inventions in his possession prior to his taking up the appointment, which shall be treated as confidential.

Intellectual property rights in all improvements, inventions made and/or processed or discovered or worked upon by an employee during the period of his service with the Corporation shall belong to and vest exclusively in the Corporation, and the Corporation shall have the exclusive right to use, apply or deal with the same.

No employee of the Corporation shall, except with the previous sanction of the Functional Director of the Division concerned, disclose to any other person or permit use in any manner by any other person or apply for or cause to permit any other person to apply for or to obtain in India or abroad any patent, patent of additions, licence, rights, privilege, or the like protection in respect of any improvement, invention or process, under any Act, Statute, Statutory Orders, Regulations or otherwise in respect of any improvement, invention or process, the intellectual property in respect of which vests in or otherwise belongs to the Corporation.

If such improvement, invention or process has been made, discovered or obtained by the employee during the period of his service with the Corporation, he shall upon request of the Functional Director or his nominee forthwith disclose full and complete description of the said improvement, invention or process and the mode of performing the same and shall absolutely assign and transfer in favour of the Corporation, at its cost, the intellectual property rights in such improvement, invention or process (whether patented or not) for a consideration of Re. 1/-. In the event of such a request being made by the Competent Authority, the employee shall sign all applications, deeds, instruments, assurances, documents, papers, conveyances, etc. as the said Authority may in his opinion require for the vesting of the rights under and by virtue of these provisions wholly and absolutely in the Corporation.

- 11 A2 All inventions including improvements or modifications thereon or process made or discovered by the employee during or in relation to the period of his services with the Corporation shall be absolute property of the Corporation and he shall hold the same in trust for it. The Corporation shall recognise the inventor/inventors in that their name / names will be mentioned in the patent. The Corporation shall not however be obliged to pay any fee, royalty or any other consideration for the use of any such inventions or process.
- 11 A3 Save as otherwise provided in these rules, no employee shall assign, grant any license, or create any charge or interest in favour of any person make use of or otherwise deal with any such invention or process (whether patented or not) he has made, discovered or obtained during the period of his service with the Corporation.
- 11 A4 No employee, whether during or after a period of his service with the Corporation shall, except for the purpose of the business of the Corporation and with the previous sanction of the Competent Authority publish or cause to be published, disclose or otherwise make known in any manner whatever such inventions or process.

Note: The word 'invention' occurring in these rules shall have the meaning assigned to it under the Patents Act, 1970.

11B FORWARDING OF APPLICATION

No employee shall forward his application for employment to any Government (Central/State) or semi-Government Department or Public Undertaking (in India or abroad) except in accordance with the Rules framed by the Corporation in this behalf. No employee shall forward an application for an award of a fellowship, scholarship, etc., direct to any authority unless the application is sponsored by the Corporation and he is permitted to take up such a fellowship or scholarship.

RULE 12

12 Gifts

- 12.1 Save as otherwise provided in these rules, no employee of the Corporation shall accept or permit any member of his family or any other person acting on his behalf to accept any gift.

Explanation:

The expression 'gift' shall include free transport, boarding, lodging or other service or any other pecuniary advantage when provided by any person other than a near relative or a personal friend having no official dealing with the employee.

Note: An employee of the Corporation shall avoid acceptance of lavish or frequent hospitality from any individual or firm having official dealings with him.

- 12.2 On occasions such as weddings, anniversaries, funerals or religious functions, when the making of gifts(s) is in conformity with the prevailing religious or social practices, an employee of the Corporation may accept gift(s) from his near relative(s) and personal friend(s) having no official dealings with him, but shall make a report to the Competent Authority if the value of the gift(s) exceeds Rs. 25,000/-

12.3 Deleted

12.4 In any other case, an employee of the Corporation shall not accept or permit any member of his family or any other person acting on his behalf to accept any gift without the sanction of the Competent Authority if the value of the gift exceeds Rs. 5000/-. Provided that when more than one gift has been received from the same person within a period of 12 months, the matter shall be reported to the Competent Authority if the aggregate value of the gifts exceeds Rs. 25000/-.

RULE 12A

12A DOWRY

No employee of the Corporation shall -

- i) Give or take or abet the giving or taking of dowry: or
- ii) Demand, directly or indirectly, from the parents or guardian of a bride or bridegroom, as the case may be any dowry.

Explanation:

For the purposes of this rule, 'dowry' has the same meaning, as in the Dowry Prohibition Act, 1961 (28 of 1961).

RULE 13

13 PRIVATE TRADE OR EMPLOYMENT

13.1 No employee of the Corporation shall, except with the previous sanction of the Competent Authority engage directly or indirectly in any trade or business or undertake any other employment.

Provided that an employee may, without such sanction undertake honorary work of a social or charitable nature or occasional work of a literary, artistic or scientific character or participate in sports activities as amateur, subject to the condition that his official duties do not thereby suffer. suffer; but he shall not undertake or shall discontinue, such work if so directed by the Competent Authority.

13.2 Every employee of the Corporation shall report to the Competent Authority if any member of his family is engaged in a trade or business or owns or manages an insurance agency or commission agency.

13.3 No employee of the Corporation shall, without the previous sanction of the Competent Authority, except in the discharge of his official duties, take part in the registration, promotion or management of any bank or other Corporation which is required to be registered under the Companies Act, 1956 (1 of 1956) or other law for the time being in force or any co-operative society for commercial purposes.

Provided that an employee of the Corporation may take part in the registration, promotion or management of a consumer/house building co-operative society substantially for the benefit of employees of the Corporation, registered under the Cooperative Societies Act, 1912 (2 of 1912) or any other law for the time being in force, or of a literary, scientific or charitable society registered under the Societies Registration Act, 1960 (21 of 1960) or any corresponding law in force.

- 13.4 Unless otherwise provided by general or special orders of the Corporation, no employee of the Corporation shall accept any fee or any pecuniary advantage for any work done by him for any public body or any private person without the sanction of the Competent Authority.

The Competent Authority for the purpose of this Rule is:-

- a) In the case of Officer below Grade H, the Officer in Grade H to whom the Officer directly or indirectly reports.
- b) In the case of the Officer in Grade H and above, the Functional Director of the Division concerned

RULE 13 A

13A EMPLOYMENT OF FUNCTIONAL DIRECTORS AFTER RETIREMENT

No functional Director of the Corporation including the Chief Executive, who has retired / resigned from the service of the Corporation, after such retirement / resignation shall accept any appointment or post, whether advisory or administrative, in any firm or Corporation, whether Indian or foreign, with which he Corporation has or had business relations, within one year from the date of his retirement without prior approval of the Government. The term retirement includes resignation; but not the cases of those whose term of appointment was not extended by Government for reasons other than proven misconduct. The term 'business relations' includes 'official dealings' as well.

