

Andhra Pradesh State Civil Supplies Corporation Ltd.

CONDUCT, DISCIPLINE AND APPEALS REGULATIONS

SECTION - I

1. SHORT TITLE, COMMENCEMENT AND APPLICATION :

- i) These regulations may be called the Andhra Pradesh State Civil Supplies Corporation Limited Staff Conduct, Discipline and Appeals Regulations, 1975.
- ii) They shall come into force at once.
- iii) They shall apply to all employees of the Corporation, whose conditions of service may be regulated by the Corporation except and to the extent otherwise expressly provided by a regulation or order of the Board or by a contract or agreement subsisting between such employee and the Corporation.

2. DEFINITIONS :

In these regulations unless the context otherwise requires :

- i) 'Board' means the Board of Directors of the Corporation and in relation to any powers exercisable by it, includes any Committee.
- ii) Managing Director in relation to any powers exercisable by him includes any Director or Officer who is authorised to exercise the powers and functions of the Managing Director during the temporary absence of the Managing Director.
- iii) 'Member of the family' in relation to an employee includes a wife, child or step-child of such employee whether residing with him or not be normally within his control or dependent upon him.
- iv) 'Employee' means any person employed by the Corporation, but does not include a person who is employed on daily wages.
- v) Words importing the masculine in general shall be taken to include the feminine, if circumstances so require.
- vi) 'Competent Authority' in relation to the exercise of any of the powers conferred by these regulations means the Board or any other authority authorised in that behalf by a Regulation or by a resolution of the Board.

3. DELEGATION OF POWERS :

The Managing Director may by general or special order, direct that any power exercisable by him under the rules shall, subject to such conditions, if any as may be specified in the order, be exercisable also by such Officer or Authority as may be specified in the order,

4. SCOPE OF AN EMPLOYEE'S SERVICE :

- i) Unless in any case it is otherwise 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 places as he may from time to time be directed.
- ii) Every employee shall at all times :
 - a) Serve the Corporation loyally, honestly and faithfully.
 - b) Use his utmost endeavour to promote interest of the Corporation.
 - c) Show courtesy in all transactions.
 - d) Comply with the provisions of all regulations made by the Board, and
 - e) Obey all orders and directions which may, time to time, be given to him by any person or persons under whose jurisdiction, superintendence or control he is placed.

SECTION - II

5. ATTENDANCE :

1. Save under circumstances beyond his control of which he is required to furnish explanation to the satisfaction of the authority competent to grant him leave, no employee may absent himself from duty without obtaining prior permission or overstay his leave unless it has been extended.
2. Every employee shall be at work punctually at the time fixed and notified in that behalf by the Managing Director unless permitted to do so otherwise by his immediate superior officer.
3. No employee shall after reporting for work be found absent from his proper place of work during the period of work assigned to him without obtaining the permission of his immediate superior.

6. ABSENCE FROM HEAD-QUARTERS :

No employee shall absent himself from the head-quarters except on duty without obtaining prior permission of the Head of the Office or Managing Director or Secretary or Administrative Officer, as the case may be. If the employee himself is the Head of the Office, he shall not, save in the exceptional circumstances, leave his head-quarters without prior permission of his immediate superior provided that when an employee is on leave or is enjoying a holiday, he shall leave head-quarters only after intimation to the Head of the Office.

7. JOINT REPRESENTATION :

No joint representations from employee shall be entertained.

8. INFLUENCING SUPERIOR AUTHORITIES FOR FURTHERANCE OF INTERESTS :

No employee shall bring or attempt to bring any political or other influence to bear upon any superior authority for the furtherance of his interest.

9. CONNECTION WITH PRESS AND RADIO :

- 1) No employee shall make any statement to the press or contribute an article or write any letter to the press or magazine either anonymously or in the name of any other person or give any talk on the radio, directly or indirectly connected with the Corporation, without the prior sanction of the competent authority, nor shall he ventilate any grievance through the press or leaflets and the like.
- 2) No employee shall without previous permission of the competent authority publish any books and while applying for permission to publish any book, he shall submit to such authority a manuscript copy thereof,

The competent authority shall not ordinarily refuse permission to an employee under clause (2) unless the activity in respect of which permission is sought is likely to interfere with the satisfactory performance of his duty or is prejudicial to the interests of the Corporation.

10. SPECULATING IN STOCKS, SHARES ETC., :

- 1) No employee shall speculate in any investment.

