

**M.P. RAJYA VAN VIKAS NIGAM  
LIMITED**



**EMPLOYEES SERVICE  
REGULATIONS - 1984**

---

# MADHYA PRADESH RAJYA VAN VIKAS NIGAM LIMITED

## EMPLOYEES SERVICE REGULATIONS - 1984

S.No.	Chapter	Regulation Number	Page No.
1	<a href="#"><u>Title, Commencement &amp; Definitions</u></a>		1-3
2	<a href="#"><u>Recruitment, Promotion and superannuating</u></a>		4-21
3	<a href="#"><u>Conduct &amp; discipline</u></a>		22-30
4	<a href="#"><u>Pay Allowance and Advances</u></a>		31-44
5	<a href="#"><u>Leave</u></a>		45-52
6	<a href="#"><u>Penalties and procedure</u></a>		53-65
7	<a href="#"><u>Miscellaneous Provisions</u></a>		66-75

# INDEX

## REGULATION AND CONTENTS

### CHAPTER - I

#### **Title , Commencements and Definitions**

1. Short Title & Commencement
2. Application
3. Power to Amend Regulations
4. Interpretation
5. Delegation
6. Definitions

### CHAPTER - II

#### **Recruitments, Promotion & Superannuating**

7. Classification
8. Recruitment
9. Filling of posts
10. Direct Recruitment
11. Conditions of Eligibility of Direct recruitment
12. Disqualification
13. Past History
14. Medical Fitness
15. Final Eligibility
16. Competitive Examinations
17. Select List
18. Appointment
19. Promotion
20. Conditions of eligibility for promotion
21. Preparation of select list
22. Select list
23. Promotion from select list
24. Probation and confirmation
25. Seniority
26. Reservation of SC/ST
27. Termination of service
28. Resignation
29. Retirement due to physical incapacity
30. Retrenchment
31. Superannuation

## **CHAPTER - III**

### **CONDUCT & DISCIPLINE**

#### **Regulations and Contents**

32. Scope of Service
33. Regulations Binding
34. Service Conditions
35. Attendance
36. Absence
37. Representations
38. Canvassing
39. Raising subscriptions
40. Connection with news papers
41. Criticism of Nigam
42. Divulging information
43. Secrecy
44. Evidence before other authority
45. Damage to property or person
46. Gifts
47. Interests in any business
48. Employment of near relatives
49. Additional private job
50. Investment, Lending and Borrowing
51. Cases of near relatives
52. Vindication of Acts
53. Politics & Elections
54. Insolvency and habitual Indebtedness
55. Bigamous marriage
56. Report of arrest
57. Outside employment
58. Intoxication
59. Subversive action
60. General Acts & Omissions

## **CHAPTER - IV**

### **PAY, ALLOWANCES AND ADVANCES**

#### **Regulation No. and Contents**

##### **Pay**

61. Date of effect of pay and allowances
62. Initial pay
63. Increment
64. Efficiency Bar and selection grade
65. Service counting for increment
66. Effective date of increment
67. Advance increment
68. Pay on reduction of post
69. Increment on reversion
70. Fixation of pay on modification of penalty
71. Proforma Promotion
72. Stagnation increment
73. Special Pay

74. Pay on re-employment
75. Pay during joining time
76. Ceasure of pay and allowance
77. Pay on deputation
78. Pay on absorption
79. Suspension pay
80. Pay on re-instatement

### **Allowances**

81. Dearness Allowance & ADA
82. City Compensatory Allowance
83. Conveyance Allowance
84. Vehicle Allowance
85. Training Allowance
86. Uniform Allowance
87. Orderly Allowance

### **Advances**

88. Purpose for which admissible
89. Amounts admissible
90. Grain advance
91. Rate of interest
92. Disbursement and utilisation
93. Security for the advance
94. Agreement
95. Insurance
96. Transfer of property
97. Expenses for advance
98. Repayment of advances
99. Tour advance
100. Advance on transfer
101. Festival advance
102. Minor purchase advance

## **CHAPTER - V**

### **LEAVE**

103. Kinds of leave
104. Leave salary
105. Earned leave
106. Calculation of earned leave
107. Half pay leave
108. Commuted leave
109. Leave not due
110. Extraordinary leave
111. Maternity leave
112. Leave salary over-drawn
113. Leave on a probationer
114. Surrender and Encashment
115. General conditions governing grant of leave
116. Casual leave

117. Special casual leave
118. Casual leave for sterilisation operation
119. Casual leave not to be combined with any other leave
120. Public holidays not to count for casual leave
121. Maximum amount of casual leave admissible
122. Application for grant of CL

## **CHAPTER - VI**

### **Penalties and Procedure**

123. Breach of regulations
124. Suspension
125. Penalties
126. Disciplinary authority
127. Authority to institute disciplinary action
128. Procedure for awarding minor penalties
129. Procedure for awarding major penalties
130. Action on the enquiry report
131. (a) Final orders (b) Communication of orders
132. Period of major penalty action
133. Common proceedings
134. Special procedure in certain cases
135. Appeals
136. Orders against which appeal lies
137. Appellate authority
138. Period for appeal
139. Procedure for appeal
140. Consideration of appeal
141. Review
142. Implementation of order in appeals, and review
143. Service of notice
144. Condonation of delay
145. Recording of statement of witnesses
146. Appointing authority and disciplinary authority

## **CHAPTER - VII**

### **Miscellaneous**

147. Maintenance of Service Book
  148. Date of birth
  149. Execution of agreement bond
  150. Security deposits by employees
  151. Joining time
  152. Leave during joining time
  153. Joining time treated as duty period
  154. Annual Confidential Report
  155. Communication of adverse remarks
  156. Explanations
  157. Provident Fund
  158. Gratuity
  159. Group Insurance Scheme
  160. Advance increment for Family Planning Operation
  161. Mercy appointment
-

**MADHYA PRADESH RAJYA VAN VIKAS NIGAM - LIMITED**

**EMPLOYEES SERVICE REGULATIONS - 1984**

These regulations are framed under Article 87(15) of the Articles of Association of MP Rajya Van Vikas Nigam Ltd.

**CHAPTER - I**

**TITLE, COMMENCEMENT, APPLICATION & DEFINITIONS**

**1. SHORT TITLE AND COMMENCEMENT**

These regulations may be called, "Madhya Pradesh Rajya Van Vikas Nigam Employees" Service Regulations, 1984" .

These regulations shall come into force on such date as the Board may notify in this behalf.

Provided that all the acts done/orders passed/ decisions taken, prior to the introduction of these regulations shall be deemed to have been taken under these regulations in so far as they are not inconsistent with these regulations.

**2. APPLICATION**

These regulations shall apply to all permanent and temporary employees of the Nigam. Provided that these Regulations shall not apply to :

- (a) Any employee who is on deputations to the Nigam whether he belongs to the All India Services, the Civil Services of the State or any other statutory organisation covered by the terms and conditions of deputation.
- (b) Employees of industrial units to whom the standing orders under section 21(2) of the Madhya Pradesh Industrial Employment (Standing order) Act, 1961 or MP Shops & Establishments Act or Employees State Insurance Act 1946 or Minimum Wages Act 1948 or Contract Labour (Regulation and Abolition) Act 1970 or Factories Act 1948 is applicable to the extent these regulations are inconsistent with the said Acts/orders.
- (c) Employees appointed on contract to the extent to which the conditions of contract are inconsistent with these regulations.
- (d) Employees who may hereafter, be excluded by an order passed by the Board.

**3. POWER TO AMEND REGULATIONS**

Making of new regulations and amendments, deletion or relaxation of the existing regulations may be done by the Board, to such extent and subject to such conditions as it may consider necessary.

**4. INTERPRETATION**

The Board shall have absolute right of interpretation of these regulations and its interpretation or these regulations and its interpretation shall be binding on the employees.

**5. POWER OF DELEGATION**

The Board may declare any of its officers, as a competent authority for any purpose and delegate to him powers under these regulations to such an extent and subject to such conditions, as the Board may deem fit. Provided that, such officer other than the Chairman or the Managing Director shall not further sub-delegate his powers, without the prior approval of the Board.

**6. DEFINITION**

In these Regulations, unless the context requires otherwise:-

- (1) "Board" means the Board of Directors of the Nigam as constituted under Article 84 of the Articles of Association of the Nigam.
- (2) "Nigam" means "Madhya Pradesh Rajya Van Vikas Nigam Limited".
- (3) "Chairman" and "Vice-Chairman" means Chairman and Vice Chairman of the Board of Directors of the Nigam.
- (4) "Managing Director" means, the Managing Director appointed under Article 88(I) of Articles of Association of the Nigam.
- (5) "Senior General Manager", "Executive Director", "Regional General Manager", "General Manager", "Company Secretary", "Divisional Manager" and "Manager" means such officers of the Nigam.
- (6) "Appointing Authority" means, the authority or the officer declared to be appointing authority in the schedule.
- (7) "Disciplinary Authority" means any authority empowered to award a minor or major penalty to an employee.
- (8) "Minor Penalty" means any of the penalties classified to be minor penalty under the chapter of penalties in these regulations.
- (9) "Major Penalty" means any of the penalties classified to be a major penalty under the chapter of penalties in these regulations.
- (10) "Promotion Committee" means, a committee constituted by the Board, or the appointing authority for considering promotion cases of employees of the Nigam.
- (11) "Competent Authority" means any authority to whom the necessary powers have been delegated.
- (12) "Regulations" means Madhya Pradesh Rajya Van Vikas Nigam Service Regulations.
- (13) "Schedule" means the schedules annexed to chapters of these regulations.
- (14) "Permanent Employees" means an employee confirmed on a substantive post by an order in writing by a competent authority.
- (15) "Temporary Employees" means an employee appointed against a sanctioned post on a time scale of pay for a work of temporary vacancy or to fill in temporary need of an extra job of permanent nature, or for a specified job or specified period but shall not include a person employed on daily wages or as a contingent employee at the rates approved by collector on monthly basis and employed for period less than 3 months at a time.
- (16) "Probationer" means a person appointed provisionally against a substantive vacancy under the Nigam till his confirmation.
- (17) "Duty Period" means period spent in discharge of service under the Nigam and also includes :-



- (i) Service rendered as probationer or apprentice provided it is followed by confirmation.
  - (ii) Joining time
  - (iii) Course of instruction or training permitted by the competent authority.
- (18) "Foreign Service" means a service in which an employee receives his pay from a source other than the fund of Nigam, with the permission of competent authority.
- (19) "Lien" means the title of an employee to hold substantively either immediately or on termination of a period of absence, a permanent post, to which he has been appointed substantively.
- (20) "Pay" means basic pay of the time scale of his post drawn by an employee monthly and includes special pay and personal pay. It also includes any other emolument so classed by the authority competent to create that post.
- (21) "Age" means the age computed from the date of birth declared in the Christian era on the basis of documentary evidence in the following order :
- (1) Higher Secondary Certificate
  - (2) Municipal birth certificate in absence of HSC
  - (3) In absence of the above, any other certificate allowed by the appointing authority at the time of appointment such as School Leaving certificate, Civil Surgeon's Certificate etc.
- (22) "Family" means the husband/wife, children and parents of the employee, dependent upon him, unless otherwise specified in any Regulations.
- (23) "Close Relative" means a person having any of the following relationship with the employee :-
- (i) Father of mother
  - (ii) Wife or Husband
  - (iii) Son or daughter or the step-son or step-daughter
  - (iv) Brother or sister or first cousin
  - (v) Wife's brother or sister
  - (vi) Father-in-law or Mother-in-law
  - (vii) Husband's brother or sister
  - (viii) Brother's son or daughter
  - (ix) Sister's son or daughter
  - (x) Son-in-law or daughter-in-law
- (24) "Authorised Medical officer" means a registered medical practitioner holding a degree of MBBS in Allopathy or its equivalent in Homeopathy or Ayurvedic or Unani.
- (25) "Medical Board" means District Medical Board headed by Civil Surgeon or an equivalent Medical officer.

- Note**
- (1) In these Regulations wherever "He" is used, it will cover "She" also.
  - (2) Words not defined here shall have the same meaning as assigned to them in the concerned Department in Government of M.P.

## **CHAPTER - II**

### **RECRUITMENT, PROMOTION AND SUPERANNUATION**

#### **7. CLASSIFICATION OF SERVICE**

The posts of the Nigam given in Schedule I shall be classified as follows for the pay scales given below (or its revised equivalent)

##### **Category**

- I. All posts carrying scales or pay the minimum of which is Rs. 1550/- per month and above.
- II. All posts carrying scales of pay minimum of which is Rs. 1000/- per month and above, but below Rs. 1550/- p.m. except PA to Chairman/MD/ED
- III. All posts carrying scale of pay minimum of which is Rs. 485/- per month and above but below Rs. 1000/- per month and also PA to Chairman/MD/ED except Truck Cleaners.
- IV. All posts carrying scales of pay minimum of which is less than Rs. 485/- p.m. and truck cleaners provided that board may modify the above classification from time to time.

#### **8. MODE OF RECRUITMENT**

The vacancies in various cadres will be filled by the competent authority either,

- (a) By deputation from Government or other organisation
- (b) By direct recruitment.
- (c) By promotion.

Notwithstanding the rule above, in special cases appointments may also be made with prior approval of the Board.

- (a) by re-employment of a retired person from State Government Undertaking or Department upto 60 years of age.
- (b) By contract : if such appointments serve the best interests of the Nigam.

#### **9. FILLING OF POSTS**

- (a) The following posts shall be filled by officers of Indian Forest Service Cadre, drawn from Madhya Pradesh Forest Department -
  1. Managing Director
  2. Senior General Manager/Executive Director
  3. General Manager/Regional General Manager
  4. Divisional Managers & Forestry Specialists.
- (b) The following posts shall be filled by deputationists from the State Government -
  1. Divisional Manager
  2. Dy. Divisional Manager
  3. Superintending Engineer/General Manager (Engg.)
  4. Executive Engineer
  5. Dy. Manager (Construction)
- (c) Provided that the above posts may also be filled by promotion from lower post to the extent detailed in Schedule-II.

- (d) Recruitment to the remaining posts shall be made by the following modes, the extent detailed in schedule-II in respect of each post, namely:
1. by direct recruitment through competitive written test or interview or both
  2. promotion from a lower post or grade
  3. deputation from the State Government or Government of India or any other organisation.

#### 10. DIRECT RECRUITMENT

All appointment to posts specified in Schedule-I, shall be made by the appointing authority by one of the modes of recruitment given in Regulation 8.

Provided that the Managing Director may order the appointment of one member of the family of an employee who dies in harness, leaving behind his/her family in distressful conditions, on a Class-III or Class-IV post if he fulfils the educational qualification prescribed for the post to which he is proposed to be appointed and is otherwise considered suitable for appointment. Financial condition of the family will be certified by the Head of the office in which the deceased employed was working.