RULE 14

14 INVESTMENT, LENDING AND BORROWING

No employee shall, save in the ordinary course of business with a bank, the Life Insurance Corporation or a firm of standing, borrow money from or lend money to or otherwise place himself under pecuniary obligation to any person with whom he has or is likely to have official dealings or permit any such borrowing, lending or pecuniary obligation in his name or for his benefit or for the benefit of any member of his family.

RULE 15

15 INSOLVENCY AND HABITUAL INDEBTEDNESS

- 15.1 An employee of the Corporation shall avoid habitual indebtedness unless he proves that such indebtedness or insolvency is the result of circumstances beyond his control and does not proceed from extravagance or dissipation.

- 15.2 An employee who applies to be, or is adjudged or declared insolvent shall forthwith report the fact to his Competent Authority.

RULE 16

16 MOVABLE, IMMOVABLE AND VALUABLE PROPERTY

For the purpose of this Rule:-

- a) "Immovable Property" means land, building, or rights in or attached to land or building (including by way of lease or mortgage) belonging to an employee or acquired out of the funds of an employee in the name of any member of his family.
 - b) "Movable Property" means property other than immovable property, held by or belonging to an employee or acquired out of the funds of an employee in the name of any member of his family and will include insurance policies and loans.
- 16.1 An employee shall not except with previous written intimation to Head HR, directly or indirectly acquire or dispose of any immovable property.
- 16.2 An employee shall not except with the previous sanction in writing to Head HR, directly or indirectly acquire from or otherwise sell any immovable or movable property to a person having official dealings with the employee or his superior or subordinate.
- 16.3 Every employee shall report in writing to the Head of HR, every transaction concerning movable property as and when it occurs if the value of such property or the amount of premium (in the case of insurance policy) or loan, as the case may be, exceeds two months' basic pay of such employee at the time of transaction.
- 16.4 Every employee shall on his first appointment in the Corporation and thereafter annually or with such other periodicity as may be prescribed, submit a statement of immovable property and movable property and of his assets and liabilities in such form as is prescribed on this behalf.
- 16.5 The competent authority may, at any time, by general or special order require an employee to submit, within a period specified in the order a full and complete statement of such movable or immovable property held or acquired by the employee or on his behalf or by any member of his family as may be specified in the order. Such statement shall, if so required by the competent authority, include details of the means by which, or the source from which such property was acquired
- 16.6 Deleted

RULE 16

16 A DEALING IN SHARES

- 16A1 When the Corporation issues shares by way of Initial Public Offer / Follow-on Public Offer (IPO/FPO), a full-time Director or any executive/employee involved in the decision making process of fixation of price of an IPO/FPO of shares of the Corporation shall not apply, either himself/herself or through any member of his/her family or through any other person acting on his/her behalf, for allotment of shares (which includes all types of equity related instruments) in an IPO/FPO of the Corporation, even out of the category of preferential quota reserved for employees/Directors of the Corporation.
- 16A2 When the Corporation issues shares by way of Initial Public Offer / Follow-on Public Offer (IPO/FPO), all executives/employees including full time Directors of the Corporation who are in possession of unpublished price sensitive information would be prohibited from dealing/transacting, either in their own name or through any member of their family, in the shares of the Corporation.
- 16A3 Full-time Director or executive/employee of the Corporation or any member of his/ her family or any person acting on his/her behalf shall not apply for shares out of any preferential quota reserved for employees/Directors of other Companies.
- 16A4 All employees of the Corporation would be required to disclose to the Competent Authority, all transactions of purchase/sale in Corporation's shares worth Rs.20,000/- or more in value or existing holding/interest in the shares of the Corporation worth Rs.20,000/- or more, either in his/her own name or in the name of any family member to report to the Competent Authority indicating quantity, price, date of transaction and nature of interest, within 4 working days.

16 B SPECULATION OF STOCK/ SHARES OF COMPANIES

- 16B1 No employee shall speculate in any stock, share or other investment: Provided that nothing in this sub-rule shall apply to occasional investments made through stock brokers or other persons duly authorized and licensed or who have obtained a certificate of registration under the relevant law.
- Explanation - Frequent purchase or sale or both, of shares, securities or other investments shall be deemed to be speculation within the meaning of this sub-rule.
- 16B2 Every employee shall annually or with such other periodicity as may be prescribed, submit a report in writing to the Head of HR, giving the details of transactions in shares, securities, debentures or mutual funds scheme etc. where total of such transactions in a calendar year exceed six months' of basic pay of such employee."

RULE 17

17 OTHER INFLUENCE

No employee shall bring or attempt to bring any outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service in the Corporation.

RULE 18

18 MARRIAGES

- 18.1 No employee shall enter into, or contract a marriage with a person having a spouse; and
- 18.2 No employee, having a spouse, shall enter into, or contract a marriage with any person.
- 18.3 The employee who has married or marries a person other than that of Indian nationality, shall forthwith intimate the facts to the Competent Authority

RULE 18 A

18 A PROHIBITION OF SEXUAL HARASSMENT OF WOMEN

18 A1 Deleted

18 A2 Deleted

18 A3 Deleted

18 A4 Deleted

18 A5 Deleted

18 A6 Deleted

18 A7 Deleted

18 A8 Deleted

RULE 18 B

18B Deleted

RULE 19

19 CONSUMPTION OF INTOXICATING DRINKS AND DRUGS

- 19.1 An employee of the Corporation shall:
- a) Strictly abide by any law relating to intoxicating drinks or drugs in force in any areas in which he may happen to be for the time being;
 - b) not be under the influence of any intoxicating drink or drug during the course of his duty and shall also take due care that the performance of his duties at any time is not affected in any way by the influence of such drink or drug;
 - c) Refrain from consuming any intoxicating drink or drug in a public place;

- d) Not appear in a public place in a state of intoxication;
- e) Not use any intoxicating drink or drug to excess

Explanation:

For the purpose of this rule, 'public place' means any place or premises to which the public have or are permitted to have access, whether on payment or otherwise.

19.2 Deleted

RULE 19 A

19A PREMATURE RETIREMENT

19 A1 Without prejudice to, and independent of the rights of the Corporation to dispense with the services of employees either wider the contract of employment or under these Rules or on grounds .of . medical unfitness irrespective of the age of an employee, an employee designated as officer who has attained the age of 50 years or has served the Corporation for more than 30 years (In the case of Officer who had joined the Corporation at the age of 35 years or above, on his/her attaining the age of 55 years) and is considered to be inefficient or of doubtful integrity may be prematurely retired by the Competent Authority by giving him advance notice of not less than 3 months in writing.