EXPLANATION : Habitual purchase or sale of securities of notoriously fluctuating values shall be deemed to be speculation.

- 2) No employee shall make or permit his wife or any member of his family to make an investment likely to embarrass or influence him in the discharge of his duties.
- 3) If any question arises whether a security or investment is of the nature referred to in sub-regulation (1) or sub-regulation (2) the decision of the Board shall be final.

11. OBLIGATION TO MAINTAIN SECRECY :

Every employee shall maintain strict secrecy regarding the Corporation's affairs and the affairs of its constituents and shall not divulge, directly or indirectly and information of a confidential nature either to the press or to a member of the public or of the Corporation's staff unless compelled to do so by a Judicial or other authority or unless instructed to do so in writing by a superior officer in the discharge of his duties.

12. EVIDENCE BEFORE COMMITTEES OR ANY OTHER AUTHORITY :

- 1) Save as provided in clause 3 below, no employee shall except with the previous sanction of the competent authority give evidence in any enquiry conducted by any person, committee or authority.
 - 2) No employee giving such evidence shall criticise the Policy of the Corporation.
 - 3) Nothing contained in these regulations shall apply to evidence given before statutory committee which have the power to compel attendance and the giving of answers or to evidence given in judicial enquiries.
-

13. ACCEPTANCE OF GIFTS :

- 1) Save as otherwise provided in this regulation, no employee shall except with previous sanction of the competent authority accept directly or indirectly or permit any member of his family to accept from any gift or gratuity.
- 2) As employee may accept a complementary gift of flowers, fruits of similar articles of trifling values, but all employee shall use their best endeavours to discourage the tendency of such gifts.
- 3) An employee may accept or permit a member of his family to accept gifts of a value which is reasonable in all circumstances of the cases from relations or personal friends on occasions such as weddings, anniversaries, and religious functions when the receiving of such gifts is in conformity with the prevailing religious or social customs, but the acceptance of such gifts other than those of a trifling value shall be reported to the competent authority and shall be disposed of in such a manner as such authority may direct.
- 4) If any question arises whether any gift is of a trifling value or not or where an employee is in doubt whether a gift offered to him is trifling or not, a reference shall be made to the Managing Director, whose decision shall be final.
- 5) No employee shall solicit or accept any gift from any person or firm having the business transactions with the Corporation or from any sub-ordinate employee.
- 6) If any employee cannot without undue offence refuse a gift of substantial value, he may accept the same, but shall, unless the competent authority otherwise directs to deliver the gift to him.

14. PRIVATE TRADING OR BUSINESS :

No employee shall engage in any commercial business or pursuit either on his own account or as agent for others, nor shall be connected with the formation or management of a Joint stock company or a firm.

15. EMPLOYEES NOT TO SEEK OUTSIDE EMPLOYMENT :

No employee shall accept, solicit, or seek any outside employment or office, whether stipendiary or honorary, without the previous sanction of the Managing Director.

16. PART-TIME WORK FOR OUTSIDE BODIES :

No employee shall undertake part-time work for a private or public body or a private person, or accept fee therefore, with the sanction of the Managing Director, who may grant sanction only in exceptional cases when he is satisfied that the work can be undertaken without detriment to his official duties and responsibilities. The Managing Director may in cases in which he thinks fit to grant such sanction, stipulate that any fees received by the employee for undertaking the work shall be paid in whole or in part, to the Corporation.

17. BIGAMOUS MARRIAGE :

- 1) No employee who has a wife living shall contract another marriage notwithstanding that such subsequent marriage is permissible under any personal law applicable to him.
- 2) No male employee shall marry any person who has a wife living.

18. PROHIBITION AGAINST PARTICIPATION IN POLITICS AND STANDING FOR ELECTIONS :

- 1) No employee shall be a member of or be otherwise associated with any political party nor shall he take active part in politics or any political demonstration.
- 2) If any question arises whether any movement or activity falls within the scope of this regulation, the decision of the Managing Director thereon shall be final. No employee shall canvas or otherwise interfere or use his influence in connection with or take part in, an election to any legislature or local authority provided that :
 - i) 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 and
 - ii) An employee shall not be deemed to have contravened the provisions of this regulation 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.

EXPLANATION : The display by an employee on his person, vehicle or residence of any electoral symbol shall amount to using influence in connection with an election within the meaning of this clause.