#### 11. CONDITIONS OF ELIGIBILITY FOR DIRECT RECRUITMENT

In order to be eligible to compete at the examination or to be selected in the interview or both, a candidate shall satisfy the following conditions, namely-

- (1) **Age-** (a) He must have the age shown in column 3 of schedule III and not attained the age shown in column 4 of schedule III, on the 1st day of January next following the date of commencement of examination or selection, as the case may be,
  - (b) the upper age limit be relaxed upto a maximum of 5 years of as amended by Government of MP in the case of candidates belonging to the Scheduled castes or the Scheduled Tribes provided that relaxation or upper age limit may be permitted by-
    - (i) Managing Director for Class III and Class IV employees
    - (ii) Chairman for Class II employees
    - (iii) Board in other cases.
- (2) **Educational Qualifications :** A person for direct appointment to a post in the Nigam must possess educational qualifications prescribed for such post, as shown in schedule-III

#### 12. DISQUALIFICATIONS

- (1) Any direct or indirect attempt on the part of a candidate to obtain support for his candidature, by any unfair means will disqualify him for appointment in the Nigam.
- (2) A candidate found guilty of ; impersonation at the time of selection or examination or submitting fabricate documents which have been tampered with or making statements which are incorrect or false or suppressing material information or using unfair means or resorting to any other irregular or improper means for securing appointment in the Nigam even if such activities are discovered after the employment of such candidate, he shall be liable for termination of his services.

**13. PAST HISTORY AND CHARACTER VERIFICATION**

N person who has been removed or dismissed from the service of Madhya Pradesh Rajya Van Vikas Nigam Ltd. or of any of the Governments or of State Undertakings in India on the grounds other than retrenchment or who has been convicted by any criminal court for an offence involving moral turpitude, shall be appointed as an employee in the Nigam.

**Note:** On the question whether an offence involves moral turpitude or not, the decision of the Appointing Authority shall be final.

In the event of the Appointing Authority coming to know subsequent to the appointment of an employee, his antecedents which would have made him ineligible for employment under sub regulation (1) above, his services shall be liable to be terminated without any notice.

**14. MEDICAL FITNESS**

No candidate shall be appointed to a post by direct recruitment unless he is found, after medical examination by the authorised medical officer, to be in good mental and physical health and free from any mental or physical defect likely to interfere with the discharge of the duties of the post.

**15. FINAL ELIGIBILITY OF A CANDIDATE**

The decision of the appointing authority as to the eligibility otherwise of candidate for admission to the examination or selection shall be final .

**16. COMPETITIVE EXAMINATION**

Competitive examination or selection for recruitment to a post shall be held at such intervals as the appointing authority may from time to time determine. A selection committee shall be constituted by the appointing authority to select suitable candidates for each post.

**17. SELECT LIST**

The selection committee shall forward to the appointing authority the list of suitable candidates separately for general category, SC & ST arranged in the order of merit on the basis of assessment made either through competitive written test or by interview or both. Appointing authority, for reasons to be recorded may alter or refer it back to the selection committee with his comments. Such lists when approved by the appointing authority shall be final. The final select lists will be valid for on year.

**18. APPOINTMENT**

(a) Subject to the provisions or these regulations, candidates will be considered for appointment to available vacancies in the order of select list. Provided that if sufficient SC/ST candidates are not available in select list such posts will be kept vacant during the year and will be carried.

(b) The inclusion of a candidate's name in the list confers no right to appointment. The appointing authority may make such further enquiry as may be considered necessary, that the candidate is suitable in all respects for appointment to a post.

**19. PROMOTION**

Appointing authority shall constitute a "Promotion Committee' consisting of members as given in Schedule-IV for making a preliminary selection for promotion of eligible candidates.

**20. CONDITIONS OF ELIBIGILITY FOR PROMOTION**

- (a) The Promotion committee shall consider the cases of all persons who on the first of January preceding the date of the meeting of the committee, have completed such number of years of service in the post, from which promotions are to be made as prescribed in Schedule-IV.
- (b) The field of selection shall ordinarily be three times the number of vacancies to be filled in one year. Members of SC/ST will, however, be considered up to 7 times of such vacancies.

**21. PREPARATION OF LIST OF PERSONS RECOMMENDED FOR PROMOTION**

- (1) The promotion Committee shall consider confidential reports of last 4 years, punishments, domestic enquiry and passing of in-service trainings, if any, and prepare a list of such persons as are found to be suitable for promotion.
- (2) The selection for inclusion in such list shall be based on merit-cum-seniority.
- (3) The names of persons included in the list shall be arranged in order of their seniority in the post from which the promotions are made. Provided that if the committee considers any candidate to be of exceptional merit the committee may place him higher than his due place by seniority.
- (4) The committee shall record in brief, basis and reasons for the proposed select list.
- (5) Three separate select lists shall be made for general category/Scheduled caste/Scheduled Tribes candidates as per same norms laid down by the Committee.

**22. SELECT LIST FOR PROMOTION**

- (1) The appointing authority, for reasons to be recorded may alter the list of refer in back to the promotion committee with his comments. The select list as approved by the appointing authority shall constitute the final select list for promotion.
- (2) The final select list shall remain valid for a period of one year or next DPC whichever is earlier.

Provided that in the event of a grave lapse in the conduct or performance of duties on the part of any persons included in the select list noticed during the period of the validity of the list, a special review of the person concerned should be made by the committee at the instance of the appointing authority and his name may be removed, if it is considered necessary.

**23. PROMOTIONS FROM THE SELECT LISTS**

Appointment of persons included in the select list shall follow the order in which the names of persons appear in the select lists of general category, SC/ST candidates are available in promotion list, candidates from general category may be promoted in their place.

**24. PROBATION AND CONFIRMATION**

**(A) Probation**

- (1) Every person who is appointed to a post by direct recruitment shall be on probation for one year. The appointing authority may extend the period of probation.
- (2) A person appointed on probation to a post shall be required to under go such training, as may be prescribed.

- (3) The services of a directly recruited person appointed on probation, who was not an employee before such appointment, may be terminated without notice during or at the end of the probation period, if the appointing authority is of the opinion that his further continuance in the service of the Nigam is not desirable.
- (4) An employee who is appointed to a post by promotion on officiating basis may be reverted to the post held by him before such promotion, if in the opinion of the appointing authority, he is not considered suitable during or at the end of probation period.
- (5) On successful completion of the probation the person may be confirmed but till such confirmation his probation will be deemed to have been extended.

**(B) Confirmation**

- (1) Confirmation on a post will be done on the basis of following record :-
  - (a) Quarterly / annual CR at the end of probation period.
  - (b) Report of Class-I Officer under whose.
  - (c) Report whether a DE is pending or a punishment period is in vogue.
- (2) No confirmation will be done during the pen deny of a DE or punishment period.

**25. SENIORITY**

The seniority of the persons appointed to any post shall be determined in accordance with following principles, namely.

- (1) Seniority shall be according to the order of merit in the final select list of candidates recommended for appointment or promotion, as the case may be, irrespective of the dates of their joining. The appointing authority may extend joining date with or without affecting his seniority.
- (2) Persons selected earlier shall rank senior to persons selected in subsequent selections.
- (3) In single appointments, seniority will be by date of joining.
- (4) Seniority of employees who are appointed on deputation and are subsequently absorbed in the same post shall be fixed by the appointing authority on an adhoc basis taking into consideration his previous experience and pay provided that the assignment of such seniority shall be intimated to him in the order of his absorption.
- (5) When an employee is reverted to a lower post either due to penalty or otherwise, he shall rank in the gradation list of the post in which is reverted above all those who are holding such post on the date of his reversion.

**26. RESERVATION OF VACANCIES FOR SC & ST**

- (1) Reservation of vacancies for Scheduled Castes and Scheduled Tribes for appointment and promotion shall be in accordance with the orders of Government of Madhya Pradesh issued from time to time.

- (2) Subject to sub-regulation (1) present percentage of reservation to be followed are as under :-

Category	Region	Percentage	
		SC	ST
I, II	Whole State	15	18
III, IV	District Bhopal Hoshangabad Jabalpur Balaghat Raipur Durg Rajnandgaon Rewa	16	20
III, IV	Mandla	5	45
„	Shahdol		
„	Betul	10	30
„	Khargone	10	40
„	Chhindwara	10	35
„	Sidhi		
„	Seoni	1	37
„	Bilaspur	17	18
„	Dhar	7	43
„	Jhabua	3	47
„	Bastar	3	47
„	Whole State	16	20

- (3) To control the prescribed percentage of SC/ST a register shall be maintained by appointing and promoting authorities in the proforma given in Schedule - V
- (4) In case of direct recruitment the reserved vacancies will be carried forward next. After three attempts, they may be filled by general category with prior written permission of Tribal welfare Department.
- (5) In case of promotions, if suitable candidates are not available in up to 7 times the number of vacancies to be filled in an year from the seniority list those may be filled by general category by the promoting authority. These vacancies will not be carried forward.
- (6) In this regard, a review will be made every year in January by D and suitable measures be taken to ensure the target of regeneration as far as possible.

## **27. TERMINATION OF SERVICE**

- (a) The services of an employee may be terminated at any time by a notice by appointing authority to the employee. Period of notice shall be as under :
- (i) One month for a temporary employee with 3 months to one year continuous service at his credit.
- (ii) Three months for a confirmed employee or for a temporary employee who put in continuous service of more than one year. Provided that

probationers all temporary employees with less than 3 months continuous service, shall not be entitled to any notice.

Provided that in lieu of such notice period or part thereof employee may be paid pay, DA & ADA drawn by him immediately before such termination.

## **28. RESIGNATION**

- (a) A permanent employee or a temporary employee who has put in continuous service of more than one year and has covered bond period if any, shall have to give at least three months notice if he wants to resign from the post. After the completion of the period of notice and after clearance of all dues outstanding against him, he may be permitted to resign. Bond period may be waived by Appointing Authority.
- (b) A temporary employee who has served one year or less or a probationer till confirmation shall have to give one month notice if he wants to resign only after completion of the notice period or permanent in lieu thereof and after clearing all dues outstanding against him.

Provided that the appointing authority may in his discretion for the reasons to be recorded, permit the relief of an employee before the completion of the notice period prescribed by sub-regulation (1) or (2) or accept amount of pay, DA and ADA in lieu of notice period.

## **29. COMPULSORY RETIREMENT DUE TO PHYSICAL INCAPACITY**

- (1) Where the appointing authority has reason to believe that an employee is suffering from (a) contagious disease; or (b) a physical or mental disability which, in its opinion may interfere with the efficient discharge of his duties, that authority may direct the employee concerned to undergo a medical examination within a specified period before the Medical Board and also proceed on leave immediately.
- (2) On the basis of the opinion expressed by the examining Medical Authority the appointing authority may compulsorily retire and employee who is declared permanently incapacitable for further service and he shall be paid such gratuity as may be admissible under the Rules for the time being in force. He may also be allowed to encash the earned leave, if due to him, to the extent of 120 days. In the case of an employee who is recommended by the examining medical authority to proceed on leave for medical treatment, if in the opinion, he shall be granted such leave as may be due to him or extraordinary leave in case not leave is due to him.
- (3) The appointing authority or the employee concerned shall have a right to get the recommendation reviewed by the Medical Board of a higher status and the advice of the reviewing Medical Board shall be final. The expenditure incurred on such reviewing board shall be borne by the Nigam.
- (4) If an employee fails to comply with the directions of the appointing authority issued in accordance with regulation 29(1) (2) (3), the appointing authority shall be at liberty to compulsorily retire him forthwith without obtaining the recommendations of the medical authority and the employee concerned shall have no claim for encashment of earned leave due to him. He shall, however, be paid gratuity, if admissible to him, according to the rules for the time being in force.



**30. RETRENCHMENT ON ABOLITION OF POSTS**

If an employee is to be discharged owing to abolition of post, he shall, unless he is appointed to another post, be given a notice for the period prescribed in regulation 27 or cash payment of pay, DA & ADA in lieu of the notice period. He shall also be entitled to retrenchment compensation as per Chapter-V (A) of Industrial Disputes Act 1947. ordinarily the employee to be discharged shall be the junior most in that cadre or category.

**31. SUPERANNUATION**

Every employee shall retire from the employment of the Nigam in the afternoon of the last day of the month in which he attains the age of Fifty Eight years, except and employee whose date of birth is I<sup>st</sup> of any month shall superannuate on the evening of the last day of the previous month.

Provided that the Board may grant extension of employment not exceeding one year at a time to any emp0loyee beyond the age of fifty eight years subject to his physical fitness, up to the age of sixty years, if his continuance in employment is in the best interests of the Nigam.

But nothing in this Rule shall affect the right of appointing authority to terminate services of an employee at any time before the age of superannuation with due notice or pay in lieu thereof .

\*\*\*

**SCHEDULE - I**

**Categories of Employees with their pay-scale and Appointing Authority**

S.No.	Name of Post	Scale of pay	Appointing authority
<b>CLASS - I</b>			
1	Managing Director	2500-125/2-2750	On deputation from officers of IFS cadre of MP Forest Department
2	Executive Director	2500-125/2-2750	-do-
3	Regional General Manager	1800-100-2000-125/2-2250	-do-
4	General Manager (Forestry)	-do-	-do-
5	General Manager (Sleeper Supply)	-do-	-do-
6	Divisional Manager (IFS)	100-50-1600 Selection Grade 1650-75-1800	On deputation from MP Forest Deptt.
7	Manager (Personnel)/Systems/ Logging & Marketing/ Regeneration/ Project Economist (IFS)	1100-50-1600 & Selection Grade 1650-75-1800	-do-
8	Company Secretary	1860-60-2100-75-2400 & Selection Grade 2100-75-2400-100-2500-125/2-2625	Chairman
9	Manager (Costing & Budgeting)	-do-	-do-
10	Manager (I & A)	1860-2400	-do-
11	Manager (Eng.)	1860-60-2100-75-2400	-do-
12	Manager (SAS)	-do-	-do-
13	Factory Manager	-do-	-do-
<b>CLASS - II</b>			
1	Dy. Divisional Manager	1370-40-1450-50-1700-EB-50-1800-60-2100	Chairman
2	Dy. Manager (Con.)	-do-	-do-
3	Dy. Manager (Accts)/ Marketing	-do-	-do-
4	Superintendent (Works) (Factory)	-do-	-do-
5	Public Relation officer	-do-	-do-
6	Horticulturist	1150-30-1210-40-1450-EB-50-1800-60-1920	Managing Director/ Ex. Director
7	Assistant Manager (Accts)/ Costing / Marketing/ Statistics/ Admn.	1000-30-1210-40-1450-EB-50-1800-60-1920	-do-
8	Assistant Secretary	-do-	-do-
9	Foreman (Factory)	-do-	-do-
<b>CLASS - III - Ministerial</b>			
1	PA to Chairman /MD/ED	1150-30-1210-40-1450-EB-50-1800-60-1920	-do-

## Service Rules - 1984

2	Sr. Accountant	900-25-1000-30-1210-40-1450	-do-
3	Accountant / Costing Assistant	740-15-800-20-900-25-1000-30-1180	ED/RGM
4	Receptionist / Librarian / Public Relation Asst.	-do-	-do-
5	Sr. Stenographer	925-25-1000-30-1150-EB-30-1210-40-1450-50-1500	-do-
6	Stenographer	860-20-900-25-1000-30-1210-40-1330	Div. Manager
7	Jr. Accountant(LDC)/ Tracer	575-15-800-20-880	-do-
8	Steno-typist	-do- Spl. Pay - 40/-	-do-
9	Operator	575-880	ED
<b>CLASS - III - Executive</b>			
1	Technical Assistant	925-25-1000-30-1150-EB-30-1210-40-1450-50-1500	Executive Director
2	Field Assistant	635-15-800-20-900-25-950	Div. Manager
3	Field man	485-10-505-15-740	-do-
4	Driver, Car/Jeep	515-10-575-15-800	-do-
5	Driver, Truck / Tractor/Road Roller	575-15-800-20-900-25-1000-30-1180	-do-
<b>CLASS - III - Factory Staff</b>			
1	Shift Supervisor	925-25-1000-30-1150-EB-30-1210-40-1450-50-1500	Ex. Director
2	Supervisor	740-15-800-20-900-25-1000-30-1180	-do-
3	Operator	575-15-800-20-880	Factory Manager
4	Electrician	-do-	-do-
5	Mechanic	740-15-800-20-900-25-1000-30-1180	-do-
6	Draftsman	-do-	-do-
<b>CLASS - IV</b>			
1	Messenger	400-5-425-10-525	Div. Manager
2	Cleaner (Road Roller)	380-5-425-10-495	-do-
3	Cleaner (Truck)	505-15-800-20-880	-do-
4	Helper (Factory)	400-5-425-10-525	Fac. Manager

**Note :** Class IV Item 2, 3 & 4 shall not be recruited in regular time scale of pay in future. They will be appointed on consolidated pay at rates approved by Collector/MD.