19 A2 The criteria for judging inefficiency or doubtful integrity shall be as follows: -

19A2 (a) INEFFICIENCY

Inefficiency will be evaluated on the basis of the final score obtained by the concerned officer in his Annual Performance Appraisal (APA) / e-PMS. . An Officer may be considered for premature retirement wherein the final score obtained by him falls in the bottom five percent of the representative group of the same grade, twice during the preceding five years, provided e-PMS score of the Officer were finalized by two different Counter Signing Officers If not, an opportunity will be afforded to the officer to be assessed by another Counter Signing Officer. For the purpose of this rule the final e-PMS score shall mean the score finalized at the level of Counter Signing Officer/ Appellate Authority.

For the purpose of the rule an Officer whose cumulative period of the unauthorized absence from duty exceeds 90 days during the preceding five years shall be considered as inefficient and shall be considered for pre-mature retirement.

19A2 (b) DOUBTFUL INTEGRITY

Integrity of an Officer shall be determined on the basis of his past record of service. An Officer may be considered for pre-mature retirement when, as per the records of the Corporation, there are two proven instance of misconduct relating to his integrity during the entire preceding service.

19 A2 (1) Procedure for Premature Retirement:

1. The cases of officers falling within the above mentioned criteria shall be reviewed six months before they attain the age of 50 years (In the case of Officer who had joined the Corporation at the age of 35 years or above, before their attaining the age of 55 years) or completed 30 years of service whichever is earlier.

Time schedule for review is as under:

S No	Quarter in which review is to be made	Cases of employee who will be attaining the age of 50/ 55 years or would be completing 30 years of service
1	January to March	July to September of the same year
2	April to June	October to December of the same year
3	July to September	January to March of the next year
4	October to December	April to June of the next year

2. A list of such employees attaining the age of 50 or 55 years (as the case may be) or completing 30 years of service, whichever is earlier and falling within the criteria of Inefficiency and/or Doubtful Integrity shall be prepared by the HR.
3. The concerned Functional Director shall constitute a Committee as specified in the schedule for reviewing and recommending the cases of premature retirement pertaining to their respective Function. For the purpose of this rule the Committee of CGMs so constituted by the Functional Director shall be the "Recommending Authority".
4. Cases falling within the aforementioned criteria shall be referred to the "Recommending Authority" which shall examine the cases for recommendation as to whether the concerned officer should be retained or prematurely retired from service.
5. A "Competent Authority" shall consider the cases recommended by the "Recommending Authority" for taking a decision for prematurely retiring the Officer(s) as per the provisions of this rule. The competent authority for this rule shall be as specified in the schedule.
6. Employees considered by the Competent Authority for premature retirement shall be served with a three months' notice informing about the decision of his/her premature retirement.
7. The employee against whom action for premature retirement has been taken may prefer a representation within 30 days of the receipt of the notice for premature retirement. The representation shall be addressed to the "Representation Committee" and submitted to the Authority against whose notice the representation is made. The Authority against whose notice, the representation is made shall forward the representation together with its comments and the relevant record to the Representation Committee. Upon consideration of the representation vis-à-vis comments of the Competent Authority and relevant record, the Representation Committee shall dispose of the representation either agreeing with the decision of the Competent Authority or otherwise within 30 days from the date of representation or by the date of premature retirement as mentioned in the notice, whichever is earlier. For the purpose of this rule the representation committee shall consist of other two Directors of the Corporation except the Director who has acted as Competent Authority in the matter.
8. In case no representation, within the stipulated time as mentioned above, is received from the employee to whom the notice for premature retirement has been served, the decision

of the Competent Authority shall be considered as final.

9. The benefits admissible to those retiring prematurely will be as under: -
 - a) Provident Fund, Gratuity, Encashment of leave, Benefits under Corporation's Superannuation Benefit Fund Scheme, Post-Retirement Medical Scheme in accordance with the respective rules governing each of these entitlements/benefits.
 - b) Transfer benefits for self and family for proceeding to Home Town or to a place where he intends to settle down in India in accordance with the TA Rules.

19A2(c) MEDICAL UNFITNESS

1. Without prejudice to, and independent of the rights of the Corporation to dispense with the services of employees either under the contract of employment or under these Rules, irrespective of the age, length of past service or left over period till presumptive date of his retirement, services of an employee designated as officer, who is medically unfit may be terminated by the Competent Authority by giving him notice of not less than 3 months in writing. For the purpose of this rule, The Competent Authority shall be as specified in the schedule. Note: The term "Medical Officer" of the Corporation would include a Medical Practitioner as may have been retained by the Corporation.
2. Head of HR Function may, on medical grounds, refer an Officer to a Medical Board comprising an officer of Grade H or HR Department and comprising of one Medical Officer of the Corporation, apart from a Specialist, and a Govt. Medical Advisor of status not less than that of a Civil Surgeon, in any of the following circumstances for a medical checkup and report on the nature and prognosis of disease, if any, that he is suffering from. (The term 'Medical Officer' of the Corporation would include a Medical Practitioner as may have been retained by the Corporation.)
 - (i) when an Officer owing to apparent physical or mental infirmity or deterioration in general health, is unable to discharge his duties;
 - (ii) when an Officer is reported to be suffering from incurable and infectious/contagious disease;
 - (iii) when an Officer is suffering from a curable disease but is not likely to be fit to resume his normal duties within a period of 12 months;
 - (iv) when an officer, though attending duties, is found to be mentally deranged, or suffering from lunacy or mental infirmity;
 - (v) when an officer has been on leave for reasons of sickness for total period of 120 days including Sundays, holidays and other closed days or more, during a continuous period of six months; or
 - (vi) when an officer not on maternity leave has been continuously on leave on medical grounds for 12 weeks including Sundays, holidays and other closed days.
3. The report of the Medical Board, together with his attendance record etc. shall be considered by the Authority who had referred the case to Medical Board and shall be placed before the Competent Authority for considering the case for termination of services of the concerned officer. Competent Authority for this rule shall be as specified in the schedule. Based upon the report of the Medical Board and other relevant records, the Competent Authority may consider an employee as medically unfit to continue with the services of the Corporation and separation of the services of an officer on medical grounds under the rules provided:
 - (i) the employee is not fit to resume his duties within a period of 12 months, or
 - (ii) the employee is suffering from lunacy or mental derangement and his services cannot