19. RESTRICTIONS ON BORROWINGS AND INVESTMENTS :

- 1) An employee shall not borrow money from or in any way place himself under a pecuniary obligation to a broker or an employee of the Corporation sub-ordinate to him or any firm or person having dealings with the Corporation.
- 2) No employee shall make nor permit any member of his family to make any investment likely to embarrass or influence him in the discharge of his official duties.

20. EMPLOYEES IN DEBT :

An employee who is in debt shall furnish to the Managing Director a signed statement of his position at the time of his appointment and also half-yearly on the 30th June and 31st December, and shall indicate in the statement the steps he is taking to rectify his position. An employee who makes a false statement under this regulation or who fails to submit prescribed statement or appears unable to liquidate his debts within a reasonable time or applies for the protection of an insolvency court shall be liable to dismissal.

EXPLANATION : 1. For the purpose of this regulation an employee shall be deemed to be in debt if his total liabilities exclusive of those which are fully secured by tangible assets exceed his substantive pay for six months.

EXPLANATION : 2. An employee shall be deemed to be unable to liquidate his debts within a reasonable time if it appears having regard to his personal resources and unavoidable current expenses, that he will not cease to be in debt within a period of three years.

21. EMPLOYEES ARRESTED FOR DEBT OR ON CRIMINAL CHARGES :

An employee who is arrested for debt or on a criminal charge, may, if so directed by the Managing Director be deemed to be under suspension from the date of his arrest, or from any subsequent date.

22. HOLDING OR ACQUIRING IMMOVABLE PROPERTY :

- 1) No employee of the Corporation shall acquire any immovable property by purchase, gift or otherwise except with the previous sanction of the Managing Director.
- 2) The restrictions on the acquisition and possession of immovable property apply to the acquisition and possession of any personal interest in such property and to the acquisition and possession of such property by an employee of the corporation in the name of any other person, but not to the acquisition or possession of an interest as trustee, executive or administrator only.
- 3) All transactions of movable property valued over Rs. 5000/- shall be reported to the Managing Director.

23. SUBMISSION OF PROPERTY STATEMENT :

Every employee of the Corporation on joining duty and thereafter on the first day of January every year shall submit a statement showing the immovable property held by him in the form as in appendix.

24. Without prejudice to the generality of the foregoing regulations, the following facts or omissions on the part of an employee shall be treated as mis-conduct :

- a) Un-authorisedly using the vehicles of the Corporation.
- b) Wilful in-subordination or disobedience, whether or not in combination with another of any lawful and reasonable order of a superior.
- c) Wilful slowing down in the performance of work or abetment or instigation thereof.
- d) Theft, fraud, dishonesty in connection with the Corporation's business or property.
- e) Taking or giving bribes or any illegal gratification.
- f) Absence without leave or overstaying sanctioned leave without sufficient grounds or proper and satisfactory explanation.

- g) Habitual breach of any standing order or any regulation or any law applicable to the establishment or any regulations made thereunder.
- h) Collection without the permission of the Managing Director of any money within the premises of the establishment except as sanctioned by the Managing Director.
- i) Drunkenness, riotous, disorderly or indecent behaviour in the premises of the establishment.
- j) Commission of an act subversive of discipline or good behaviour on the premises of the establishment.
- k) Habitual negligence or neglect of work or gross negligence, malignantly or slowing down of work.
- l) Wilful damage to any property of the establishment.
- m) Holding meetings within the premises without the previous permission of the Head of the office.
- n) Going on an illegal strike or abetting, instigating or acting in furtherance thereof.
- o) Gambling within the premises of the establishment.
- p) Threatening or intimidating or using any form of violence against other employees.
- q) Conviction by any court of law on any criminal offence involving moral turpitude.
- r) Deliberately giving any false or misleading information at the time of or after employment.
- s) Loitering or being on the premises after authorised hours of work without permission or justification.
- t) Refusing to accept a communication sent from the Corporation.
- u) Removing from the premises of the establishment without permission any document or any property of the establishment.
- v) Abetment of or attempt at any of the above acts of misconduct.
- w) Conduct of private life prejudicial or derogatory to the reputation of the Corporation.