**SCHEDULE - II****Mode of Recruitment to different categories of posts**

S.No.	Name of post	Percentage of posts to be filled in by		
		Direct recruitment	Promotion	Deputation
1	Divisional Managers (Forestry)	-	-	100%
2	Other Managers or equivalent rank	67%	33%	-
3	Dy. Div. Manager/Dy. Manager (Con.)/Accounts	-	33%	67%
4	Asstt Managers/ Assistant Secretary	57%	33%	10%
<b>EXECUTIVE</b>				
5	Technical Assistant	34%	33%	33%
6	Field Assistant	57%	33%	10%
7	Field man	90%	-	10%
8	Draftsman	90%	-	10%
<b>MINISTERIAL</b>				
9	Senior Accountant	-	100%	-
10	Accountant	57%	33%	10%
11	Sr. Stenograoher	-	100%	-
12	Jr. Stenograoher	90%	-	10%
13	LDC /Jr. Accountant/ Tracer	90%	-	10%
14	Messenger	90%	-	10%

- Note:**
- 1- If suitable employees are not available for promotion, the post shall be filled by deputationists, drawn from services of GOMP.
  - 2- Educationists may fill the posts of direct recruits, if necessary.
  - 3- Messengers will be given preference in appointment to the post of drivers, if they are eligible.

**SCHEDULE - III****Age limits and minimum qualifications for direct recruitment**

S.No.	Name of post	Min. age Limit	Max. age Limit	Minimum Educational qualification for direct recruitment	Remarks
1	2	3	4	5	6
1	Company Secretary	25	45	ACS or FCS	-
2	Manager (C&B)	25	45	ACA, AICWA or SAS of Indian Audit & Accounts Deptt., MBA Finance	-
3	Manager (F & A)	25	45	ACA or AICWA or SAS of Indian Audit & Accounts Deptt. MBA Finance.	-
4	Dy. Manager (Accounts)	25	35	One group in final of ACA or AICWA or SAS of Indian Audit & Accounts Deptt., MBA Finance	-
5	Asstt. Manager/ Asstt. Secretary	25	35	Intermediate examination of ICA, Cost & Works Acct. or Company Secretaries or SAS of Indian Audit & Accounts Service or M.Com. IInd Dn. with 5 years. experience of required job, MBA Finance.	-
6	Technical Assistant	18	30	Ist Class B.Sc. Science of Mathematics or Agriculture, Dip. in Engineering (for TA (E))	Min. ht. 163 cms. Min. chest 79 cm with min. exp. of 5 cm. for the post of TA/FA/FM
7	Field Assistant	18	30	IInd Class in part-I B.Sc./B.Sc.(Ag) or Inter Science or HSSC in 10+2 system with Science of Agriculture.	
8	Field man	18	30	Higher Secondary	
9	Jr. Stenographer	18	30	B.Com., B.Sc. BA with certificate of MP Board in Shorthand Hindi/Eng.	
10	Accountant	18	30	B.Com. with 55% marks in Final Year	
11	Draftsman	18	30	HSSC and Diploma in Draftsmanship	
12	Tracer	18	30	HSSC II Dn. with commerce as a subject and Hindi/English typing MP Board Certificate or B.Com. with knowledge of Hindi/English typing.	
13	LDC/Jr. Accountant	18	30	Driving license, driving experience, V Class	
14	Driver	18	30	V Class.	
15	Messenger	18	30		

- Note:** 1. Relaxation in age, height and chest given by GOMP for SC/ST candidates from time to time will be applicable.  
2. SC/ST reservations for appointment in GOMP will also be applicable.

## मध्य प्रदेश शासन वन विभाग

क्रमांक एफ-3/225/91/10-1

भोपाल, दिनांक 6 जून 1991

प्रति,

प्रबंध संचालक,  
म.प्र. राज्य वन विकास निगम लि.  
पंचानन, पंचम तल, मालवीय नगर,  
भोपाल

विषय: आयटम क्रमांक – 29 (2)

निगम में विभिन्न पदों पर पदोन्नति हेतु न्यूनतम अनुभव अवधि – सेवा नियमों में संशोधन।

संदर्भ: आपका पत्र क्रमांक/वविनि/प्र.सं./प्र(क)/91/7709, दिनांक 18.02.1991 ।

—0—

उपर्युक्त विषयान्तर्गत संदर्भित पत्र द्वारा नियमों में संशोधन हेतु चाहा गया अनुमोदन, शासकीय नियमों अनुसार इन कम से कम पांच वर्ष के अनुभव को शर्त के साथ मान्य किया जाता है

(एच. सिंह)  
अतिरिक्त सचिव  
मध्यप्रदेश शासन, वन विभाग

**SCHEDULE – IV**

**PROMOTIONS**

<b>Sl</b>	<b>Promotion from the post</b>	<b>Promotion to the post</b>	<b>Min. exp. in post of Col.2 on 1<sup>st</sup> Jan-before DPC.</b>	<b>Other conditions if any, prescribed</b>
1.	Dy. Dvl. Manager Other Dy. Manager	Divisional Manger Manager	5 years	
2.	Asstt. Manger/Foreman Dy. Manager (Jr. Scale)	Dy. Manager (Sr. Scale)	5 years	
3.	Technical Asstt. (Trained)	Dy. Manager (Jr. Scale)	5 years	
4.	Technical Asstt. (Civil)	Dy. Manager (Jr. Scale)	5 years	
5.	Field Asstt. (Trained)	Technical Asstt.	5 years	
6.	Fieldman (Trained) Fieldman (Untrained)	Field Asstt. Field Asstt.	5 years 5 years	
7.	Sr. Accountant	Asstt. Manager	4 years	
8.	Accountant/ Tech.	Sr. Accountant	4 years	
9.	Sr. Stenographer	Personal Asstt.	4 years	
10.	Stenographer	Sr. Stenographer	4 years	
11.	LDC/ Stenotypist /accountant	Accountant	4 years	
12.	Messenger (HSSC)	LDC/ Jr. Accountant	3 years	

1. The Technical Assistant; Field Assistant and Fieldman shall be sent for training depending upon the quota as per their seniority.
2. Promotion committed shall be constituted of the following members.

**मध्यप्रदेश राज्य वन विकास निगम लिमिटेड**  
**पंचानन पंचमतल, मालवीय नगर, भोपाल**

कमांक / वविनि / प्र. (का) 89 / 1874

भोपाल, दिनांक 23 / 6 / 89

**“परिपत्र”**

संचालक मण्डल की 61 वीं बैठक जो दिनांक 29/05/89 को सम्पन्न हुई, के आयटम क्रमांक 13 में सीधी भर्ती/प्रतिनियुक्ति एवं पदोन्नति संबंध में निम्नलिखित प्रतिशत निर्धारित करने का निर्णय लिया गया।

क्र.	पदनाम	सीधी भर्ती/प्रतिनियुक्ति	पदोन्नति
<b>कार्यपालिका वर्ग</b>			
1	तकनीकी सहायक	50%	50%
2	क्षेत्रीय सहायक	50%	50%
3	क्षेत्र रक्षक	95%	5%
4	मानचित्रकार	95%	5%
<b>लिपिकीय वर्ग</b>			
5	वरिष्ठ लेखापाल	-	100%
6	लेखापाल	50%	50%
7	वरिष्ठ शीघ्रलेखक	-	100%
8	कनिष्ठ शीघ्रलेखक	95%	5%
9	नि. श्रे.लि./कनिष्ठ लेखापाल	90%	10%
10	संदेशवाहक	100%	-

निमित्त, म.प्र. राज्य वन विकास निगम लिमिटेड

(प्रबंधक कार्मिक)

**प्रतिलिपि :-**

समस्त अधिकारी मुख्यालय भोपाल/समस्त संभागीय प्रबंधक/समस्त मण्डल प्रबंधक समस्त उप मण्डल प्रबंधक / कारखाना प्रबंधक, नर्मदा वुड प्रोडक्ट्स इटारसी। तदानुसार कर्मचारी सेवा नियम में उपरोक्तानुसार संशोधन माना जावे।



**SCHEDULE - IV  
PROMOTIONS**

S.No.	promotion from the post	Promotion to the post	Min. exp. in post of col.2 pm Ist Jan. before DPC	other conditions, if any, prescribed
1	Dy. Div. Manager	Div. Manager	10 years	
2	Other Manager	Manager	10 years	
3	Asstt. Manager/ Asstt. Secretary	Dy. Manager	7 years	
4	Assistant (Trained)	Dy. Div. Manager	10 years	
5	Field Asstt. (Trained)	Dy. Manager (Con.)	10 years	
6	Field Man (Trained)	Technical Asstt.	7 years	
7	Field Man (untrained)	Field Asstt.	7 years	
8	Sr. Accountant	Field Asstt.	10 years	
9	Accountant/Tech.	Assistant Manager	5 years	
10	Sr. Stenographer	Dr. Accountant	5 years	
11	Stenographer	Personal Assistant	4 years	
12	LDC/Steno-typist/ Sr. Accountant	Sr. Stenographer Accountant	6 years	
13	Messenger (HSSC)	LDC	6 years	

Note : 1- The Technical Assistant, Field Assistant and Field Man shall be sent for training depending upon the qupta as per their seniority.

2- Promotion Committee shall be constituted of the following members.

**At. H.O.**

- (a) For promotion to the post of Asstt. Manager & Above
- 1- Executive Director
  - 2- GM nominated by MD
  - 3- Company Secretary
  - 4- One member nominated by MD
- (b) For promotion to the post of TA, Supdt. Sr. Stenographer, Sr. Accountant
- 1- GM nominated by MD
  - 2- Company Secretary
  - 3- One manager nominated by MD.
3. SC/ST reservations for promotions in GOMP will be followed.

**SCHEDULE - V**  
**Representation of Scheduled Castes/Scheduled Tribes in regular**  
**Nigam Employee for the Calendar year 1983 in Units.**

Category of employees	No. of employees on 1.1.1983				No. of employees recruited or promoted during the calendar year 1983							
	Gen.	SC	ST	Total	Directly recruited				Promoted			
					Gen.	SC	ST	Total	Gen.	SC	ST	Total
1	2	3	4	5	6	7	8	9	10	11	12	13

No. of employees on 1.1.1984				Percentage on 1.1.1983		Percentage on 1.1.1983		Remarks Reason and effort made
Gen. Category	SC	ST	Total	SC	ST	SC	ST	
				<u>Col. 3</u>	<u>Col.4</u>	<u>15</u>	<u>16</u>	
				<u>Col. 5</u>	<u>Col 5</u>	<u>17</u>	<u>17</u>	
14	15	16	17	18	19	20	21	22

- Note : 1. Employees on deputation are not to be included in this report  
 2. This report is to be sent every year in first week of January by DM/Factory Manager/RGM to be compiled by manager (Personnel)

\*\*\*

**CHAPTER - III**  
**CONDUCT & ISCIPLINE**

**Regulations and Contents**

32. Scope of Service
33. Regulations binding
34. Service conditions
35. Attendance
36. Absence
37. Representations
38. Canvassing
39. Raising subscriptions
40. Connection with news papers
41. Criticism of Nigam
42. Divulging information
43. Secrecy
44. Evidence before other authority
45. Damage to property or person
46. Gifts
47. Interests in any business
48. Employment of near relatives
49. Additional private job
50. Investment, lending and borrowing
51. Cases of near relatives
52. Vindication of acts
53. Politics and Elections
54. Insolvency and habitual indebtedness
55. Bigamous marriage
56. Report of arrest
57. Outside employment
58. Intoxication
59. Subversive action
60. General Acts & Omissions

**CHAPTER - III**  
**CONDUCT AND DISCIPLINE**

**32. SCOPE OF SERVICE**

Every employee of the Nigam shall be considered a whole time employee and shall serve the Nigam in its business in such capacity and at such place as he may from time to time be posted.

**33. SCOPE OF REGULATIONS**

Rules, regulations and instructions of the Nigam and all arrangements, systems, methods and procedures now in force in the Nigam from time to time for the purpose of regulating work safety, discipline, good conduct, cleanliness, avoidance of waste of time and materials and for the proper running of the Nigam shall be binding on all the employees.

**34. SERVICE CONDITIONS**

Every employee shall at all times:

- (a) Maintain exclusive devotion to duty in the business of the Nigam.
- (b) Maintain absolute integrity
- (c) Serve the Nigam with loyalty, honesty and faithfully.
- (d) Use his utmost endeavour to promote the interests of the Nigam.
- (e) Show courtesy in all transactions
- (f) Comply with the provisions of all rules, regulations or resolutions made by the Nigam, and
- (g) Obey all orders and directions, which may from time to time be given to him by any person or persons under whose jurisdiction, superintendence or control he may for the time being be placed.

**35. ATTENDANCE**

- (a) No. employee shall absent himself from duty without prior written permission or over-stay his leave.
- (b) Every employee shall be at work punctually and remain present during the working hours.
- (c) Those employees who are required to sign in a register maintained for the purpose shall do so showing the time of reporting for work.
- (d) For three delayed reporting on duty, of 10 to 30 minutes one casual leave shall be deducted. One delay of more than 30 minutes shall curtail half casual leave.

**36. ABSENCE FROM DUTY**

An employee shall not absent himself from duty without prior permission of the authority component to sanction leave. No employee shall leave the station where he is posted without obtaining previous written permission from the competent authority. An employee who absents himself from duty without leave or over-stays his leave, shall not ordinarily be entitled to draw any pay and allowances during such absence or overstayed and shall further be liable to disciplinary action.

**37. REPRESENTATION**

Wherein any matter connected with the rights or conditions of his service and employee wishes to press his claim or to seek redress he shall address it to the competent authority through his immediate superior officer. No employee shall prefer an appeal or make a representation, as the case may be, to a higher authority unless the appropriate lower authority has already rejected the claim or refused relief or ignored or unduly delayed the disposal of the case. Even in such cases, all representations shall be submitted through the usual official channel, but an advance copy of such representation may be sent direct to the next higher authority.