- be effectively utilized by the Corporation, or
- (iii) the employee is suffering from incurable and infectious/contagious disease and his attendance is likely to pose health hazards to others.
4. An Officer who is considered as unfit to continue with the services of the Corporation shall be served with a three months' notice informing about the decision of termination of his/her service on grounds of medical unfitness.
5. The officer against whom action for termination of service on grounds of medical unfitness has been taken may prefer a representation within 30 days of the receipt of such notice. The representation shall be addressed to the "Representation Committee" and submitted to the Authority against whose notice the representation is made. The Authority against whose notice, the representation is made shall forward the representation together with its comments and the relevant record to the Representation Committee. Upon consideration of the representation vis-a-vis Comments of the Competent Authority and relevant record, the Representation Committee shall dispose of the representation either agreeing with the decision of the Competent Authority or otherwise within 30 days from the date of representation. For the purpose of this rule the representation committee shall be consist of any two Directors of the Corporation except the Director who has acted as Competent Authority in the matter.
6. In case no representation within the stipulated time as mentioned above, is received from the employee to whom the notice for termination of service on medical grounds has been served the decision of the Competent Authority shall be considered as final.
7. The benefits admissible on termination of services on grounds of medical unfitness shall be in accordance with the Corporation' s scheme for Premature retirement on medical grounds.

19A3 Deleted

19A4 Deleted

19A5 The following benefits will be admissible to those retiring prematurely under the scheme:

- a) On grounds of medical unfitness: In accordance with the Corporation's Scheme for Premature Retirement on Medical Grounds.
- b) On grounds of inefficiency or of doubtful integrity: The admissibility of various benefits will be governed as under:
- i. Provident Fund, Gratuity, Encashment of Leave, Contributory Superannuation Benefit Fund Scheme and Contributory Post- Retirement Medical Scheme in accordance with the respective rules governing each of these entitlements/benefits
- ii. Notice Pay: 3 months' salary, where notice in writing is not given.
- iii. Transfer benefit for self and family for proceeding to hometown or to a place where he intends settling down in India in accordance with the TA Rules.

19A6 Deleted

RULE 20

20 SUSPENSION

- 20.1 The Disciplinary Authority or any other authority empowered in that behalf by the Corporation by general or special order may place an employee under suspension
- a) Where a disciplinary proceeding against him is contemplated or is pending; or
 - b) Where a case against him in respect of any criminal offence is under Investigation or trial.
- 20.2 An employee who is detained in custody, whether on a criminal charge or otherwise, for a period exceeding 48 hours shall be deemed to have been suspended with effect from the date of detention by an order of the Disciplinary Authority, and shall remain under suspension until further orders.
- 20.3 Where a penalty of dismissal or removal from service imposed upon an employee under suspension is set aside on appeal or on review under these rules and the case is remitted for further enquiry or action or with any other directions, the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal or removal and shall remain in force until further orders.
- 20.4 Where a penalty or dismissal or removal from service imposed upon an employee is set aside or declared or rendered void in consequence of or by a decision of a court of law and the Disciplinary Authority, on consideration of the circumstances of the case, decides to hold a further enquiry against him on the allegations on which the penalty of dismissal or removal was originally imposed, the employee shall be deemed to have been placed under suspension by the Disciplinary Authority from the date of the original order of dismissal or removal and shall continue to remain under suspension until further orders.
- 20.5 An order of suspension made or deemed to have been made under this Rule may at any time be revoked by the authority which made or is deemed to have made the order or by any authority to which that authority is subordinate.
- 20.6 The suspended employee shall not leave the station unless otherwise specifically instructed or permitted.

RULE 21

21 SUBSISTENCE ALLOWANCE

- 21.1 An employee under suspension shall be entitled to draw subsistence allowance equal to 50 (fifty) percent of his basic pay provided the Disciplinary Authority is satisfied that the employee is not engaged in any other employment or business or profession or vocation. In addition, he shall be entitled to Dearness Allowance admissible on such subsistence allowance and any other compensatory allowance of which he was in receipt on the date of suspension provided the Disciplinary Authority is satisfied that the employee continues to meet the expenditure of which the allowance was granted.
- 21.2 Where the period of suspension exceeds six months, the authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period, subsequent to the period of the first six months as follows:
- a) The amount of subsistence allowance may be increased to 75 (seventy five) percent of basic pay and allowances thereon if in the opinion of the said authority, the period of suspension has been prolonged for reasons to be recorded in writing not directly attributable to the employee under suspension;
 - b) The amount of subsistence allowance may be reduced to 25 (twenty five) percent of the basic pay and allowances thereon, if in the opinion of the said authority, the period of suspension has been prolonged due to the reasons to be recorded in writing directly attributable to the employee under suspension.
- 21.3 If an employee is arrested by the Police on a criminal charge and bail is not granted, no subsistence allowance is payable. On grant of bail, if the Competent Authority decided to continue the suspension, the employee shall be entitled to subsistence allowance from the date he is granted bail.

RULE 22

22 TREATMENT OF THE PERIOD OF SUSPENSION

- 22.1 When the employee under suspension is re-instated, the Competent Authority may grant to him the following pay and allowances for the period of suspension
- a) If the employee is exonerated and not awarded any of the penalties mentioned in Rule 23, the full pay and allowance which he would have been entitled to if he had not been suspended, less the subsistence allowance already paid to him and
 - b) If otherwise, such proportion of pay and allowance as the Competent Authority may prescribe.
- 22.2 In a case falling under sub-clause (a) above, the period of absence from duty will be treated as a period spent on duty. In a case falling under sub-clause (b) above, it will not be treated as a period spent on duty unless the Competent Authority so directs.

RULE 23

23 PENALTIES

One or more of the following penalties may be imposed on an employee for misconduct committed by him, and different penalties may be imposed for different acts or omissions of misconduct, whether covered by one or different Charge Sheets.

MINOR PENALTIES

- a) Censure
- b) Fine upto Rs. 50,000
- c) Withholding of increments of pay without cumulative effect
- d) Withholding of promotion for a specified term upto 6 (six) months
- e) Reduction of pay upto 3 (three) lower stages in time scale for one year without cumulative effect.

MAJOR PENALTIES

- f) Withholding of increments of pay with cumulative effect
- g) Reduction to a lower stage(s) in time scale with cumulative effect.
- h) Recovery from pay or such other amount as may be due to him of the whole or part of any pecuniary loss caused to the Corporation by negligence or breach of orders or the acts of omission and commission
- i) Withholding of promotion for a specified term of more than 6 (six) Months
- j) Reduction to a lower grade.
- k) Compulsory retirement
- l) Removal from service
- m) Dismissal

Explanation:

The following shall not amount to a penalty within the meaning of this Rule:-

- 1) A warning, oral or in writing.
- 2) Withholding of increment of an employee, in accordance with the specific terms of contract for unsatisfactory work during the year;
- 3) Non-promotion, whether in an officiating capacity or otherwise, of an employee, to a higher post for which he may be eligible for consideration but for which he is not found suitable or not selected after consideration of his case;
- 4) Reversion to a lower grade or post, of an employee officiating in a higher grade or post on the expiry of the term, or on the ground that he is considered, after trial, to be unsuitable for such higher grade or post, or on administrative grounds unconnected with his conduct;
- 5) Reversion to his previous grade or post, of an employee appointed on probation to another grade or post, during or at the end of the period of probation, including any extension(s) thereof.