SECTION - III

25. PENALTIES :

- 1) Without prejudice to the provisions of other regulations an employee who commits a breach of the rules or of regulations of the Corporation or who is guilty of negligence, inefficiency or indolence or who knowingly does anything detrimental to the interests or prestige of the Corporation or in conflict with its instructions or who commits breach of discipline, or is guilty of any other act of mis-conduct or mis behaviour shall be liable to any of the following penalties :
 - a) Warning
 - b) Censure

- c) **Withholding of increments or promotions.**
- d) **Recovery from pay of the whole or part of any pecuniary loss caused to the Corporation by the negligence or breach of orders.**
- e) **Reduction to a lower post or grade or to a lower stage in his incremental scale (time scale).**
- f) **Compulsory retirement.**
- g) **Removal or Dismissal.**
- h) **Where an employee has been suspended pending enquiry into his conduct under Regulation 32 of Conduct Discipline and Appeals Regulations of the Corporation and he is not fully exonerated, suspension may be inflicted as a substantive penalty and the period of suspension be treated as 'non-duty period'.**

EXPLANATION : The following shall not amount to a penalty within the meaning of this regulation.

- i) **With-holding of increment or promotion of an employee for failure to pass a departmental examination or to qualify to certain duties or subjects in accordance with the regulations or orders covering the service or post or terms of his appointment.**
- ii) **Stoppage of an employee at the efficiency bar in the time scale on the ground of his unfitness to cross the bar.**
- iii) **Non-promotion whether it is substantive or officiating capacity of an employee, after consideration of his case, to a service grade or post for the promotion to which he is eligible.**
- iv) **Reversion to lower service, grade or post of an employee officiating in a higher service, grade or post on the ground that he is considered, after trial, to be unsuitable for such higher service, grade or post or on administrative grounds unconnected with his conduct.**
- v) **Reversion to his permanent service, grade or post of an employee appointed on probation to another service grade or post during or at the end of the period of probation in accordance with the terms of his appointment or the regulations or resolutions covering probation.**
- vi) **TERMINATION OF THE SERVICES :**
 - a) **Of an employee appointed on probation, during or at the end of the period of probation in accordance with the terms of his appointment or the regulation covering probation or**
 - b) **Of an employee in accordance with the conditions of service as laid down in the appointment order.**
 - c) **Of an employee engaged under an agreement in accordance with the terms of such agreement or**

d) For reasons of mental or physical incapacity duly certified by a medical officer specified by the Board in that behalf.

2) The penalty of recovery from pay of the whole or part of any pecuniary loss caused to the Corporation by an employee's negligence or breach of order may be imposed in addition to any other penalty which may be inflicted in respect of the same act of negligence or breach of orders.

3) The penalty of withholding of promotion may be imposed in addition to any of the other penalties that may be imposed in respect of the same act or commission on the part of an employee. Authorities competent to award penalties are given in Annexure-1.

26. PROCEDURE FOR IMPOSING PENALTIES :

1) No order imposing any of the penalties specified in items a, b and c of clause I of regulation 25 shall be passed except after :

a) The employee concerned is informed in writing of the proposal to impose such a penalty and is given an opportunity to make any representation he may wish to make, and (b) such representation, if any, is taken into consideration by the authority imposing penalty.

2) No employee shall be dismissed or removed or compulsorily retired to reduced to a lower service or post or to a lower time-scale or to a lower stage in the time scale by the sub-ordinate to that by which he was appointed and no order imposing on an employee any of the penalties specified in items d to h of clause I of Regulation 25 supra shall be passed by the Disciplinary Authority (appointing authority) or higher authority without charge or charges being communicated to him in writing and without having been given an opportunity of denying himself against such charge or charges and of showing cause against the action proposed to be taken against him.

3) The Disciplinary Authority empowered to impose any of the penalties in items d to h of Clause I of Regulation 25 may itself enquire into such of the charges as are not admitted, or if it considers necessary to do so, appoint an Enquiry Officer for the purpose.

27. NOT WITHSTANDING ANYTHING CONTAINED IN REGULATION 26 ABOVE :

i) While a penalty is imposed on an employee on the grounds of his conviction on a criminal charge, or

ii) Where the authority concerned is satisfied for reasons to be recorded in writing that it is not reasonably practicable to follow the procedure prescribed in the regulation, the disciplinary authority may consider the circumstances of the case and pass such orders thereon as it deems fit.

28. 1) The Board may impose any of the penalties specified in regulation 25 on an employee.