**38. CANVASSING**

No employee shall bring or attempt to bring any political or other influence to bear upon any superior authority, Board, Legislature etc. for the furtherance of his interests.

**39. SUBSCRIPTIONS**

No employee shall, except with the previous sanction of the Managing Director, ask for or accept contribute to or otherwise associate himself with the raising of, any fund or other collections in cash or in kind in pursuance of any object whatsoever.

**40. CONNECTION WITH NEWS PAPER**

- (1) No employee shall, except with the previous sanction of the Managing Director, own wholly or in part, or conduct or participate in the editing or management of any newspaper or other periodical publication.
- (2) No employee shall except with the previous sanction of the Managing Director-
  - (b) Publish a book himself or through a publisher or contribute an article to a book or compilation or articles or
  - (c) Participate in a radio broadcast or contribute an article or write a letter to a newspaper or periodical either in his own name or anonymously or pseudonymously or in the name of any other person. Provided that no such sanction shall be required.
    - (i) If such publication is through a publisher and is of a purely literary, artistic, technical or scientific character, or
    - (ii) If such contribution, broadcast or writing is of purely literary, artistic, technical or scientific in character,
    - (iii) If the publication of periodicals etc. is for the purpose mentioned in section 15 of the Trade Union Act 1926.

**41. CRITISISM OF NIGAM**

- (1) No employee shall, in any radio broadcast or in other document publish anonymously, pseudonymously or in his own name or in the name of any other person or in any communication to the press or in any public utterance, make any statement of fact or opinion which may amount to an adverse criticism of any policy or action of the Nigam or which may embarrass the Nigam, Govt. of MP, the Central Government, any other State Government or any foreign State, people of India or any section thereof.
- (2) Except for matters pertaining to Nigam no employee shall participate in or associate himself in any manner with, any procession, demonstration, meeting or conference at which it is likely that slogans or speeches will be made or resolution

will be proposed, discussions or criticism of any policy or action of the Nigam or the Government might be done.

- (3) Nothing contained in this Regulation shall be deemed to prohibit any employee from participating in discussions at any private meeting solely of employees, or of any recognised association of employees, or matters which affect the personal interests of such employees individually or generally subject to the provisions that such discussions are confined to the reasonable bounds of criticism.
- (4) an employee who intends to publish any document or to make any communication to the press or to deliver any public utterance, containing statements in respect of which any doubts is to the application of the restrictions imposed by this regulation may arise, shall submit to the Managing Director through the normal official channel, a copy of draft of the document which he intends to make and shall thereafter act in accordance with such orders as may be passed by the Managing Director.

**Note :** Nothing contained in this Regulation shall be construed to limit or abridge the power of the Nigam to require any employee to publish and explain any policy or action of the Nigam in such manner as may appear to be expedient or necessary.

#### **42. DIVULGING INFORMATION**

No employee shall, communicate directly or indirectly any official documents or part thereof or information to any person, press or employee not authorised to received the same.

#### **43. SECRECY**

- (a) No employee shall by writing to any person (including a co0employee) or by communicating to public papers, journals, books, pamphlets or leaflets, or by speech or by discussion at any place, disclose or cause to be disclosed during his service with the Nigam or at any time thereafter any information or documents relating to the Nigam, likely to affect the interests of the Nigam adversely.
- (b) Except in the ordinary course of his duties no employee shall disclose, either during his service with the Nigam or after leaving the service of the Nigam, any secrets, cost of production of any or all the Nigam's products, information of purchases made by or contracts entered into by the Nigam in or out of Court, or any other information or matters of trade or business secrets.
- (c) No employee shall except in connection with business of the Nigam carry with him outside the Nigam premises any papers, books, drawings, photographs, instruments, apparatus, documents or any other property belonging to the Nigam.
- (d) No employee shall take notes, drawings or sketches, for his own use, of any plant, process of work, or keep copies of official papers with him.
- (e) A breach of this regulation shall constitute a misconduct.

**Note:** Any books, drawings, sketches, photographs and similar papers containing notes or information relating to the Nigam's business affairs, or operations, shall always be treated as Nigam's property, whether prepared by an employee or otherwise.

#### **44. EVIDENCE BEFORE OTHER AUTHORITY**

- (1) 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 an evidence shall criticise the policy of any State Government, Government of India or of the Nigam.
- (3) Nothing contained in this regulation shall apply to :
  - (i) evidence given at any enquiry before an authority appointed by the Government, or by Parliament or by a State Legislature, or
  - (ii) evidence given in any judicial enquiry, or
  - (iii) evidence given at departmental enquiry ordered by any competent authority.

Provided that prior permission has been obtained from his superior officer for such evidence.

No employee giving any evidence referred to in sub-regulation (3) shall give publicity to such evidence.

**45. DAMAGE TO PROPERTY OR PERSON**

During the course of work, if any damage to property is caused to any dangerous condition is created or injury to person is caused accidentally or otherwise by any employee or by any other employee who has knowledge of such happening it shall be reported by him immediately to the head of the office.

Failure to make such a report shall be treated as constituting a misconduct.

**46. GIFTS**

No employee shall, except with the previous sanction of the appointing authority accept directly, indirectly or permit any member of his family to accept from any person any gift or gratuity .

Provided that an employee may accept or permit a member of his family to accept gifts of a value which is reasonable in the circumstances of the case to be adjudged by appointing authority from relations or personal friends on occasions such as wedding, anniversaries, funeral and religious functions when the receiving of such gifts is in conformity with the prevailing religious or social customs.

Provided that every gift received of value Rs. 1000/- or more in case of class-I & II employees and of value of Rs. 500/- or more in case of class III & IV will be reported to appointing authority within a month.

**47. INTERESTS IN ANY BUSINESS**

No employee shall directly or indirectly by himself or by his wife or dependent children or by his agent, acquire or hold any share or interest in any business undertaking having any dealings with the Nigam.

**48. EMPLOYMENT OF NEAR RELATIVES**

- (1) No employees shall use his position of influence directly or indirectly to secure employment for any member of his family with the Nigam.
- (2) No employee shall, except with the previous sanction of the competent authority, permit his son, daughter or dependent to accept employment with any company or firm having dealings with the Nigam.

In any case wherein a member of his family is involved the employee shall refer the matter to the competent authority.

**49. ADDITIONAL PRIVATE JOB**

- (1) No employee shall undertake part time work for a private or public body or a private person or accept any fee or remuneration therefor, without the sanction of the competent authority.  
Provided that an employee may, undertake occasional honorary work or a social, charitable, literary, artistic, scientific or cultural character subject to the condition that his official duties do not thereby suffer.
- (2) Every employee shall, if any member of his family is engaged in a trade or business or owns or manages an insurance agency or commission agency report that fact to the competent authority and shall not do canvassing for him.
- (3) No employee shall accept any fee for any work done for any public body or for any private person without the sanction of the competent authority.

**50. INVESTMENT, LENDING AND BORROWING**

- (1) No employee shall speculate in any stock, share or other investments.
- (2) An employee of the Nigam shall make a declaration in the form prescribed in Schedule VI giving full details of the shares, securities and other business investments and immovable property held by him or by any member of his family or by any person acting on his behalf on 1st of January every year

**EXPLANATION**

**Speculation**

- (i) Frequent purchase or sale or both, of shares, securities or other investments shall be deemed to be speculation within the meaning of this sub regulation.
- (ii)
  - (a) No employee shall make, or permit any member of his family or any person acting on his behalf to make any investment which is likely to embarrass or influence which is likely to embarrass or influence him, in the discharge of his official duties.
  - (b) Lend or borrow or deposit money as a principal or agent with any person or firm or private limited company having dealing with the Nigam, or with whom he is likely to have official dealings or otherwise place himself under pecuniary obligation to such person; or
  - (c) Lend money to any person at interest in a manner whereby return in money or kind is charged or paid.

**51. CASES OF NEAR RELATIVES**

Every employee shall inform his superior officer if another employee closely related to him is posted to work under him.

And in dealing with any case involving a close relative, shall forward the case to the superior authority without any comments on the merit of the case.

**52. VINDICATION OF ACTS**

- (1) No employee shall except with the previous sanction of the competent authority have recourse to any court or to the press for the vindication of any official act which has been the subject matter, of adverse criticism or an attack or a defamatory character.
- (2) Nothing contained in this regulation shall be deemed to prohibit an employee from vindicating his private character or any act done by him in his private capacity provided that he shall report the matter to the competent authority.



**SCHEDULE - VI**

(Regulation No. 50)

Annual Return of Immovable property and Investments for the  
Calendar year 20----- as on 31st December 20\_\_

1. Name of employee in full \_\_\_\_\_ Address \_\_\_\_\_  
Present Post held \_\_\_\_\_ Present pay \_\_\_\_\_

Name of Dist. Tahasil & Vill and which property is situated	Details of property Housing, Land & Building.	Present Local market value	In whose name the property is held and his/ her relationship to the employee	How acquired, whether by purchase, lease, mortgage, inhabitation, gift of acquisition & name with details of persons/ person from whom acquired	Annual income from the property	Invest-ments (shares, securities and other business invest-ments)	Remarks
1	2	3	4	5	6	7	8

- (3) No employee shall, except with the previous sanction or the competent authority accept from any person or body of persons compensation of any kind for any defamatory attack made on his public acts or character unless such compensation has been awarded by a competent Court.

**53. POLITICS & ELECTIONS**

- (1) No employee shall be a member of or be associated with any political party nor shall he take active part in politics party nor shall he take active part in politics or any political demonstration.
- (2) No employee shall canvass or otherwise interfere or use his influence in connection with or take part in an election to any legislature or local authority.

**54. INSOLVENCY OR HABITUAL INDEBTEDNESS**

- (1) An employee shall so manage his private affairs as to avoid habitual indebtedness or insolvency.
- (2) An employee who becomes the subject of any legal proceedings for recovery of any debt due from him or insolvency shall forthwith report the full facts to his superior authority.
- (3) If an employee is adjudged by the appointing authority to be insolvent or to be involved in such habitual indebtedness that may lead him to resort to unlawful means, he shall be liable to be removed from service with due notice.
- (4) An employee who has been removed from service on account of insolvency shall not be eligible for re-employment in the Nigam.

**55. BIGAMOUS MARRIAGE**

No employee having a wife/husband living shall enter into a contract of a marriage with any person in contravention of law applicable to him/her.

**56. REPORT OF ARREST**

An employee who may be arrested for any reason shall intimate the fact of his arrest as soon as possible thereafter to his immediate superior officer.

**57. OUTSIDE EMPLOYMENT**

- (1) No employee shall apply for outside employment or signify his willingness to accept such employment without having previously obtained the permission in writing of the competent authority. Ordinarily applications for outside employment shall not be forwarded more than twice in an year.
- (2) If an employee secures employment elsewhere, without routing his application through proper channel, it will render him liable to disciplinary action.

**58. INTOXICATION**

An employee shall -

- (a) Take due care that the performance of his duties is not prejudiced or affected in any way by influence of intoxicating drinks or drugs.
- (b) Not appear in a public place office or any place of duty in a state of intoxication.
- (c) Not habitually use such drinks, or drugs.

**59. SUBVERSIVE ACTION**

- (1) An employee shall not take part in or subscribe in aid of or assist in any way any subversive movement.
- (2) It shall be the duty of every employee to endeavour to prevent any member of his family from taking part in subscribing in aid of, or assisting in any other manner any movement or activity which is or tends directly to be subversive of Government of Madhya Pradesh and where an employee is unable to prevent a member of his family from taking part in or subscribing in aid of or assisting in any other manner any such movement or activity he shall make a report to that effect to the Nigam.
- (3) If any question arises whether any movement or activity falls within the scope or sub-regulation (i) & (ii) above, the decision of the managing Director thereon shall be final.

**Explanation**

The term "subversive movement" includes any movement of activity tending, directly or indirectly to excite dis-affection against or to embarrass the Nigam or Madhya Pradesh Government or to disturb public peace.

**60. GENERAL PROVISIONS**

Without prejudice to the generality of the foregoing regulations, the following acts or omissions shall be treated as misconduct :

- (i) Unauthorised use of vehicles of the Nigam.
- (ii) Driving vehicles of the Nigam without possessing proper license or allowing any other person to act in this manner.
- (iii) Collusion with any person or persons with a view to depriving the Nigam of its legitimate revenues.
- (iv) Abuse or misuse of property or the Nigam.
- (v) Failure to exercise efficient control and supervision on the subordinate staff which has adversely affected the efficiency of the unit.

- (vi) Insubordination or disobedience whether individually or with another or others to any lawful order of a superior officer.
- (vii) (a) Gross negligence resulting in or likely to result in serious loss to the Nigam or inconvenience to the public or both.
- (b) Neglect of duty resulting in or likely to result in danger to the lives or employee or of their persons or both.
- (viii) Theft, fraud, dishonesty or mis-appropriation in connection with the business or the property of the Nigam.
- (ix) Assaulting any person inside the premises or in the vehicle of the Nigam.
- (x) Striking work or inciting others to strike work in contravention of the provisions of law in force for the time being.
- (xi) Damage to premises, vehicles or other property of the Nigam willfully or due to negligence or connivance at or failure to prevent or failure to take adequate steps to prevent such damage or loss.
- (xii) Sabotage or attempt to sabotage
- (xiii) Any act involving moral turpitude, which is punishable under the provisions or the Indian Penal Code.
- (xiv) Intemperate habits affecting efficiency of work
- (xv) Breach of any administrative circular or order
- (xvi) Riotous or disorderly behavior in the premises of the Nigam or outside while on duty or any act subversive of discipline.
- (xvii) Repeated or continued neglect of work
- (xviii) Impertinence or unruly behavior while on duty towards any member of public or any employee.
- (xix) Failure on the part of an employee to give full and correct information regarding his previous history and record or regarding any matter connected with the Nigam or in connection with any offence committed by himself or any other person within his knowledge, when demanded by a superior officer.
- (xx) The making of an allegation, knowing it to be false, against the Nigam, the Managing Director or any other officer or member of the staff.
- (xxi) Habitual late attendance, irregular attendance, absence without permission and wasting time or loitering while on duty.
- (xxii) Tampering with or destroying the evidence relating to offence committed by the employee himself or another employee.
- (xxiii) Remaining intoxicated during working hours.
- (xxiv) Violating any specified rule, regulation, or instruction in force in the Nigam.
- (xxv) Gambling within the premises or the undertaking.
- (xxvi) Sleeping during the working hours.
- (xxvii) Engaging in other employment or business while in the service of the undertaking.
- (xxviii) Knowingly giving false information regarding name, age, father's name, qualifications, previous service, antecedents or experience at the time of recruitment/employment in the Nigam.
- (xxix) Taking recourse to the court of law in the matter of any grievance arising out of the employment or conditions of service without first exhausting the normal official channels for redressal.
- (xxx) Any other act not specifically mentioned above, but which is prima-facie detrimental to the interests of the Nigam.