6) Termination of Service:

- a) of an employee appointed on probation, during or at the end of the period of probation including any extension (s) thereof, in accordance with the terms of his appointment;
- b) of an employee appointed in a temporary capacity otherwise than under a contract or agreement, on the expiration of the period for which he was appointed, or earlier in accordance with the terms of his appointment;
- c) of an employee appointed under a contract or agreement, on expiry of the tenure of his contract or earlier in accordance with the terms of such contract or agreement; and
- d) of an employee on retrenchment;
- e) of an employee prematurely retired under Rule 19A

RULE 24

24 DISCIPLINARY AUTHORITY

The Disciplinary Authority, as specified in the schedule or any authority higher than it may impose any of the penalties in Rule 23 on any employee.

RULE 25

25 PROCEDURE FOR IMPOSING MAJOR PENALTIES

- 25.1 No order imposing any of the major penalties specified in Clauses (f) to (m) of Rule 23 shall be made except after an enquiry is held in accordance with this rule.
- 25.2 Wherever the Disciplinary Authority is of the opinion that there are grounds for inquiry into the truth of any imputation of misconduct or misbehaviour against an employee, may itself inquire into, or appoint any serving or retired officer of the Corporation or any serving or retired public servant or other person (hereinafter called the Inquiring Authority) which expression shall include any substitute(s), appointed by the Disciplinary Authority in lieu of an originally appointed Inquiring Authority or a substitute to inquire into the truth thereof.
- 25.3 Where it is proposed to hold an inquiry, the Disciplinary Authority shall frame definite charges on the basis of the allegations, against the employee. The charges, together with a statement of the allegations, on which these are based, a list of documents by which and a list of witnesses by whom, the articles of charge are proposed to be sustained, shall be communicated in writing to the employee, who shall be required to submit within such time as may be specified by the Disciplinary Authority, a written statement whether he admits or denies any of or all of the Articles of charge

- 25.4 On receipt of the written statement of the employee, or if no such statement is received within the time specified, an inquiry may be held by the Disciplinary Authority itself, or by an inquiring authority so appointed by the Disciplinary Authority under sub-clause(2).

Provided that it may not be necessary to hold an inquiry in respect of the charges admitted by the employee in his written statement. The Disciplinary Authority shall, however, record the admission(s) and its consequent findings on each such charge, and may proceed to impose penalty on the basis of such admission(s) with or without proceedings to hold an inquiry into the charges not admitted

- 25.5 Where the Disciplinary Authority itself inquires or appoints an Inquiring Authority for holding an enquiry, it may, by an order, appoint a Public Servant to be known as the "Presenting Officer" to present on its behalf the case in support of the articles of charge.

- 25.6 The employee may take the assistance of any employee of the Corporation or any other public servant (only in respect of cases where the Presenting Officer appointed is a nominee of C.B.I) subject to such Rule or guideline as may be notified from time to time.

- 25.7 On the date fixed by the Inquiring Authority the employee shall appear before the Inquiring Authority at the time, place and date specified in the notice. The Inquiring Authority shall ask the employee whether he pleads guilty or has any defence to make, and if he pleads guilty to any of the articles of charge, the Inquiring Authority shall record the plea, sign the record and obtain the signature of the employee concerned thereon. The Inquiring Authority shall return a finding of guilt in respect of those articles of charge to which the employee concerned pleads guilty.

- 25.8 If the employee does not plead guilty, the Inquiring Authority shall proceed with the case and direct the Presenting Officer to lead his evidence. In case the charge-sheeted employee makes a request for inspection of related documents and /or production of witnesses, the Inquiring Authority will consider the request and take appropriate action. The relevance of the document and the witnesses will have to be given by the employee concerned and the documents and/or the witness (es) shall be summoned if the Inquiring Authority is satisfied about their relevance to the charge under inquiry.

- 25.9 The Inquiring Authority shall ask the authority in whose custody or possession the documents are kept, for the production of the documents on such date as may be specified.

- 25.10 The authority in whose custody or possession the requisitioned documents are, shall arrange to produce the same before the Inquiring Authority on the date, place and time specified in the requisitioned notice.

Provided that the authority having the custody or possession of the requisitioned documents may claim privilege if the production of such documents will be against the public interest or the interest of the Corporation are subject to an obligation of confidentiality. In that event, it shall inform the Inquiring Authority accordingly. The Inquiring Authority shall determine the claim of privilege, and if satisfied that the claim is justified in whole or part, shall either uphold the claim or direct the document(s) to be produced subject to such deletions as he considers necessary to protect the privilege, provided that the Inquiring Authority shall not direct the production of any document which is subject to an obligation of confidentiality on the part of the Corporation.

- 25.11 During the course of the inquiry, the oral and documentary evidence by which the articles of charge are proposed to be proved shall be produced by or on behalf of the Disciplinary Authority. The witnesses shall be examined by or on behalf of the Presenting Officer and may be cross-examined by or on behalf of the employee. The Presenting Officer shall be entitled to re-examine the witnesses on any points on which they have been cross-examined, but not on a new matter, without the leave of the Inquiring Authority. The Inquiring Authority may also put such questions to the witnesses as it thinks fit.
- 25.12 The Inquiring Authority may, in its discretion, at any stage allow the Presenting Officer or employee to produce evidence not included in the charge-sheet or may itself call for new evidence or recall or re-examine any witness. In such case the employee or the Presenting Officer as the case may be, shall be given opportunity to inspect the documentary evidence and to cross-examine a witness, who has been so summoned, and to present any additional evidence which he may wish to produce as a result.
- 25.13 When the case for the Disciplinary Authority is closed, the employee shall be asked to present his defence and produce evidence.
- 25.14 The employee may examine himself in his own behalf if he so prefers. The witnesses produced by the employee shall then be examined and shall be liable to cross-examination and re-examination according to the provisions applicable to the witnesses for the Disciplinary Authority. The Inquiring Authority may also put such questions to the witnesses as it thinks fit.
- 25.15 The Inquiring Authority may, after the employee closes his case, and shall, if the employee has not examined himself generally question him on the circumstances appearing against him in the evidence for the purpose of enabling the employee to explain any circumstances appearing in the evidence against him.
- 25.16 After the completion of the production of the evidence, the employee and the Presenting Officer may file written briefs of their respective cases within 15 days of the date of completion of the production of evidence.
- 25.17 If the employee does not submit the written statement of defence referred to in sub-rule (3) on or before the date specified for the purpose or does not appear in person or through the assisting employee or otherwise fails or refuses to comply with any of the provisions of these Rules, the Inquiring Authority may hold or continue the inquiry ex-parte.