- 2) Without prejudice to the provisions of Clause (1) any of the penalties specified in regulation 25 may be imposed on an employee by the appointing authority authorised by a regulation or a resolution of the Board subject to such conditions and limitations if any as may be specified.
- 3) Where in any case a higher authority has imposed or declined to impose a penalty under this regulation, a lower authority shall have no jurisdiction to proceed under this regulation in respect of the same case.
- 4) The fact that a lower authority has imposed or declined to impose a penalty in any case shall not debar a higher authority from exercising his jurisdiction under this regulation in respect of the same case.

29. COMMUNICATION OF ORDERS IMPOSING PENALTIES :

All orders of punishment shall also state the grounds on which they are passed and shall be communicated in writing to the employee against whom they are passed.

30. WITH-HOLDING OF INCREMENTS :

In ordering with-holding of an increment, the authority passing the order shall state the period for which it is with-held and whether the postponement shall have the effect of postponing future increments.

31. PAY ON REDUCTION TO A LOWER POST :

- 1) The authority which orders the reduction of an employee as a penalty from a higher to a lower post or to a lower time-scale may be allowed to draw a pay not exceeding his pay in the higher post or higher time scale or the maximum pay of the lower post or the lower time scale, whichever is less.
- 2) When an employee is reduced to a lower post or lower time-scale to a lower stage in his time-scale the authority ordering such reduction shall state whether it will be permanent or whether it will be effective for a specified period only. In the later case, he should state whether on restoration, it shall so operate as to postpone future increments or to effect his seniority and if so to what extent.

SECTION - IV

32. SUSPENSIONS :

- 1) a) An employee shall be placed under suspension by the appointing authority or by the Managing Director or superior to the appointing authority where, when disciplinary proceedings against the employee are contemplated or is pending, and
- b) Where a case against him in respect of any criminal offence is under investigation or trial or for other reason where a penalty of dismissal, removal is considered necessary.

- 2) An employee who is detained in the 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 appointing authority and shall remain under suspension until further orders.
- 3) An employee under suspension shall be entitled to subsistence grant at such rate as the suspending authority may direct but not exceeding 1/3 of the aggregate of the basic pay, special pay and personal pay. (shall be entitled to a subsistence allowance equal to his half substantive pay).
- 4) Notwithstanding anything contained in this regulation no subsistence or compensatory allowance shall be payable to an employee in the following circumstances viz.,
 - a) If he has been suspended while a complaint against him on any criminal offence is under investigation or under trial unconnected with the Corporation, or
 - b) If he is deemed to be under the provisions of Clause (2) of Regulation 32, if the criminal charge against him or circumstances leading to his detention in custody are not in any way connected with his duties as an employee.

33. EXTENSION IN THE PERIOD OF SUSPENSION :

Where an employee in the Class III or Class IV services, has been placed under suspension and final orders in the disciplinary or criminal procedures pending against him have not been passed within a period of six months from the date of the order of suspension, the case shall be reported to the Managing Director, who shall pass such orders there-on as he may deem fit. There after, the case shall be reported to the Managing Director on the expiry of over a period of 6 months until the termination of the proceedings and his orders obtained.

34. PAY, ALLOWANCES AND TREATMENT OF SERVICE AFTER REINSTATEMENT :

- 1) When an employee who has been dismissed, removed or suspended is reinstated, the authority competent to reinstate shall consider and make a specific order as to
 - a) The pay and allowances which shall be paid to the employee for the period of his absence from duty and
 - b) Whether or not the said period shall be treated as period spent on duty.
- 2) a) Where such competent authority holds that the employee has been fully exonerated or in the case of suspension that it was unjustifiable, the employee shall be granted the full pay and allowances to which he should have been entitled had he not been dismissed, removed or suspended, as the case may be.
- b) In all other cases, the employee shall be granted such proportion of such pay and allowances as such competent authority may direct provided that

the payment of allowances under this clause shall be subject to all other conditions subject to which such allowances are admissible.

c) In a case falling under sub-clause (a) the period of absence from duty shall for all purposes be treated as a period spent on duty.

d) In a case falling in sub-clause (b) the period of absence from duty shall not be treated as a period spent on duty unless such competent authority specifically directs that it shall be so treated for any specific purpose. It will be open to the competent authority, to convert the period into one of leave due.