**CHAPTER - IV**  
**PAY, ALLOWANCES & ADVANCES**

Regulation No. and contents

**PAY**

61. Date of effect of pay and allowances
62. Initial pay
63. Increment
64. Efficiency Bar and selection grade
65. Service counting for increment
66. Effective date of increment
67. Advance increment
68. Pay on reduction of post
69. Increment on reversion
70. Fixation of pay on modification of penalty
71. Performa promotion
72. Stagnation increment
73. Special pay
74. Pay on re-employment
75. Pay during joining time
76. Ceasure of pay and allowance
77. Pay on deputation
78. Pay on absorption
79. Suspension pay
80. Pay on re-instatement

**ALLOWANCES**

81. Dearness allowance & ADA
82. City compensatory allowance
83. Conveyance allowance
84. Vehicle allowance
85. Training allowance
86. Uniform allowance
87. Orderly allowance

**CHAPTER - IV**

**REGULATION 61-102**

**PAY, ALLOWANCE & ADVANCES**

**61. DATE FROM WHICH PAY AND ALLOWANCES TAKE EFFECT**

An employee shall start drawing his pay and allowances on the post to which he is appointed or promoted with effect from the date when he assumes office of such post in the forenoon and ceases to draw them, as soon as he ceases to hold it, unless otherwise provided elsewhere.

Handling over in the forenoon will not entitle him to pay for that day.

**62. INITIAL PAY ON APPOINTMENT**

(1) The initial pay of a candidate appointed by direct recruitment shall be fixed at the minimum of the time scale of pay of the post to which he is appointed.

(2) Initial pay of a promoted employee shall be fixed in the following way. First his pay in the lower post will be raised by one increment next due or last obtained in case he is on maximum of pay scale and then pay will be fixed at the stage next above it in the pay scale of the higher post.

However, in respect of all promotions/appointments from Class-I post to another Class-I post carrying higher duties and responsibilities the pay of the officer shall be fixed at the stage next above the pay drawn in the lower post.

**63. INCREMENT**

An increment in the scale of pay shall be drawn after it has been sanctioned by the competent authority. A probationer will draw increment only after confirmation.

**64. EFFICIENCY BAR AND SELECTION GRADE**

(1) Where an efficiency bar has been provided in the scale of pay of a post, the increment next above the bar shall be drawn only after the specific sanction of the appointing authority. When an employee is held up at the bar, his case shall be reviewed every year by the appointing authority who shall pass separate orders, on each such occasion, as to whether he is fit to cross the bar or not.

(2) EB will be opened on the basis of -

(i) CR of the last two years of the period before the due date of EB

(ii) Report in this regard by a class-I officer, under whose control the employee is working.

(iii) "No enquiry" "no punishment period" report.

(3) No incident after the due date of EB will adversely affect it.

(4) EB will not be crossed during the pendency of a departmental enquiry or of a punishment period.

(5) In those cases where selection grade has been provided in the scale, the same shall be awarded by the competent authority on the recommendation of Departmental Promotion Committee.

**65. SERVICE COUNTING FOR INCREMENT**

- (1) All duty period in a post on a scale of pay shall count for increment in that scale.
- (2) All leave, except extraordinary leave (other than on medical certificate) shall count for increment in the scale of pay of the post in which the employee was working at the time he proceeded on leave.
- (3) If an employee is reverted to a lower post, duty rendered in the post from which he is reverted, shall count for increment in the lower post.
- (4) Duty rendered in foreign service shall count of increment in the scale of -
  - (a) The post of Nigam on which the employee was working before deputation to foreign service.
  - (b) The post in the Nigam to which he was given proforma promotion while in foreign service.
- (6) Joining time allowed to an employee under these regulations shall count for increment in the old post.

**66. EFFECTIVE DATE OF INCREMENT**

An employee shall draw the increment from the first day of the month in which it falls due except when he is on EL during the month of increment, from first day of that month or earlier, then he will be entitled to the benefit of the increment on return from EL.

**67. ADVANCE INCREMENT**

The Board may grant premature or advance increment to any employee in his time scale of pay, in the best interests of the Nigam either at the time of first appointment or during the service of the employee.

**68. PAY ON REDUCTION OF POST**

The authority which orders reduction in rank of an employee as a measure of penalty may allow him to draw such pay not exceeding the maximum of the scale of pay of the post, to which he is reverted.

**69. INCREMENT OF REDUCTION**

- (i) If an employee is reduced, as measure of penalty to a lower stage in the same scale of pay, the authority ordering such reduction shall clearly state the period for which it shall be effective and whether on restoration, the period of reduction shall operate to postpone future increments and if so, to what extent.
- (ii) If an employee is reduced, as a measure of penalty to a lower post, the authority ordering such reduction will clearly specify the period for which the reduction shall be effective; the authority shall also state whether on restoration, the period of reduction shall operate to postpone further increments and if so, to what extent.

**70. FIXATION PAY ON MODIFICATION OF PENALTY**

Where an order of penalty with-holding increment of an employee or his reduction to a lower stage in the same scale or pay or to a lower post is set aside or modified by a competent authority on appeal or review, the pay or the employee shall, notwithstanding anything contained in these regulations, be regulated in the following manner -

- (a) If the said order is set aside, he shall be paid for the period such orders has been in force, the difference between the pay to which he would have been in titled had that order not been made and the pay which he had actually drawn.
- (b) If the said order is modified, the pay shall be regulated as if the order so modified had been made in the first instance.

**71. PROFORMA PROMOTION**

An employee may be authorised by the competent authority proforma promotion in the post in which he would have been promoted, had he not been sent on deputation or prevented from the promotion on account of any other reason for which he was not responsible, subject to the following conditions.

- (c) All employees senior to him have been promoted except those who have been passed over due to unsuitability.
- (d) An employee in respect of whom promorma promotion is to be ordered is suitable for promotion as per the provisions of the rules governing promotion to the post concerned.

Not more than one employee shall be allowed proforma promotion under this regulation shall be en titled to pay and allowances of the higher post with effect from the date of joining of his immediate junior on such promotion.

**72. STAGNATION INCREMENTS**

With the permission of appointing authority an employee who has reached the maximum of the scale of pay of the post held by him shall be allowed to draw at the rate of one increment which would be equal to the annual increment last drawn by him, for every two subsequent years, subject to the condition that the number of such increments admissible will not exceed two in a particular post or scale of pay.

Provided that the above increment shall not be admissible, if an employee has not been found suitable for promotion to a higher post by the competent authority, or has been reverted to the lower post either due to unsuitability or as a penalty.

**73. SPECIAL PENALTY**

When an employee is asked to perform additional duty of another higher post for not less than 15 days in addition to his own duty, a special pay at the rate of 10% of the minimum of the scale of pay of the additional post may be allowed to him, by the appointing authority of the higher post.

Provided that the next higher authority may sanction special pay in any case for a period exceeding three months, if it considers necessary in the interest of the Nigam.

**74. PAY ON RE-EMPLOYMENT**

When a pensioner, who was in the service of the State Government or the Govt. of India, is re-employed in a post, his pay shall be fixed at the figure arrived at by deducting the amount of pension including pension equivalent of the death-cum-retirement gratuity form the amount of pay last drawn by him, subject to the condition that if the amount so arrived at is less than the minimum of the scale of pay of the post on which he is re-employed, he shall be paid the minimum of the scale of pay in addition to the pension which he draws.

**75. PAY DURING JOINING TIME**

When an employee is transferred to another post either in the same capacity or on promotion or reversion, he shall be entitled to draw pay and allowances during the period of joining time at the rate at which he was drawing such pay and allowance immediately before such transfer.

**76. CEASURE TO DRAW PAY AND ALLOWANCES**

An employee shall cease to draw pay and allowances from the date he ceases to be an employee on account of any reason, viz. removal or termination, retirement, resignation or desertion etc.

**77. PAY ON DEPUTATION**

- (a) When a person in the service of the State Government or Govt. of India or in the service of any organisation is on deputation on any post of the Nigam, he shall draw such pay and allowances as are provided in the terms of his deputation. Pay plus deputation pay, however, should not exceed the maximum of the pay scale of the post in Nigam.
- (b) The employee placed on deputation may be allowed to draw pay in the scale of pay of the post as sanctioned by the Nigam, pay being fixed under the normal rules; provided that, where the minimum of Nigam's pay scale is much higher than the pay admissible above, the employee will be limited to his current basic pay plus 25% of his pay. This will be further subject to State Government Rules of orders.

**78. PAY ON ABSORPTION**

When an employee of the Central or State Government has sought permanent absorption in the Nigam after seeking voluntary retirement from Central or State Govt. his pay will be fixed in the following manner.

- (1) In case he had opted for his present department's scale of pay, while on deputation, on absorption his pay would be fixed at the stage equal to his pay in the parent department plus deputation pay to the extent of 20% only. In case no such stage exists in the scale offered by the Nigam, the pay admissible at next higher stage.
- (2) Where considered necessary, the pay of any employee, seeking permanent absorption may be fixed existing or future loss on account of such permanent absorption by the Board.

**79. SUSPENSION PAY**

An employee under suspension shall be entitled for the first 3 months of suspension to the subsistence allowance at one half of the amount of pay which he was drawing on the date immediately before suspension plus the allowances admissible on such pay. The subsistence allowance may be raised after the period of first 3 months by the appointing authority to three fourth of the pay if the departmental proceeding have not been completed by the competent authority due to administrative reason for which the employee under suspension is not responsible. The decision of the appointing authority in this regard shall be final.



**80. PAY ON REINSTATEMENT**

- (1) When an employee who had been removed, retired or placed under suspension, is reinstated as a result of an order in an enquiry or appeal, review or any other similar reason, the authority competent to order reinstatement shall decide and make specific order regarding proportion of pay and allowances for the period of absence, including the period of suspension, which shall be admissible to his for such period and whether the said period or any part there of shall count for duty for other purposes or not, in the following manner-
  - (a) When an employee is fully exonerated, entire period of suspension or removal shall be treated as on duty and he shall be paid full pay and allowances to which he would have been entitled had he not been removed, retired or suspended. The amount of subsistence allowance already paid to him shall be deducted from the amount payable to him.
  - (b) In case of punishment, the pay and allowance admissible, shall never be less than subsistence allowance.
- (2) Where the removal or retirement of an employee is set aside by the Court and such employee is reinstated without holding any further departmental proceedings the period of absence including the period of suspension shall be treated as duty for all purposes including grant of pay and allowances. The amount of subsistence allowance, if any paid to him, shall be deducted from the amount to be paid to him under this sub-regulation.
- (3) When any departmental proceedings are instituted against an employee after orders of his removal or retirement are set aside by the Court, the period or absence due to such removal or retirement including suspension, if any, shall be regularised in the manner laid down, in sub-regulation (1).

**ALLOWANCES**

**81. DEARNESS ALLOWANCE AND ADA**

An employee shall be entitled to draw dearness allowance and ADA at the rate and on the terms and condition on which such allowance may be admissible to the employees of the State Government for that basic pay from time to time.

**82. CITY COMPENSATORY ALLOWANCE**

An employee shall be granted city compensatory allowance at the rate at which such allowance may be admissible to the employee of the State Government from time to time

**83. CONVEYANCE ALLOWANCE**

All employee of Class III and IV shall be paid conveyance allowance at the rate sanctioned by MD from time to time for attending the office/place of work.

**84. VEHICLE ALLOWANCE**

- (1) The Managing Director may conditionally permit some category of employees who are required to maintain a vehicle at their own expenses, in the interest of the Nigam, reimbursement of the expenses incurred by them on petrol/diesel, oil and lubricant etc. upto the extent mentioned below:

(a) For mopeds upto 0.75 HP	Rs. 50 per month
(b) For motor cycle, scooter etc. above 0.75 HP	Rs. 100.00 "
(c) Car/Jeep	Rs. 300.00 "
- (2) Vehicle allowance shall be admissible proportionate to the duty period in a month.

**85. TRAINING ALLOWANCE**

The Technical Assistant /Field Assistant /Fieldman who are sent for their regular training course by the Nigam for a period of not less than one month shall be allowed training allowance at the rate of 20% of the basic pay.

**86. UNIFORM ALLOWANCE**

(i) Uniform as per details below are prescribed for TA/FA/FM, Drivers and Messengers.

**DETAILS OF UNIFORM**

	<b>TA</b>	<b>FA</b>	<b>FM</b>	<b>Driver</b>	<b>Messenger</b>
Cap	Gray woolen barrent cap with monogram of the Nigam	Olive green barrent cap	Khaki barrent cap	Driver's cap	White cap
Shirt	Khaki bush shirt with open tie collar, 4 pockets with flaps and buttons	Khaki bush shirt with open tie collar, 4 pockets with flaps and buttons	Khaki shirt with 2 pockets having flaps and buttons	Simple olive green bush shirt with buttons	With colour simple bush shirt with buttons
Shoulder Strips	A pair of khaki shoulder strips with silver shoulder badge of Nigam and a silver triangular monogram of Nigam	A pair or olive green shoulder strips with brass shoulder badge of the Nigam and brass monogram of the Nigam.	A pair of brass shoulder badge of Nigam	-	-
Pants	Khaki	Khaki	Khaki	Simple olive green pant	A pair of khaki pant.
Belt	Sam brown belt with brass monogram of the Nigam	Same brown belt with brass monogram of the Nigam	Khaki belt with brass monogram of the Nigam	-	-
Socks	Grey	Olive Green	Khaki	Olive green	-
Shoes	Brown boot	Brown boot	Brown boot	Brown sam shoes	A pair of black shoes
Jersy	Grey	Olive green	Khaki	Olive green	-

Name plate Name plate on left side of shirt for all.

- (ii) Uniforms and liveries will be supplied free of cost to Fieldmen and Drivers and Messengers. Badges, monograms etc. as per approved design, will be supplied free initially to all categories of employees and replacements, if any shall be paid for by the employee concerned. Initially a pair of shirt, pant and sock will be supplied.
- (iii) The uniform and liveries shall have a life span as below:
- |                       |          |
|-----------------------|----------|
| 1. Barrent cap        | 2 years  |
| 2. Shirt & bush shirt | 1 year   |
| 3. Pants              | 1 year   |
| 4. Shoulder strip     | 1 year   |
| 5. Socks              | 6 months |
| 6. Jersy              | 5 years  |
| 7. Buttons            | 5 years  |
| 8. Belt               | 5 years  |
| 9. Shoes and boots    | 2 years  |
- (iv) Initial grant for uniforms and maintenance allowance to different category of staff shall be given on the following scales subject to modification by MD from time to time.

Category of staff	Initial grant	Maintenance allowance per month
Technical Assistant	Rs. 400/-	Rs. 20/-
Field Assistant	Rs. 300/-	Rs, 15/-
Fieldman/ Drivers/ Messengers	"	Rs. 10/-

- (v) A woolen coat will be supplied once in five years to the messengers employed by the Nigam. Woolen cloth permitted will be that form Khaki Bhandar.

**87. ORDERLY ALLOWANCE**

- (a) Executive officers posted on deputation may have the option of keeping orderlies, as allowed to them in their parent department, or they may opt for orderly allowance in lieu thereof, as allowed to Nigam employees.
- (b) All Executive officers of the Nigam i.e. Assistant Mangers and above and technical Assistants and such other employees as the Managing Director may permit, may be allowed orderly allowance at the rates approved by the Collector for monthly payment to unskilled labour for contingent staff.