Where the proceedings are held or continued ex-parte, the Inquiring Authority shall send a copy of his order directing ex-parte proceedings or continuance, as the case may be, to the employee at his last known address, and shall not thereafter be required to communicate to the employee any record of further proceedings. The employee may, if he so deems fit, rejoin the proceedings before the Inquiring Authority at any stage, before the conclusion of the inquiry without any right to reopen the proceedings or any of them conducted ex-parte unless he can satisfy the Inquiring Authority that he was prevented from attending such proceeding(s) for sufficient cause.

- 25.18 Whenever an Inquiring Authority, after having heard and recorded the whole or any part of the evidence in an enquiry, ceases to exercise jurisdiction therein, and is succeeded by another Inquiring Authority which has, and which exercises such jurisdiction, the Inquiring Authority so succeeding may act on the evidence so recorded by its predecessor, or partly recorded by its predecessor, and partly recorded by itself.

25.19A

- a) After the conclusion of the Inquiry, a report shall be prepared by the Inquiring Authority and it shall contain: -
- i. An introductory paragraph in which references to the orders of appointment of Inquiring Authority and Presenting Officer and engagement of Defence Assistant will be made;
 - ii. Brief account of hearings, marking of exhibits, recording of evidence;
 - iii. Reproduction of articles of charge(s);
 - iv. Indication about charges which are dropped, or admitted, or have been inquired into;
 - v. Brief statement of the case of the disciplinary authority in respect of the charges inquired into;
 - vi. Brief statement of the case of the Charged Officer;
 - vii. For each charge inquired into
 - a) Gist of the charges
 - b) The case in support of the charge;
 - c) The case of defence;
 - d) Assessment of evidence; and
 - e) The findings.
 - viii) A brief summary of the findings.

Explanation:

If in the opinion of the Inquiring Authority the proceedings of the inquiry establish any charge different from the original charge with regard to the transaction(s) or event(s) or acts or omissions or series of transactions or events or acts or omissions which form the subject matter of the charge(s), whether in addition to or in lieu of the original charge(s), it may record its findings on such charge; Provided that the findings on such charge shall not be recorded unless the employee has either admitted the fact on which such charge is based or the essentials of the evidence, if any, on which such charge is based have been duly recorded by the Inquiring Authority and the employee has had a reasonable opportunity of defending himself against such charge. To this end, if the Inquiring Authority is of opinion that the evidence indicates such charge, he shall frame such charge and communicate the charge to the employee and give the Presenting Officer an opportunity to produce any further evidence he can produce in support of the charge and give the employee an opportunity to defend such charge in the same manner as the charge(s) in the original charge sheet and the procedures with respect thereto shall mutatis mutandis apply.

25.19B The Inquiring Authority, where it is not itself the Disciplinary Authority, shall forward to

the Disciplinary Authority the records of inquiry which shall include:-

- i) the report of the inquiry prepared by it under sub-rule 25.19 (A) above;
- ii) the oral and documentary evidence produced in the course of the inquiry;
- iii) written briefs referred to in sub-rule (25.16), if any, and
- iv) The orders, if any, made by the Disciplinary Authority and the Inquiring Authority in regard to the inquiry.

RULE 26

26 ACTION ON THE INQUIRY REPORT

26.1 The Disciplinary Authority, if it is not itself the Inquiring Authority, may for reasons to be recorded by it in writing remit the case to the Inquiring Authority for fresh or further inquiry and report, and the Inquiring Authority shall thereupon proceed to hold further inquiry according to the provisions of rule 25 as far as maybe.

Before the Disciplinary Authority arrives at its own conclusions with regard to the guilt or innocence of the employee with regard to the charge/charges leveled against him after taking into consideration the inquiry report, the Disciplinary Authority shall provided it agrees with the findings of the Inquiring Authority, furnish a copy of the Inquiring Authority's report to the employee to enable him make his representation against the findings in the report within 10 days of the receipt of the inquiry report, if he so desires."

26.2 The Disciplinary Authority shall, if it disagrees with the findings of the Inquiring Authority on any article of charge, record its reasons for such disagreement and record its own findings on such charge, if the evidence on record is sufficient for the purpose.

26.3 The Disciplinary Authority shall, if it disagrees with the findings of the Inquiring Authority on any charge, record its reasons for such disagreement. Before arriving at its own conclusion with regard to the guilt or innocence of the employee with regard to such charge, the Disciplinary Authority shall furnish to the employee his reasons for such disagreement together with a copy of the Inquiry Officer's report with reference to Rule 25. The disciplinary authority shall record its own findings with regard to such charge(s) after taking into account the representation, if any made by the employee.

26.4 If the Disciplinary Authority, having regard to its findings on all or any of the articles of charge, is of the opinion that no penalty is called for, it may pass an order exonerating the employee concerned.

26.5 If the Disciplinary Authority having regard to its findings on all or any of the charges is of the opinion that any of the penalties specified in Rule 29 should be imposed on the employee, it shall, notwithstanding anything contained in Rule 23, make an order imposing such penalty.

RULE 27

27 PROCEDURE FOR IMPOSING MINOR PENALTIES

27.1 Where it is proposed to impose any of the minor penalties specified in Rule 23, the employee concerned shall be given a charge-sheet stating the alleged charges against him and given an opportunity to submit his written statement of defence within a specified period. The defence statement, if any, submitted by the employee shall be taken into consideration by the Disciplinary Authority before passing orders

Provided that in a case in which the disciplinary authority is of the opinion that an inquiry in the manner laid down under Rule 25 is necessary, such inquiry may be held purely on Disciplinary Authority's discretion.

27.2 The record of the proceedings shall include:-

- a) a copy of the charge-sheet stating the alleged charges delivered to the employee.
- b) the evidence produced during the inquiry, if held; and
- c) the orders of the Disciplinary Authority together with the reasons therefor.

RULE 28

28 COMMUNICATION OF ORDERS

Orders made by the Disciplinary Authority under Rule 26 or Rule 27 shall be communicated to the employee concerned, who shall also be supplied with a copy of the report of inquiry, if any.