3) Nothing contained in clause (1) and (2) above shall apply in relation to the case of an employee falling under clause (4) of the regulation 32. If no termination of the criminal proceedings or his release from custody as the case may be, he is not either removed or dismissed from service, the period may be treated:

a) If he is absolved of blame, as leave due to him and

b) If otherwise in accordance with the provisions of sub-clause (d) of clause (2).

SECTION - V

Appeals

35. (1) An employee shall be entitled to appeal as herein provided, and not otherwise, from an original order passed by an authority.

a) Imposing on him any of the penalties specified in regulation 25 or

b) Denying or varying to his disadvantage his pay, allowances or other conditions of service as regulated by any regulation or by agreement or

c) Interpreting to his disadvantage the provisions of any regulation or agreement as aforesaid.

2) An employee may appeal against an order referred to in sub-clause (a) of clause (1) to the authority next above that which passed the original order.

3) An employee may appeal against an order referred to in sub-clause (b) and (c) of Clause (1) to the Board or to such other authority as may be specified in this behalf of a resolution of the Board.

4) Notwithstanding anything contained in this regulation, no appeal shall lie against an order passed by the Board.

36. PERIOD OF LIMITATION FOR APPEALS :

No appeal under this section shall be entertained unless it is submitted within a period of two months from the date on which the appellant receives a copy of the order appealed against, provided that the appellate authority may entertain the

appeal after the expiry of the said period if he is satisfied that the appellant had sufficient cause for not submitting the appeal in time.

37. FORM AND CONTENTS OF APPEAL :

- 1) Every person submitting an appeal shall do so separately and in his own name.
- 2) The appeal shall be legibly written in English, be accompanied with a copy of the order appealed against or if not written in English be accompanied by a translated copy in English and shall contain all material statement and the grounds relied on by the appellant and shall contain no disrespectful or improper language and shall be complete in itself.
- 3) It shall be submitted through proper channel.

38. APPEAL MUST BE FORWARDED TO THE APPELLATE AUTHORITY :

An appeal shall be forwarded to the appellate authority with the comments of the officer concerned or Secretary or Accounts Officer or the Managing Director, as the case may be, as soon as possible.

39. 1) An error or defect in procedure followed in imposing a penalty may be disregarded by the appellate authority, if such authority considers, for reasons to be recorded in writing, that the error or the defect was not material and has neither caused injustice to the person concerned nor affected the decision of the case.
- 2) In the case of an appeal against an order referred to in sub-clause (b) and (c) of Clause (1) of Regulation 25, the appellate authority shall pass such orders as appears to be just and equitable, having regard to all the circumstance of the case.
40. Where an authority or higher authority imposes a higher penalty than the one appealed against, a second appeal shall lie to the authority next above to such authority or higher authority, except when the Board itself passes the orders.
41. No appeal shall be addressed to the Directors of the Board personally and any such appeal shall be deemed as an act of breach of discipline.

SECTION - VI

42. REVIEW OF ORDERS IN DISCIPLINARY CASES :

The authority to which an appeal against an order imposing any of the penalties specified in regulation 25 lies or a higher authority may, of its own motion or otherwise, call for the records of the case in a disciplinary proceeding, review any order in such a case and pass such orders as it deems fit, as if an employee had preferred an appeal against such order provided that no action under this regulation shall be initiated more than six months after the date of the order to be reviewed.

43. BOARD'S POWERS TO REVIEW :

Notwithstanding anything contained in these regulations, the Board may on its own motion or otherwise after calling for the records of the case, revise any order which is made or is appealable under these regulations and :

- a) Impose any penalty or confirm, modify or set aside the order, or
- b) Remit the case to the authority which made the order or to any other authority directing for such further action or inquiry as it considers proper in the circumstances of the case, or
- c) Pass such orders as it deems fit, provided that :
 - i) An order imposing or enhancing a penalty shall not be passed unless the employee concerned has been given an opportunity of making any representation which he may wish to make against such penalty, and
 - ii) If the Board proposes to impose any of the penalties specified in items (f) and (h) of Regulation 25 in a case where an inquiry in accordance with the provisions of Regulation 26 has not been held, it shall direct that such enquiry be held and thereafter on consideration of the proceedings of such enquiry, pass such orders as it may deem fit,

44. MISCELLANEOUS :

Special provisions applicable to Employees on Foreign Service :

Where the services of an employee have been lent to an outside authority, the power to impose any of the penalties specified in clause (1) of Regulation 25 in respect of matters arising during such outside employment, shall lie only with the authority competent to impose such penalty on the employee under these regulations. The borrowing authority shall in such a case complete the enquiry, revert the employee concerned to the service of the Corporation (if it is considered necessary to do so) and forward all the enquiry for such action as the appropriate authority may consider necessary.