Provided the MD may limit the maximum monthly payments admissible as allowed to any category of officers to any sum below the Collector rate but not below Rs. 150/- p.m. in any case.

Provided that the officers may opt to receive the orderly allowance in the from of reimbursement on production of a receipt.

\*\*\*

**ADVANCE**

88. Purpose for which admissible
89. Amount admissible
90. Grain Advance
91. Rate of interest
92. Disbursement and utilisation
93. Security for the advance
94. Agreement
95. Insurance
96. Transfer of property
97. Expenses for advance
98. Repayment of advance
99. Tour advance
100. Advance on transfer
101. Festival advance
102. Minor Purchase Advance

## INTEREST BEARING ADVANCE

### 88. PURPOSE FOR WHICH ADMISSIBLE

Purpose for which an advance may be allowed- Advances may be sanctioned to a confirmed employee for any of the following purposes.

- (a) Acquisition of a plot of land to construct a house thereon.
- (b) Construction of building for residential purposes; acquisition of a ready built house or for additions and alterations to a building already owned by an employee.
- (c) Purchase of motor car.
- (d) Purchase of motor cycle/scooter
- (e) Purchase of a bicycle
- (f) Grain advance

### 89. AMOUNT ADMISSIBLE

- (i) For the purposes of sub-regulations (a) and (b) of Regulation 74, advance may be sanctioned by the Managing Director subject to the following limits:

(a) Purchase of plot	a sum equal to 10 months pay or Rs. 25000/- whichever is less
(b) Construction of a house on a plot of land purchased out of advance drawn form the Nigam	A sum equal to 65 months pay or Rs. 10000/- whichever is less
(c) Purchase of a ready built house	A sum equal to 75 months pay or Rs. 125000/- whichever is less
(d) For additions and alterations to house already owned by the employee	A sum equal to 10 months pay or Rs 25000/- whichever is less, provided no advance has been granted uder (b) & (c) above.

- (ii) For purchase of a motor car an advance may be sanctioned by the Managing Director to an employee in category I(a) subject to a maximum of Rs. 30000/- or 20 months pay whichever is less.
- (iii) For purchase of a motor cycle/scooter an advance may be sanctioned by the Managing Director to an employee in receipt of monthly pay of Rs. 900/- or more or to any other employee in whose case the possession of a motor cycle is considered advantageous to a maximum of Rs. 10000/- or 10 month's pay whichever is less.
- (iv) For purchase of a bicycle an advance may be sanctioned by the Managing Director/ Project Manager to an employee in category III or IV, Subject to a maximum of Rs. 600/- once in every 5 years.

### 90. GRAIN ADVANCE

The Managing Director, RGMs or DMs may sanction grain advance not exceeding Rs. 750/- in any year to an employee of class III & Class IV. Grain advance may also be sanctioned to temporary employees on the surety of a confirmed employee.

**91. RATE OF INTEREST**

- (1) The Advance for the purposes specified in Regulations 89 and 90 shall bear simple interest per annum, at such rates as may be prescribed by the State Govt. from time to time for similar advances, to be charged on monthly balances outstanding for repayment. The present rates are given below:
- |                          |  |
|--------------------------|--|
| (1) Grain advance        | 6% per annum   |
| (2) Cycle & Scooter Adv. | 9% "   |
| (3) Car advance          | 10% "  |
| (4) Plot & Building adv. | 9% for first 30000/-<br>9.25% for next 30000/-<br>11.25% for next 30000/-<br>11.25% for rest of the balance. |
- (2) The recovery of interest shall commence from the month following that in which the principle sum has been fully repaid. The amount of interest will be recovered in installments, each such installment as far as possible not being greater than the amount of installment by which the principle was recovered.

**92. Disbursement and Utilisation**

- (a) Advance sanctioned to an employee for construction of a new house shall be disbursed in suitable installment having regard to the progress of the construction work. Ordinarily the first installment @ 30% of the amount of advance shall be paid as soon as the mortgage bond is executed. The second installment @ 40% of the amount of advance shall be released when the construction reaches plinth level and the balance amount shall be released when the construction at the roof level is completed.
- Every subsequent installment shall be released subject to satisfactory proof of proper utilisation of the earlier installment for the purpose for which it was released.
- (b) Full amount of advance may also be permitted to be drawn where an employee proposes to acquire a ready built house, provided the Managing Director is satisfied on the evidence supplied to him about the clean and marketable title to the property and its proper valuation and on the employee executing an agreement in the form prescribed for the purpose. The conveyance deed in favour of the employee should be registered within 3 months of drawal of the amount failing which, full amount of advance together with interest shall be refunded immediately by the employee.
- (c) When an advance is sanctioned for the purpose of expansion or provision of improved facilities to an existing houses owned by an employee the disbursements may be made on the same basis as in sub-regulation.
- (d) The employee who drawn advance for the purchase of conveyance is expected to complete his negotiations for the purchase and pay finally for the conveyance within two months of the date on which he draws the advance failing which full amount of advance drawn period shall be refunded immediately thereafter. This condition may, however, be relaxed by the MD in suitable cases.

**93. SECURITY FOR THE ADVANCE**

- (a) The employee who is sanctioned advance for any of the purposes referred to in Regulation 89 (a), (b), (c) or (d) shall be required to mortgage or hypothecate as the case may be, by way of security to the Nigam the acquisitions made out of the amounts of such advance.
- (b) The properties purchased with the advance will remain mortgaged or hypothecated to the Nigam until the advance with interest accrued thereon is fully repaid.

**94. AGREEMENT**

- (1) The employee who is sanctioned advance shall be required to give an agreement to abide by such terms and conditions as may be specified.
- (2) An employee who is sanctioned advance shall have to furnish undertaking in writing that in the event of his death, resignation, premature retirement etc. the balance of the amount of the advance outstanding against him can be deducted from the amount of gratuity and any other dues outstanding with the Nigam before it is paid to his heirs or nominees etc. as the case may be.

**95. INSURANCE**

The employee who is sanctioned advance for the purpose referred to in Regulation 89 (b), (c) & (d) shall be required to get the acquisitions made out of the amount of such advance, adequately insured against fire or theft and damage by accidents within one month of acquisition. The employee will be further required to ensure that the insurance policies retained by the Nigam are renewed from year to year so long as any part of the principal sum or interest thereon remains payable. When the advance is fully repaid together with the interest accrued thereon, the mortgage bond may be returned to the employee, with the endorsement that the advance together with interest has been fully repaid by him.

The amount for which the acquisitions are insured at any time shall not be less than the amount due from an employee by way of principal and interest.

**96. TRANSFER OF PROPERTY**

The property acquired out of an advance under these regulations shall not be transferred so long as any dues towards advance remain outstanding without the prior written consent of the Managing Director. Any breach or default of this regulation shall entitle the Nigam to recover the whole outstanding advance together with interest at once.

**97. EXPENSES FOR ADVANCE**

All costs, charges or expenses arising out of the advance or mortgage shall be borne by the employee concerned.

**98. REPAYMENT OF ADVANCE**

- (1) The advance for acquisition of a plot of land together with interest thereon shall be recovered in not more than 50 monthly installments to commence from the month following that in which the advance is drawn.
- (2) The advance sanctioned for the purpose of construction or purchase of a house and for additions and alterations to a building already owned by an employee

together with interest shall be repaid in full by not more than 180 monthly installments as under:

- (a) Installments towards the repayment of principal shall be paid every month spread over a period not exceeding 120 months.
- (b) Installments towards the payment of interest shall be payable thereafter every month spread over a period not exceeding 60 months.

The monthly installments towards the repayment of principal shall commence from the month following the month in which such work of construction, extension etc. is completed or 18 months after the month during which the first installment of advance was drawn, whichever is earlier.

- (3) The installments towards the repayment of advance drawn for the purpose of acquisition of ready built house shall commence from the month following that in which the advance is drawn.
- (4) The total period of repayment shall be so fixed that it does not extend beyond the date of superannuation or retirement of the employee concerned.

Provided, however, that when late of superannuation or retirement of an employee falls within a period of 15 years from the date of advance and the employee so desires and agrees for the incorporation of a suitable clause in the agreement for the recovery of the balance amount of advance together with interest, from the amount of provident fund and/ or gratuity payable to him, he may be permitted to pay the installments during the period of his service at a rate at which he would have paid had the advance been repayable within the maximum period admissible.

- (5) Recovery in case of advance for purpose mentioned in regulation 87 (c) and (d) shall be effected in eighty and fifty monthly installments respectively and will commence from the month following that in which the advance is drawn.
- (6) Advance sanctioned for the purchase of a bicycle shall be recoverable in not more than 20 monthly installments. The repayment to commence from the month following that in which the advance is drawn.
- (7) The grain advance shall be recovered in 10 equal monthly installments commencing from the month following that in which such advance was drawn.
- (8) Advance shall not ordinarily be sanctioned for purchase of car or motor cycle/scooter more than once to any employee.
- (9) A second advance for purchase of cycle shall ordinarily be sanctioned only after a period of 5 years from the draw of first such advance and only after the first advance and interest has been fully recovered.
- (10) Any grain advance in the subsequent year shall not be admissible unless the principal amount together with interest thereon has been fully repaid.

**99. TOUR ADVANCE**

- (1) Advance for journey on tour may be paid to the employee to enable to meet the probable expenses on tour. The amount of such advance shall be equal to 80% of the probable amount of traveling allowance which may be admissible to the employee for such tour.
- (2) The tour advance shall be adjusted from the travelling allowance bill, ordinarily in the immediately following month and balance, if any should be deducted from the next salary.



- (3) No tour advance shall ordinarily be allowed unless an advance drawn in last month has been fully adjusted or repaid in cash.

**100. ADVANCE ON TRANSFER**

- (1) When an employee is transferred from one place to another in the interest of the Nigam he may be allowed advance equal to one month's pay in addition to 80% of the probable amount of travelling allowance admissible to him on transfer.
- (2) The amount of advance paid under sub-regulation (1) shall be recovered in the following manner -
- (a) The amount of pay advance shall be recovered in three equal monthly installments, the first installment being recovered from the next month's pay.
- (b) The amount of TA advance on transfer shall be adjusted in the transfer TA bill submitted by the employee and the balance amount shall be recovered from his pay in one installment. If the employee has not submitted his travelling allowance bill within a period of three months from the date of advance, the whole amount of advance shall be recovered from his pay in three equal monthly installments.

**101. FESTIVAL ADVANCE**

- (a) All employees in category III or IV may be granted festival advance of a sum not exceeding Rs. 500/- once during every calendar year
- (b) The advance shall be recovered in ten equal monthly installments from the pay for the month following that in which the advance was drawn.
- (c) A second festival advance shall not be admissible, unless the advance taken by the employee on any previous occasion has been repaid in full.
- (d) The festival advance admissible under this regulation may be drawn only on the following festivals.
- (a) Republic Day & Independence Day
- (b) Diwali, Holi & Dassara
- (c) ID
- (d) Christmas
- (e) Advance will not be granted earlier than 15 days before the festival.
- (f) An employee may be permitted to refund the advance in lesser number of installment than provided in these regulations.

**102. MINOR PURCHASE ADVANCE**

The head of office may permit the payment of a temporary advance of such an amount not exceeding Rs. 500/- as may be considered necessary, to any employee who is entrusted with the duty of minor purchases etc. for the office. This may be reimbursed so that advance continues with him. However, no advance under this regulation shall remain outstanding on the 30th June of any year.

\*\*\*

**CHAPTER - V**

**LEAVE**

103. Kinds of leave
104. Leave Salary
105. Earned leave
106. Calculation of Earned leave
107. Half pay leave
108. Commuted leave
109. Leave not due
110. Extraordinary leave
111. Maternity leave
112. Leave salary overdrawn
113. Leave of a probationer
114. Surrender and Encashment
115. General conditions governing grant of leave
116. Casual leave
117. Special casual leave
118. Casual leave for sterilisation operation
119. Casual leave not to be combined with any other leave
120. Public holidays not to count for casual leave
121. Maximum amount of casual leave admissible
122. Application for grant of CL.

**CHAPTER - V**

**LEAVE**

**Section-I - Leave Other Than Casual Leave**

**103. KINDS OF LEAVE**

Subject to the provisions of these regulations, an employee shall be entitled to the following kinds of leave.

- (a) Earned leave
- (b) Half pay leave
- (c) Commuted leave
- (d) Leave not due
- (e) Extraordinary leave
- (f) Maternity leave.

**104. LEAVE SALARY**

- (1) An employee who proceeds on earned leave is entitled to leave salary equal to the pay drawn immediately before the day proceeding on earned leave.
- (2) An employee on half pay leave or leave not due is entitled to leave equal to half the amount specified in sub-regulation (1).
- (3) An employee on commuted leave is entitled to leave salary equal to the amount admissible under sub-regulation (1).
- (4) An employee on extra-ordinary leave is not entitled to any leave salary.
- (5) A female employee maternity leave is entitled to leave salary equal to the amount admissible under sub-regulation (1).

**105. EARNED LEAVE**

- (1) An employee shall be entitled to 30 days earned leave in every calendar year.
- (2) The leave account of every employee shall be credited with earned leave in advance in two installments of 15 days each on 1st January and 1<sup>st</sup> July every year.
- (3) The leave at the credit of an employee at close of the previous half year shall be carried forward to the next half year subject to the condition that the leave so carried forward plus the credit for the half year do not exceed the maximum limit of 180 days.
- (4) A period spent on foreign service shall count as duty for purpose of this rule, if contribution towards leave salary is paid on account of such period.
- (5) The maximum earned leave that may be granted at a time to an employee shall be 120 days.

**106. CALCULATION OF EARNED LEAVE**

- (1) Earned leave shall be credited to the leave account of a newly appointed employee at the rate of 2 1/2 days for each completed calendar month of service which he is likely to render in a half year to the calendar in which he is appointed.
- (2) (a) The credit for the half year in which an employee is due to retire on resigns form the service shall be afforded only at the rate of 2 1/2 days per completed calendar month upto the date of retirement or resignation.

- (b) When an employee is removed or dismissed from service or dies while in service, credit of earned leave shall be allowed at the rate of 2<sup>1</sup>/<sub>2</sub> days per completed calendar month in which he is removed or dismissed from service or dies in service.
- (3) If an employee has taken extra-ordinary leave in a half year the credit to be afforded to his earned leave account at the commencement of the next half year shall be reduced by 1/10th of the period of extraordinary leave subject to a maximum of 15 days.
- (4) While affording credit of earned leave, fractions of a day shall be rounded off to the nearest day i.e. fraction below half should be ignored and that of half or more should be reckoned and as a day.

**107. HALF PAY LEAVE**

- (a) An employee shall be entitled to half pay leave of 20 days in respect of each complete year of service.  
Note: Completed year of service means continuous service for one year under the Nigam and includes period spent on duty as well as leave including half pay leave and extra-ordinary leave.
- (b) The half pay leave due may be granted to an employee on medical certificate or on private affairs. Such leave on medical certificate shall be given on production of a medical certificate from such medical authority as the Nigam may prescribe in this behalf and for a period not exceeding that recommended by the medical authority. Such medical leave shall not be granted unless the authority competent to sanction leave is satisfied that there is a reasonable probability that the employee will be fit to return to duty on its expiry. Half pay leave on private affairs also shall be granted unless the authority competent to sanction leave has reason to believe that the employee will return to duty on its expiry or unless it is included in the grant of leave expressed to be preparatory to retirement.