RULE 29

29 COMMON PROCEEDINGS

29.1 Where two or more employees are concerned in a case the disciplinary authority, or an authority higher than it, who is competent to impose a penalty on such employees may make an order directing that disciplinary proceedings against all of them may be taken in a common proceedings and a specified authority may function as the Disciplinary Authority for the purpose of such common proceedings.

29.2 Where it has been decided to hold an inquiry into charge(s) framed against two or more employees involved in the same or series of transactions, events, acts or omissions, the concerned Disciplinary Authority may direct that the inquiry into the charges against all the said employees shall be held by the same Inquiring Authority, and that the evidence recorded in the inquiry shall be read as evidence for the charge(s) framed against each employee concerned.

29.3 On conclusion of the inquiry, the Inquiring Authority shall make separate Report in respect of the charges framed against each of the employee concerned, and the provisions of Rule 25, 26 and 27 shall thereafter mutatis mutandis apply with respect to each such employee

RULE 30

30 SPECIAL PROCEDURE IN CERTAIN CASES

Notwithstanding anything contained in Rule 25 or 26 or 27 the Disciplinary Authority may impose any of the penalties specified in Rule 23 in any of the following circumstances:

- 1) the employee has been convicted on a criminal charge, or on the strength of facts or conclusion arrived at by a judicial trial; or
- 2) Where the Managing Director or the Director is satisfied for the reasons to be recorded in writing that in the overall interest or the security of the Corporation, it is not expedient to hold any inquiry in the manner provided in these Rules.

RULE 30A

30A SPECIAL PROCEDURE IN RESPECT OF RETIRING EMPLOYEES

- 1)a) Notwithstanding that an employee is entitled to and has retired or superannuated from the service of the Corporation, if disciplinary proceedings have been initiated while the employee was in service, the disciplinary proceedings shall continue and be concluded in the same manner as if the employee had continued in service.
 - b) For the purposes of this Rule, a disciplinary proceeding shall be deemed to have been commenced as soon as decision is taken by the Disciplinary Authority to commence disciplinary proceedings against the employee, even if a Charge-sheet pursuant to the said decision has not been or could not be served upon the employee prior to the date of his presumptive retirement or superannuation, as the case may be.
 - c) Once such disciplinary proceedings have been commenced, it will be open to the Disciplinary Authority, at any time before the conclusion of the disciplinary proceedings, to add to any charge(s) by issue of a supplementary charge sheet, if necessary. The same procedure shall be followed with respect to the supplementary charges as is applicable with respect to the original charge(s) for which the disciplinary proceedings commenced.
 - d) The penalty (ies) imposed on the employee as a result of such proceedings shall be deemed to have taken effect immediately prior to the employee's presumptive retirement or superannuation, as the case may be.
- 2) During the pendency of the disciplinary proceeding, the Disciplinary Authority may withhold payment of gratuity, for ordering the recovery from gratuity of the whole or part of any pecuniary loss caused to the Corporation if the employee is found in the disciplinary proceedings or judicial proceedings to have been guilty of offences/misconduct in terms of sub-section (6) of section 4 of the payment of Gratuity Act,1972 or to have caused pecuniary loss to the Corporation by misconduct or negligence, during his service including service rendered on deputation. However, the provisions of section 7(3) and 7(3A) of the Payment of Gratuity Act,1972 are to be kept in view in the event of delayed payment.

RULE 30B

30B RESIGNATION

Notwithstanding that an employee, who decides to resign from the services of Corporation may tender his resignation to the Competent Authority, such resignation will become operative only on acceptance by the Competent Authority. The Competent Authority reserves the right not to accept the resignation tendered by the employee, if an inquiry, investigation or prosecution is pending or contemplated against the employee. Provided that, if the Competent Authority decides to accept the resignation, the employee may be relieved from the Corporation after clearing all dues of the Corporation.

RULE 30C

30C VOLUNTARY RETIREMENT

Notwithstanding that an employee, who decides to seek voluntary retirement from the services of the Corporation under the specific Voluntary Retirement Scheme launched by the Corporation from time to time, may submit his application as per the provisions of such Scheme, the Competent Authority reserves the right not to accept the application, if an inquiry, investigation or prosecution is pending or contemplated against the employee even if the employee is eligible to be considered for voluntary retirement as per the provisions of the scheme. Provided that, If the Competent Authority decides to accept such request for voluntary retirement, the employee may be relieved from the Corporation after clearing all dues of the Corporation.

RULE 31

31 EMPLOYEES ON DEPUTATION FROM THE CENTRAL GOVERNMENT OR THE STATE GOVERNMENT, ETC.

31.1 Where an order of suspension is made or disciplinary proceeding is taken against an employee, who is on deputation to the Corporation from the Central or State Government, or another public undertaking or a local authority, the authority lending his services (hereinafter referred to as the 'Lending Authority') shall forthwith be informed of the circumstances leading to the order of his suspension, or the commencement of the disciplinary proceedings, as the case may be.

31.2 In the light of the findings in the disciplinary proceedings taken against the employee:

- a) If the Disciplinary Authority is of the opinion that any of the minor penalties should be imposed on him, it may pass such orders on the case as it deemed necessary after consultation with the Lending Authority;

Provided that in the event of a difference of opinion between the Disciplinary and the Lending Authority, the services of the employee shall be placed at the disposal of the Lending Authority.

- b) If the Disciplinary Authority is of the opinion that any of the major penalties should be imposed on him, it should replace his services at the disposal of the Lending Authority and transmit to it the proceedings of the inquiry for such action as it deems necessary.

- 31.3 If the employee submits an appeal against an order imposing a minor penalty on him under sub-rule 2 (a) above, it will be disposed of after consultation with the Lending Authority.

Provided if there is a difference of opinion between the Appellate Authority and the Lending Authority the services of the employee shall be placed at the disposal of the Lending Authority and the proceedings of the case shall be transmitted to that authority for such action as it deems necessary.

GRIEVANCE PROCEDURE

Deleted

RULE 32

32 APPEALS

- 32.1 An employee may appeal against an order imposing upon him any of the penalties specified in Rule 23 or against the order of suspension referred to in Rule 20. The appeal shall lie to the Authority specified in the schedule.

- 32.2 An appeal shall be preferred within 60 days from the date of communication of the order appealed against. The appeal shall be addressed to the Appellate Authority specified in the schedule and submitted to the Authority whose order is appealed against. The Authority whose order is appealed against shall forward the appeal together with its comments and the records of the case to the Appellate Authority. The Appellate Authority shall consider whether the findings are justified or whether the penalty is excessive or inadequate and pass appropriate orders. The Appellate Authority may pass orders confirming, enhancing, reducing or setting aside the penalty or remitting the case to the authority which imposed the penalty or to any other authority with such direction as it may deem fit in the circumstances of the case.