Provided that the borrowing authority shall forthwith inform the Corporation all the circumstances leading to the order of his suspension or the commencement of the Disciplinary proceedings against him as the case may be.

45. SUPPLY OF COPIES OF PROCEEDINGS ETC. :

In cases where any of the penalties mentioned in item (e), (f) and (g) of Clause (1) of Regulation 25 have been imposed, the employee, may if he so desires, be supplied with copies of the evidence and the proceedings of the inquiry to the extent necessary, to enable him to prefer an appeal against the penalty imposed. In case in which any other penalty has been imposed the employee may on request be allowed the facility of perusing the proceedings for a similar purpose.

46. MANNER OF SERVICE OF COMMUNICATIONS, NOTICES OR ORDERS ON EMPLOYEES :

- 1) A communication, notice or order addressed to an employee in pursuance of any action taken or contemplated under these Regulations shall, if practicable, be served personally on him by delivering or tendering to him one of the copies of such communication, notice or order.
- 2) Where, however, it has not been found practicable to serve the duplicate communication, notice or order personally on the employee, it shall be sent to the last known address of the employee by properly addressing, pre-paying and posting by registered post with acknowledgement due, and unless the contrary is proved the communication, notice or order shall be deemed to have been served on the employee at the time at which the copy so sent is delivered in the ordinary course by post.
- 3) For the purpose of this regulation, it shall be the duty of every employee to notify at the time of his first appointment to service, the address to which communications etc., intended for him may be sent when he is not on duty and to keep the head of the office or unit to which he is attached for the time being, the changes if any, occurring in his address from time to time.
- 4) If a communication, notice or order sent by post under clause (2) if for any reason returned undelivered, then a copy of such communication, notice or order shall be displayed for a period of not less than one week on the notice board of the office or unit in which the employee was last working and on the expiry of such period, the communication, notice or order shall be deemed to have been served on the employee for the purpose of these Regulations.

47. IMPLEMENTATION OF ORDERS PASSED BY AN APPELLATE OR HIGHER AUTHORITIES :

The authority which made the original order shall give effect to the orders passed by appellate authority or higher authority in exercise of its jurisdiction under these regulations.

48. POWER TO INTERPRET AND IMPLEMENT REGULATIONS :

The power to interpret these regulations shall rest with the Managing Director who is also hereby empowered to issue such administrative instructions as may be necessary to give effect to and carry out the purposes of the provisions of these rules, or generally to secure effective control of the staff.

Provided that if as a result of any decision of the Managing Director, as regards the interpretation of the construction of any regulation or regulations, an employee feels aggrieved he shall have a right to appeal against decision of the Managing Director, to the Board whose decision shall be final and binding on all concerned.