**108. COMMUTED LEAVE**

- (1) Commuted leave not exceeding half the amount to half pay leave due may be granted on medical certificate only to an employee subject to the following conditions.
  - (i) When commuted leave is granted twice the amount of such leave shall be debited against the half pay leave due.
  - (ii) No commuted leave may be granted unless the authority competent to sanction leave has reason to believe that the employee will return to duty on its expiry.
  - (iii) Commuted leave shall not be granted preparatory to retirement.
  - (iv) Half pay leave upto maximum of 180 days may be commuted during entire service (without production of medical certificate) where such leave is utilised for an approved course of study certified to be in the Nigam's interest by the leave sanctioning authority.
- (2) Where an employee who has been granted commuted leave resigns from service or at his request is permitted to retire voluntarily without returning to duty, the commuted leave shall be treated as half pay leave and the difference between the leave salary in respect of commuted leave and half pay leave shall be recovered;

provided that no such recovery shall be made if the retirement is by reason of ill-health incapacitating the employee for further service or in the event of his death.

**109. LEAVE NOT DUE**

- (1) Save in the case of leave preparatory to retirement, leave not due may be granted to an employee subject to the following condition:
  - (a) The authority competent to grant leave is satisfied that there is reasonable prospect of the employee returning to duty on its expiry.
  - (b) Leave not due shall be limited to the half pay leave he is likely to earn thereafter.
  - (c) Leave not due during the entire service shall be limited to maximum of 360 days, out of which not more than 90 days at a time and 180 days in all may be granted otherwise than on medical certificate.
  - (d) Leave not due shall be debited against the half pay leave the employee may earn subsequently.
- (2)
  - (a) Where an employee who has been granted leave not due resigns from service or at his request permitted to retire voluntarily without returning to duty, the leave not due shall be cancelled, his resignation or retirement taking effect from the date on which such leave had commenced, and the leave salary shall be recovered.
  - (b) Where an employee who having availed himself of leave not due, returns to duty but resigns or retires from service before he has earned such leave he shall be liable to refund the leave salary to the extent the leave has not been earned subsequently. Provided that no leave salary shall be recovered under clause (a) for clause (b) if the retirement is by reason of ill health incapacitating the employee for further service or in the event of his death.

**110. EXTRAORDINARY LEAVE**

- (1) Extraordinary leave may be granted to an employee in special circumstances-
  - (a) When no other leave is admissible
  - (b) When other leave is admissible, but the employee applied in writing for the grant of extraordinary leave.
- (2) Unless the Managing Director in view of the exceptional circumstances of the case otherwise determines, no employee, who is not confirmed, shall be granted extraordinary leave on any one occasion in excess of the following limit.
  - (a) Upto 3 months (without medical certificate)
  - (b) Upto 6 months with medical certificate for common ailments, where the employee has completed one year's continuous service on the date of expiry of leave of the kind due and admissible under these rules, including three months extraordinary leave under clause (a) and his request for such leave is supported by a medical certificate as required by these rules.
  - (c) Upto eighteen months where the employee who has completed one year's continuous service is undergoing treatment for-

- (i) Cancer, or for mental illness, in an institution recognised for the treatment of such disease or by a Civil Surgeon, Staff surgeon or a specialist in such disease.
- (ii) Pulmonary tuberculosis or Pleurisy of tubercular origin, in a recognised sanatorium.

Note: The concession or extraordinary leave upto 18 month shall be admissible also to an employee suffering from pulmonary tuberculosis or pleurisy of tubercular origin who receives treatment at his residence under a tuberculosis specialist recognised as such by the Nigam and produces a certificate signed by that specialist to the effect that he is under his treatment and that he has reasonable chance of recovery on the expiry of the leave recommended.

- (iii) Tuberculosis of any other part of the body by a qualified tuberculosis specialist or a specialist in leprosy hospital recognised as such by the Nigam.
  - (iv) Leprosy in recognised leprosy institution or by a Civil surgeon or staff surgeon or a specialist in leprosy hospital recognised as such by the Nigam.
- (d) Twenty four months where the leave is required for the purpose of studies certified to be in the Nigam's interest, provided the employee has completed three years continuous service on the date of expiry of leave of the kind due and admissible under the regulations (including three months extraordinary leave under sub-regulation (2) (a) above) and executes a bond to serve the Nigam for a period of three years after return to duty, failing which, he would be required to pay a penalty of Rs. 1000/-.
- (3) The authority competent to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.
  - (4) No extraordinary leave beyond the period of four months in one spell shall be sanctioned to an employee, whether temporary or confirmed, without prior concurrence of the Managing Director.

### **111. MATERNITY LEAVE**

A female employee may be granted maternity leave by an authority competent to grant leave for a period which may extend upto the end of 90 days from the date of its commencement. In the case of 'abortion' or 'miscarriage' maternity leave may also be granted to a female employee; but the extent of the leave granted should be limited to the period recommended by the appropriate medical authority, subject to a maximum of six weeks from date of occurrence of the event, provided that no leave under this rule shall be granted to a female employee who has three or more surviving children.

Note: The abortion induced under Medical Termination of Pregnancy Act 1971, should also be considered as a case of abortion for the purposes of this rule.

- (1) Such leave is not debited against the leave account.
- (2) Maternity leave may be combined with leave of any other kind, but any leave applied for in continuation should be supported by a medical certificate.
- (3) Leave in continuation of maternity leave may also be granted in case of illness of a newly born baby, subject to the production of medical certificate to the effect that the condition of the ailing baby warrants mother's personal attention and that her presence by the baby's side is absolutely necessary.

**112. LEAVE SALARY OVERDRAWN**

- (1) (a) If, in the case of an employee who retires or resigns from service, the leave already availed of is more than the credit so due to him, necessary adjustment shall be made in respect of leave salary, if any overdrawn.
- (b) Where the quantum of earned leave already availed by an employee, who is dismissed or removed from service or who dies while in service, is in excess of the leave credited under clause (2) (b) of regulation 95, the over payment of leave salary shall be recovered.
- (2) In the case of a person to whom the employees State Insurance Act. 1984 applies, levy salary admissible during leave, other than earned leave, shall be reduced by the amount of benefit admissible under the said Act for the corresponding period.

**113. LEAVE OF A PROBATIONER**

- (1) (a) A probationer shall be entitled to leave under these regulations as if he has held his post substantively.
- (b) If, for any reason, it is proposed to terminate the services of a probationer, any leave which may be granted to him shall not extent-
  - (i) Beyond the date on which the probationary period as already sanctioned or extended expires, or
  - (ii) Beyond any earlier date on which his services are to be terminated by the order of an authority competent to appoint him.
- (2) An apprentice shall be entitled to -
  - (a) Leave, on medical certificate, on leave salary equivalent to half pay for a period not exceeding one month in any year of apprenticeship.
  - (b) Extraordinary leave under regulation 110.

**114. SURRENDER AND ENCASHMENT**

An employee shall be entitled to surrender earned leave and to encase it in the following manner-

- (1) An employee while in the service of the Nigam may encase earned leave at his credit to a maximum of 30 days during a period of 24 months or may at his option, encase 15 days earned leave during a period of 12 months. The maximum number of days that may be surrendered and encased at any time shall not exceed 30 days irrespective of the gap period between two encasements.
- (2) If an employee surrenders any period of earned leave and simultaneously proceeds on earned leave the total of earned leave availed and the period of earned leave surrendered shall not exceed 120 days.
- (3) At the time of superannuation, an employee shall be entitled to encase the earned leave at his credit subject to a maximum of 180 days.
- (4) An employee who is permitted to surrender earned leave under this regulation shall be entitled to leave salary for the period of earned leave surrendered by him at the rate at which leave salary would have been admissible to him had he proceeded on earned leave on that date.
- (5) The leave salary for surrendered leave shall not be subject to any deductions on account of repayment of advance or house rent.

- (6) The period of earned leave surrendered should be entered in the service book and also a debit in the leave account should be made as soon as the surrender of earned leave is sanctioned. A certificate to the effect that the necessary entries have been made in the service book and the leave account shall be furnished by the drawing officer in the bill in which the leave salary for the surrender of leave is drawn.
- (7) In respect of compulsory retirement on health ground see Rule 29(2).

**115. GENERAL CONDITIONS GOVERNING GRANT OF LEAVE**

Following general conditions are laid down for grant of leave of any kind-

- (1) Leave cannot be claimed as a matter of right the competent authority reserves the right to refuse leave applied for , in the interest of work.
- (2) No employee shall be granted any leave for a period exceeding the limit specified in the Regulations Governing the grant of such leave.
- (3) An employee has to apply for grant of leave well in advance, unless the necessity of proceeding on leave could not be foreseen. Normally, an application for earned leave or leave on behalf pay without medical certificate should be submitted one month earlier from the date of anticipated leave. The competent authority may condone the delay, if it is satisfied that the reason advanced is genuine.
- (4) Prefixing and suffixing holidays to any kind of leave shall be allowed automatically.
- (5) If any employee is recalled to duty before the expiry of earned leave or half pay leave sanctioned to him, he shall be paid the actual expenses incurred by him for is own journey from the place of leave to headquarter by such class of accommodation to which he is entitled while on tour. The balance of leave unavailed shall be credited to is account.s

**Section-II**

**116. CASUAL LEAVE**

Casual leave not exceeding 13 days in a calendar year may be sanctioned to an employee by the competent authority. If an employee by the competent authority. If an employee joins his duties in the middle of a calendar year, the authority competent to grant casual leave may sanction him casual leave on proportionate basis.

**117. SPECIAL CASUAL LEAVE**

Special casual leave may be sanctioned to an employee who is requested to attend/participate in-

- (1) Any seminar
- (2) Sports at district level and above
- (3) The meeting of the union, by the office bearers i.e. president, secretary and treasurer in their personal capacity but which is connected with the affairs of the Nigam. The period of special casual leave for these purpose will be equal to actual number of days required for attending such seminar/sports, union meeting including the journey period. An employee shall have no right to the grant of special casual leave and it shall be at the discretion of the competent authority.



**118. CASUAL LEAVE FOR STERILISATION OPERATION**

An employee may be sanctioned special casual leave for six days to enable him to undergo sterilisation operation (vasectomy or salpingectomy) under the family planning programme. The period of such leave may be increased in case it is certified by the medical authority that the operation has caused complications with the result that the employee is not fully recovered for attending to his duties. Such extension of special casual leave shall not exceed a further period of six days.

**119. CASUAL LEAVE NOT TO BE COMBINED WITH ANY OTHER LEAVE**

Casual leave cannot be combined with any other kind of leave.

**120. PUBLIC HOLIDAYS NOT TO COUNT FOR CASUAL LEAVE**

Public holidays can be prefixed or suffixed to the casual leave or special casual leave sanctioned to an employee and these public holidays which fall in the period of casual leave and special leave, shall not be reckoned as part of such leave.

**121. MAXIMUM AMOUNT OF CASUAL LEAVE ADMISSIBLE**

An employee can take at a time not more than eight days casual leave. The competent authority may in cases of hardship of genuine nature grant casual leave beyond eight days but not exceeding the maximum amount admissible under regulation 116.

**122. APPLICATION FOR GRANT OF CL.**

Except in unforeseen circumstances, an employee shall proceed on casual leave only after it has been sanctioned in advance. In unforeseen circumstance, he should immediately apply for casual leave, while he proceeds on casual leave but shall have to join his duties immediately, if the casual leave applied for is not sanctioned to him, Non compliance of the order of the sanctioning authority shall amount to misconduct on his part and the employee shall be liable to disciplinary action.

\*\*\*

**C H A P T E R - V I**  
**PENALTIES AND PROCEDURE**

- 123. Breach of regulations
- 124. Suspension
- 125. Penalties
- 126. Disciplinary authority
- 127. Authority to institute disciplinary action
- 128. Procedure for awarding minor penalties
- 129. Procedure for awarding major penalties
- 130. Action on the enquiry report
- 131. (a) Final orders  
(b) Communication of orders
- 132. Period of major penalty action
- 133. Common proceedings
- 134. Special procedure in certain cases
- 135. Appeals
- 136. Orders against which appeal lies
- 137. Appellate authority
- 138. Period for appeal
- 139. Procedure for appeal
- 140. Consideration of appeal
- 141. Review
- 142. Implementation of order in appeals, and review
- 143. Service of notice
- 144. Condonation of delay
- 145. Recording of statement of witnesses
- 146. Appointing authority and disciplinary authority

**CHAPTER - VI**  
**PENALTIES AND PROCEDURE**

**123. BREACH OF REGULATIONS**

A breach of any of these service regulations by an employee shall amount to misconduct and render him liable for disciplinary action.

**124. SUSPENSION**

- (1) Having regard to the nature of the charges and the circumstances in any case, the competent authority pending the holding of a departmental enquiry, may suspend an employee.
- (2) An employee in respect of, or against whom an investigation, inquiry or trial relating to a criminal charge or proceeding for debt is pending and is under police detention or conviction by a court, for a period exceeding forty-eight hours, shall be deemed to be under suspension from the time of arrest. Specific orders to this effect, should be issued accordingly.
- (3) The competent authority may direct that the employee who has been placed under suspension, shall report daily to any particular office or office during the period of suspension.

**125. PENALTIES**

The following penalties may, for good and sufficient reason and as hereinafter provided, be imposed on an employee, namely:

**Minor Penalties**

- (i) Fine for class II & IV only and upto Rs. 100/- only.
- (ii) Censure
- (iii) With holding promotion
- (iv) Recovery from pay, of the whole, or part of any pecuniary losses, caused by him to the Nigam by negligence or breach of orders.
- (v) With-holding of increments of pay without cumulative effect and stagnation increments.

**Major Penalties**

- (vi) Withholding of increments with cumulative effect.
- (vii) Reduction to a lower stage in the same time scale of pay for a specified period, with further directions above increment of pay during the period, with further directions above increments of pay during the period of such period, the reduction will or will not have the effect of postponing future increments of his pay
- (viii) Reduction to a lower time scale of pay, grade or post with further directions regarding conditions o restoration to the grade or post form which the employee was reduced and his seniority and pay on such restoration to that grade or post.
- (ix) Removal from service

**Explanation**

The following shall not amount to a penalty within the meaning of this regulation, namely:

- (1) Suspension

- (2) Withholding of increments of pay of an employee for his failure to pass any departmental examination in accordance with the terms of his appointment of the rules and orders applicable to the grade or category of employees to which he may belong.
- (3) Stoppage of an employee at the efficiency bar in the time-scale of pay on the ground of his unfitness to cross the bar.
- (4) Non-promotion of an employee, whether in a substantive or officiating capacity, after consideration of his case, to a higher post or grade.
- (5) Reversion of an officiating employee to a lower post grade on the ground that he is considered to be unsuitable for such higher post or grade on any administrative ground.
- (6) Reversion of probationer or a promote to his permanent post or grade, during or at the end of the period of probation in accordance with the terms of his appointment or promotion or the rules, orders or regulations governing such probation.
- (8) Termination of the service -
  - (a) due to abolition of posts
  - (b) of an employee appointed on probation during or at the end of the period of his probation, in accordance with the terms of his appointment or the rules or regulations or orders governing such probation; or
  - (c) of a temporary employee appointed until further orders within 3 months of his appointment on the ground that his services are no longer required; or
  - (d) of an employee who has been employed under an agreement, in accordance with the terms of such agreement.