Provided that if the enhanced penalty which the Appellate Authority proposes to impose is a major penalty specified in Rule 23 and an inquiry as provided in Rule 25 has not already been held in the case, the Appellate Authority shall direct that such an inquiry be held in accordance with the provisions of Rule 25 and thereafter consider the record of the inquiry and pass such orders as it may deem proper. If the Appellate Authority decides to enhance the punishment but an inquiry has already been held as provided in Rule 25 the Appellate Authority shall give a show-cause notice to the employee as to why the enhanced penalty should not be imposed upon him. The Appellate Authority shall pass final orders on the appeal after taking into account the representation, if any, submitted by the employee.

- 32.3 Every employee submitting an appeal shall do so separately and in his own name.
- 32.4 Every appeal referred under these Rules shall contain all material statements and arguments relied on by the appellant and shall contain no disrespectful and/or improper language and shall be complete in itself.
- 32.5 The authority who passed the order, which is appealed against, may withhold the appeal if it is not made in accordance with the rules and submitted within the time limit, or if it is repetition of an appeal already decided.

RULE 33

33A REVIEW

- 33.1 The Reviewing Authority for the purpose of this Rule shall mean the Appellate Authority or any authority higher than it, as the case may be.
- 33.2 Notwithstanding anything contained in these Rules, the Reviewing Authority may at any time within six months of the date of final order, either on his own motion or otherwise call for the records of any enquiry and revise any order made under these Rules or under the Rules from which an appeal is allowed, but from which no appeal has been preferred and may for sufficient cause:
- a) Modify or set aside the order; or
 - b) reduce, enhance or set aside the penalty imposed by the order, or impose any penalty where no penalty has been imposed; or
 - c) remit the case to the Authority directing such authority to make or cause to be made such further inquiry as it may consider proper in the circumstances of the case; or
 - d) pass such other orders as it may deem fit.

Provided that if the reviewing Authority proposes to enhance the penalty already imposed and the proposed penalty is a major penalty as specified in Rule 23 and an inquiry as provided in Rule 25, has not already been held in that case, the Reviewing Authority shall direct that such an inquiry be held in accordance with the provisions of the Rule 25 and thereafter, consider the record of the inquiry and pass such order as it may deem proper. If the Reviewing Authority decides to enhance the punishment but an inquiry has already been held as provided in Rule 25, the Reviewing Authority shall give a show cause notice to the employee as to why the enhanced penalty shall not be imposed upon him. the Reviewing Authority shall pass the final order after taking into account the representation, if any, submitted by the employee.

RULE 33B

33B OTHER ACTIONS

Any disciplinary proceedings initiated against an employee or the imposition of any of the penalties specified in Rule 23 on an employee shall be in addition to and without prejudice to any other rights or remedies available to the Corporation arising out of the same transaction(s), event(s), act(s) or omission(s) including, but not limited to the right of civil action and of criminal action and the rights under any other law for the time being in force.

RULE 34

34 SERVICE OF ORDERS, NOTICE, ETC

Every order, notice and other process made or issued under these rules shall be served in person on the employee concerned or communicated to him by registered post at his last known address.

RULE 35

35 POWER TO RELAX TIME-LIMIT AND TO CONDONE DELAY

Save as otherwise expressly provided in these rules, the authority competent under these rules to make any order may, for good and sufficient reasons or if sufficient cause is shown, extend the time specified in these rules for anything required to be done under these rules or condone any delay.

RULE 36

36 SAVINGS

Any amendment to these Rules shall, unless to the contrary provided in any specific amendment, be deemed to specifically include and provide as follows:

- 36.1 Disciplinary proceeding in respect of any misconduct or breach committed prior to the issue of the amendment may be initiated, continued and concluded under the amended Rules even if such act or omission is not a misconduct or breach under the Rules as amended;
- 36.2 Any disciplinary proceedings pending as on date of the amendment to these Rules shall be continued and disposed of by the Disciplinary Authority prescribed under the amended Rules in accordance with the provisions of the amended Rules, as if such proceedings were initiated under the amended Rules;
- 36.3 Any appeal or review pending as on date of the amendment to these Rules against an order made before the amendment shall be considered and decided and orders in respect thereof shall be passed by the Appellate or Reviewing Authority prescribed under the amended Rules in accordance with the amended Rules, as if such appeal was filed under the amended Rules or the review was undertaken under the amended Rules.
- 36.4 If by virtue of any amendment the Appellate Authority or Reviewing Authority is the same or of the same rank or inferior in rank to the Disciplinary Authority, then notwithstanding the amendment, the Appellate or Reviewing Authority, as the case may be, shall be the next Authority in the Corporation higher in rank than the Disciplinary Authority.

RULE 37

37 REMOVAL OF DOUBTS

Where a doubt arises as to the interpretation of any of these rules, the matter shall be referred to the Managing Director for final decision. Likewise, any instructions in the nature of clarifications to these rules shall issue with the approval of Managing Director.

RULE 37A

37A NOTIFICATION OF AUTHORITIES:

The various Authorities under these rules may be prescribed and notified, as required from time to time, with the approval of Managing Director.

RULE 38

38 AMENDMENTS

The Managing Director may amend, modify or add to these rules, from time to time, and all such amendments, modifications or additions shall take effect from the date stated herein.

**SCHEDULE OF DISCIPLINARY AUTHORITY / COMPETENT AUTHORITY AND
APPELLATE AUTHORITY
(As prescribed under Rules 3.6,3.8 & 3.19)**

Category of Employees	Disciplinary Authority / Competent Authority	Appellate authority
In respect of Officers in Grade 'A', 'B', 'C', 'D' and 'E'	Concerned functional Head of the Department not below the rank of Chief General Manager. In case a Department / Section does not come under the jurisdiction of the Chief General Manager, Chief General Manager (HR) will be the Disciplinary Authority/ Competent Authority	Concerned Functional Director
In respect of Officers in Grade 'F' and 'G'	Concerned Functional Director	Managing Director
Officers of the rank of CGM	Managing Director	Board of Directors

**SCHEDULE OF COMPETENT AUTHORITY AND AUTHORITY DESIGNATED FOR
RECOMMENDING PREMATURE RETIREMENT
(As prescribed under Rules 19.A 1 TO 19.A2)**

Category of Employees	Competent Authority	Recommending Authority
In respect of Officers in Grade 'A', 'B', 'C', 'D' and 'E'	Concerned Functional Director	Committee of CGMs
In respect of Officers in Grade 'F', 'G' and 'H'	Concerned Functional Director	Committee of CGMs