AUTHORITIES COMPETENT TO AWARD PENALTIES

Sl. No.	Name of the Post	Appointing authority	PENALTIES								Appellate authority
			Warning & Censure	With-holding of increments	With-holding of promotions	Recovery from pay	Reduction to lower post	Compulsory retirement	Removal or dismissal from service	Suspension	
(1)	(2)	(3)	4(a)	4(b)	4(c)	4(d)	4(e)	4(f)	4(g)	4(h)	5
1.	Chief Accounts Officer	Board of Directors	Managing Director	Managing Director	Managing Director	Board	Board	Board	Board	Board	Board of Directors
2.	Senior Scale Gr. I Officer (a) Chief Personnel Officer (b) Chief Movement Officer (Class I Officer) or (Heads of Departments)	"	Managing Director	Managing Director	Managing Director	Board	Board	Board	Board	Board	-do-
3.	Senior Scale Officer - Gr. II Class II Officers - Dist. Managers and similar officers in Head Office or Departmental Heads	Managing Director	Chief Personnel or Chief Accounts Head of Dept.	Managing Director	Managing Director	Managing Director	Managing Director	Managing Director	Managing Director	Managing Director	Managing Director in respect of Col. 4(g) Board of Directors.
4.	Junior scale Officer - (Class II or Class III Officer) Asst. Managers & the like officers in Head Office.	"	Dist. Manager Heads of Departments	Chief Accounts Officer or Heads of Depts.	Heads of Departments	-do-	-do-	-do-	-do-	-do-	In respect of Col. 4(a) & 4(f) Managing Director Board of Directors
5.	Technical Assistant and/or Assistant of Grade-I Accountant Grade-I Stenographer Grade-I	"	Dist. Manager Heads of Depts.	Dist. Manager Heads of Depts.	Dist. Manager Heads of Depts.	Heads of Depts. Chief Accts. Officer Heads of Depts.	-do-	-do-	-do-	-do-	Managing Director Board of Directors
6.	Technical Asst. Gr. II Assistant Grade-II Accountant Grade-II Stenographer Gr. II	Heads of Depts.	-do-	-do-	-do-	-do-	Heads of Depts.	Heads of Depts.	Heads of Depts.	Heads of Depts.	Heads of Depts. Managing Director
7.	Technical Asst. Gr. III Assistant Grade-III Typist Asst. Gr. III in Accts. Computer Telephone Operator	Dist. Manager & Heads of Departments	Dist. Manager & Heads of Departments	Dist. Manager & Heads of Departments	Dist. Manager & Heads of Departments	Dist. Manager & Heads of Departments	Dist. Manager & Heads of Departments	Dist. Manager & Heads of Departments	Dist. Manager & Heads of Departments	Dist. Manager & Heads of Departments	Next superior authority or Heads of Departments Managing Director
8.	DRIVER	Dist. Manager & Heads of Departments	Dist. Manager & Heads of Departments	Dist. Manager & Heads of Departments	Dist. Manager & Heads of Departments	-do-	-do-	-do-	-do-	-do-	Heads of Departments Managing Director
9.	(i) Attender (b) Other Class IV	-do-	-do-	-do-	-do-	-do-	-do-	-do-	-do-	-do-	Heads of Departments Managing Director

Dist. Manager & Heads of Departments are to be authorized by the District Manager to appoint and remove persons in the powers of appointment under regulation No. 1 of the Recruitment and Appointment Rules, 1954.

As regards Head Office the Departmental Heads have to be consulted.

Dist. Manager & Heads of Departments are to be authorized by the Director as appointing Authorities as per regulation No. 2 of Recruitment Rules. In powers of appointment under regulation No. 8 of the Recruitment Rules.

ANNEXURE-I

STATEMENT OF IMMOVABLE PROPERTY POSSESSED, ACQUIRED AND DISPOSED OF BY SRI.....OR ANY OTHER PERSON
ON HIS BEHALF OR BY ANY MEMBER OF HIS FAMILY DURING THE YEAR ENDING.....

Nature of property	Situation of property (Survey/Municipal) Number with extent)	Held in whose name	Date & Mode of acquisition disposal	Price paid/ obtained	Source of payment	Whether information given or sanction obtained (with ref. No. & Date)	Annual income from the property	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1. House								
2. Flat								
3. Shop								
4. House Plot								
5. Agri. Land (dry or wet)								
6. Any other immovable property								

NOTE: Details of acquisition of properties standing in the name of Hindu undivided family or partnership in which the officer holds & claim or share should be separately shown in the statement.

Signature :

Designation :

Office :

ANNEXURE

STATEMENT OF MOVABLE PROPERTY POSSESSED, ACQUIRED AND DISPOSED OF BY THE OFFICER OR ANY OTHER PERSON ON HIS BEHALF OR BY ANY MEMBER OF HIS FAMILY WHERE THE PROPERTY IS IN THE HANDS OF THE OFFICER

Nature of property	Held in whose name	Date & mode of acquisition or disposal	Name & Address of person from whom acquired/to whom disposed of	Where the transaction took place (State, District, Taluk)	Price paid/obtained	Source of payment	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Movables (whose value exceeds Rs. 5,000/-)							
VEHICLES							
Motor Car							
Motor Cycle / Scooter							
Any other vehicle							
ELECTRICAL GOODS							
Air Conditioner							
V. C. R. / Television							
Refrigerator							
Any other goods							
JEWELLERY							
Ornaments							
Vessels etc.							
INVESTMENT & CASH							
Bank deposits/Debentures/							
Shares, Bank balance etc.							
FURNITURE							
LIVE STOCKS							
ANY OTHER GOODS							

VOTE : Details of acquisition of properties standing in the name of Hindu undivided family or partnership in which the officer holds a claim or share should be separately shown in the statement.

Signature :

Designation :

Office :