**126. DISCIPLINARY AUTHORITY**

- (1) Appointing authorities and disciplinary authorities will be as given in the schedule.
- (2) Only the appointing authority may impose major penalties specified in the regulation above.
- (3) Minor penalties may be awarded by the authority immediately next below the appointing authority.
- (4) The Board may delegate to any authority, powers to award penalty on any employee or category of employee.

**127. AUTHORITY TO INSTITUTE DISCIPLINARY ACTION**

- (a) Authority which is competent to impose any penalty on an employee under these regulations may institute disciplinary proceedings against such employee. An authority competent under these regulations to impose any minor penalties may institute disciplinary proceedings against an employee for the imposition of any of the major penalties specified in regulation 125 but order of punishment shall be decided and passed only by the authority which is competent to inflict such punishment.

- (b) The board or any other authority empowered by it by general or special order may institute disciplinary action against an employee.

## 128. PROCEDURE FOR AWARDING MINOR PENALTIES

Looking to the circumstances and gravity of the case if any of the minor penalties are to be awarded to an employee, the following procedure should be adopted by the disciplinary authority.

- (1) The employee should be served with a show cause notice informing him of the proposal to penalise him with a minor penalty (and specifying the same) along with the statement of charge is of misconduct and the statement of relevant facts forming the basis of charges.

He should be given a reasonable opportunity of defending himself and to show cause within 10 days in receipt of notice why he should not be awarded the proposed penalty.

- (2) After the employee has submitted a defence reply if he fails to do so within specified period, the competent authority shall decide and record whether a further brief enquiry is necessary in the case, and if yes, to what extent and in what manner it is to be done to arrive at the facts. The competent authority will then proceed to do such enquiry himself or get it done.

(3) **Finding and orders**

Then the competent authority after consideration of

- (i) the show cause notice
- (ii) the statement of charge and the facts on which the charge are based.
- (iii) defence reply
- (iv) record of enquiry, if any.

Record findings on each article of charge and pass orders on findings.

- (4) Record of proceeding will include (i) to (iv) of sub-regulation (3), findings and orders.

(5) **Communication of orders**

Proceedings and orders passed by the competent authority shall be communicated to the employee.

- Note:** 1. Provided that in case of employees on deputation, copy of the show cause notice for minor penalty shall be sent to Head of the Department and the final order for penalty shall be issued only after concurrence of the Head of the Department.
2. Disposal of a minor penalty case should not ordinarily take more than 30 days.

## 129. PROCEDURE FOR AWARDING MAJOR PENALTIES

Looking to the circumstances and gravity of the case, if it is proposed to award any of the major penalties, it may be done only after an enquiry is held in the following manner:

- (1) The disciplinary authority shall draw up -
- (a) The substance of the imputations of misconduct into definite and distinct articles of charge.
  - (b) A statement of all relevant facts including admissions made by the employee on which charges are based.

- (2) The competent authority shall issue the said charges, the statement of facts and a list of documents and witness and shall require the employee to submit within 10 days of the receipt of charges, a written statement in his defence and to state whether he desires to be heard in person.  
Provided that in case of employee on deputation, the copy of the charge sheet shall also be sent to Head of the Department.
- (3) (a) on receipt of the written statement of defence, the competent authority may itself enquire into such of the articles of charge, as are not admitted, or appoint an enquiring authority for that purpose and where all the articles of charge have been admitted by the employee, shall record its findings on each charge after taking such evidence as it may think fit.  
(b) If no written statement is submitted by the employee, within the stipulated time, the competent authority may itself enquire into the articles of charge or may appoint an inquiring authority for the purpose.  
(c) The competent authority may, by an order appoint an employee to be known as the 'Presenting officer' to present on its behalf the case in support of the article of charge.
- (4) The competent authority shall forward to the enquiring authority-  
(a) A copy of the articles of charge and the statement of facts on which the charges are based.  
(b) A copy of the written defence, if any, submitted by the employee.  
(c) Evidence, showing the delivery of the documents referred to in sub-regulation (1) to the employee.  
(d) A copy of the order appointing a 'Presenting officer'
- (5) The employee shall be required to appear in person before the inquiring authority on such day and at such time as the enquiring authority may, by a notice in writing specify in this behalf.
- (6) The employee may take the assistance of a fellow employee to present the case on his behalf, but shall not be allowed to engage a legal practitioner.
- (7) When the employee appears before the enquiring authority such authority shall ask him whether he is guilty of any of the articles of charge the inquiring authority shall record the plea, sign the record and obtain the signature of the employee therein.
- (8) The inquiring authority shall return a finding of guilt in respect of those articles of charge to which the employee pleads guilty.
- (9) If the employee fails to appear within specified period or refuse or omits to plead, the Enquiry Officer should order that:  
(a) The employee may inspect within 7 days the documents specified in the document list in the charge sheet and may prepare his defence.  
(b) The employee may submit a list of his defence witnesses if any.
- Note:** If the employee applies to see or make copies of some specific documents shown in the document list, the Enquiry Officer should permit him to take abstract or make copies with a pencil only within a short period. A helper or a steno may be allowed, if necessary.
- (10) If the employee applies for the production of some specific document not listed in charge sheet document list, in possession of Nigam, the Enquiry Officer shall

examine the relevance and importance and the feasibility of getting such documents and may either refuse the requisition or call for the document from the concerned authority.

**Note:** The Enquiry Officer on his own, may also call for certain unlisted documents, if considered necessary.

The authority may for reasons to be recorded refuse production of such document if it is against the interest of Nigam of the state Govt.

- (11) After the disposal of sub-regulation (9) whether availed, refused or omitted by the employee and of sub-regulation (10) the Enquiry Officer should ask presenting officer to proceed with his case.
- (12) On the date fixed for the enquiry , 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 competent authority. The witnesses shall be examined by the presenting officer and may be cross examined by or on behalf of the employee. The Presenting officer shall be entitled to re-examine authority may also put such questions to the witnesses as it thinks fit.
- (13) Before the close of the case on behalf of the disciplinary authority, the inquiring authority may in its discretion, allow the Presenting officer to produce evidence not included in the list given to the employee or may itself call for new evidence or recall and re-examine any witness or witnesses but in such a case the employee shall also be given a copy of the list of further evidence proposal to be produced.
- (14) After the case is closed by Presenting officer, the inquiring authority shall give the employee, an opportunity of inspecting such documents before they are taken or record. The inquiring authority may also ask the employee to produce additional evidence, if it is of the opinion that the production of such evidence is necessary in the interest of justice.
- (15) When the case for the prosecution is closed, the employee shall be required to state his defence in made orally, it shall be recorded and the employee shall be required to sign the record. In either case a copy of the statement of defence shall be given to the Presenting officer.
- (16) The evidence on behalf of the employee shall then be produced. The employee may examine himself, if he so prefers. The witnesses for the employee shall then be examined and shall be liable for cross examination, re-examination and also examination by the inquiring authority as provided earlier.
- (17) The expenses of the witnesses called to give evidence against the employee charged shall be borne by the Nigam, and the expenses of the witnesses called by, or at the instance of the employee charged , shall be borne by the employee.  
Provided that the Nigam may bear the whole or part of the cost on account of witnesses called by, or at the instance of the employee if the Enquiry officer so recommends.
- (18) After the completion of the production of evidence if they so desire the Enquiry officer may hear the presenting officer, and the employee or his helper or permit them to file written briefs of their respective cases.
- (19) If the employee to whom of the articles of charge has been delivered, does not submit the written statement of defence on or before the dates specified for the purpose or does not appear in person before the inquiring authority or otherwise

fails or refuses to comply with the provisions of the regulations the inquiring authority may hold enquiry ex-part

- (20) If in the opinion of the inquiring officer the proceedings of the inquiring establish an article of charge deferent form the original article of charge, it may record its findings on such articles of charges.
- (21) **Enquiry Report**  
After the conclusion of the inquiry, a report shall be prepared by the Enquiry officer and it shall contain:
- (a) The articles of charges and the statement of facts on which charges are based.
  - (b) The defence of the employee in respect of each articles of charge;
  - (c) The findings on each articles of charge and the reasons therefor.
- (22) Whenever any inquiring authority after having heard and recorded the whole or any part of the evidence if any inquiry is unable to continue the enquiry for any reason, whatsoever, another inquiring authority shall be appointed who may proceed further on the evidence already recorded or partly recorded by its predecessor  
Provided that if if the succeeding inquiry authority may recall, examine, cross-examine and re-examine any such witnesses as hereinbefore provided; if necessary.
- (23) The inquiring officer (where it is not itself the competent authority) shall forward to the competent authority the records of enquiry which shall conclude:
- (a) The enquiry report prepared by it
  - (b) The written statement of defence if any submitted by the employee
  - (c) The oral and documentary evidence produced in the course of the enquiry
  - (d) Written briefs, if any filed by the Presenting officer or the employee or both during the course of the enquiry and,
  - (e) The orders if any, passed by the competent authority and the inquiring authority himself in regard to the enquiry.

### **130. ACTION ON THE ENQUIRY REPORT**

- (1) The disciplinary authority may reasons to be recorded in writing remit the case to the inquiring authority for further inquiry and report.
- (2) If the disciplinary authority does not agree with the findings of the inquiring authority on any article of charge, it shall record its own findings on such charge and attach it to the enquiry report.
- (3) If the disciplinary authority having regard to its findings on all or any of the articles is of the opinion that any of the minor penalties should be imposed on the employee, it shall notwithstanding anything contained in any regulation make an order imposing such penalty. If it is of the opinion that a major penalty should be awarded, it should send the case to appointing authority.
- (4) If the appointing authority is of the opinion that any of the major penalties should be imposed on the employee, it shall-
  - (a) give the employee a show cause notice stating the penalty proposed to be imposed on him and calling upon him to submit within seven days, why such penalty should not be awarded.



- (b) Furnish to the employee a copy of the report of such inquiry authority and a statement of its findings on each article of charge together with its own findings in disagreement with the findings of the inquiring authority, if any along with show cause notice.

**(A) FINAL ORDERS**

The competent authority shall consider the representative, if any made by the employee and examine the whole case in detail. Thereafter the authority shall draw proceedings and make such orders as it may deem fit.

**(B) COMMUNICATION OF ORDERS**

Proceedings and orders passed by the competent authority shall be communicated to the employee along with a copy of the enquiry report and findings together with findings of dissent, if any, and acknowledgement obtained.

**131. PERIOD OF MAJOR PENALTY ACTION**

A major penalty case should ordinarily not take more than three months time. In case more time is required, Enquiry officer should inform the appointing authority about the extra period required alongwith justification.

**132. COMMON PROCEEDINGS**

Where two or more employees are concerned in any case, the authority competent to impose major penalty to all such employee may direct that disciplinary action against all of them may be taken in common proceedings.

**Note:** If the authorities competent to impose major penalty on such employee are different , an order may be made by the highest of such authorities.

**133. SPECIAL PROCEDURE IN CERTAIN CASES**

Notwithstanding anything contained in these regulations-

- (i) Where misconduct on an employee has led to his conviction on a criminal charge or
- (ii) Where the disciplinary authority is satisfied for reasons to be recorded in wringing that it is not reasonably practicable to hold an enquiry in the manner provided in these regulations.
- (iii) Where the appointing authority is satisfied that in the interest of the Nigam, it is not expedient regulations; the competent authority may, after taking into consideration the circumstances of the case make such orders thereon as it may deem fit.

**134. APPEALS**

Not withstanding anything contained in these regulations no appeal shall lie against-

- (i) Any order made by the Board;
- (ii) Any order of an interlocutory nature or of the nature of a step in aid for the final disposal of disciplinary proceedings.
- (iii) Any order of fine upto Rs. 50/-
- (iv) Any order passed by an inquiring authority in the course of an inquiry under regulation 130 (10).

### 135. ORDERS AGAINST WHICH APPEAL LIES

Subject to the provisions of regulation 135, an employee may prefer an appeal against all or any of the following orders, namely;

- (i) Recovery from pay of whole or part of pecuniary loss caused to the Nigam by negligence or breach of orders, if the amount of such loss exceeds Rs. 50/-.
- (ii) An order imposing any of the penalties specified in regulation 126 whether made by the competent authority or by appellate authority or reviewing authority.
- (iii) An order enhancing any penalty imposed under regulation 126.

**Explanation:** In this regulation the expression 'employee' include a person who has ceased to be in the service of the Nigam.

### 136. APPELLATE AUTHORITY

- (1) A Nigam employee including a person who has ceased to be in the service of the Nigam may prefer an appeal against all or any of the orders specified in regulation 136 to the authority specified in this behalf by a schedule or order of the Board or where no such authority is specified the following-
  - (i) Where the employee is or was a category I or category II employee of the Nigam:  
to the appointing authority, where the order appealed against, is made by an authority subordinate to it, or to the Board where such subordinate to it, or to the Board where such order is made by Chairman or Managing Director.
  - (ii) Where the employee is or was category III or category IV:  
to the authority, which is, immediate superior the disciplinary authority passing the order.
- (2)
  - (i) Notwithstanding anything contained in clause (i) of sub-regulation (1) an appeal against an order in common proceedings held under regulation-133 shall lie to the authority to which the authority functioning as the competent authority for the purpose of that proceedings is immediately subordinate.
  - (ii) Where the disciplinary authority who made the order appealed against the appellate authority, then the appeal shall lie to the next higher authority.

### 137. PERIOD FOR APPEAL

No appeal shall be entertained unless such appeal is preferred within a period of thirty days from the date on which a copy of the order appealed against is delivered to the appellant.

Provided that the appellate authority may entertain the appeal after the expiry of the above said period, if it is satisfied that the appellant had sufficient cause for not preferring the appeal in time.

### 138. PROCEDURE FOR APPEAL

- (1) Every employee preferring an appeal shall do so separately in his own name.
- (2) The appeal shall be presented to the authority to whom the appeal lies, a copy being forwarded by the appellant to the authority which made the order appealed against. It shall contain all material statement and arguments on which the

appellant relies. It shall not contain any disrespectful or improper language and shall be complete in itself.

- (3) Copy of every such appeal shall also be submitted to the head of the office under whom the appellant is for the time being serving.
- (4) The authority which made the order appealed against shall on receipt of a copy of appeal forward the same with his comments and relevant records to the appellate authority within 10 days and without waiting for any direction from the appellate authority.

### **139. CONSIDERATION OF APPEAL**

In the case of an appeal against an order imposing any of the penalties specified in regulation 125 or enhancing any penalty imposed under the said regulation, the appellate authority shall consider:

- (A) The comments of the disciplinary authority on appeal, if any.
- (B) Whether the procedure laid down in these regulations has been complied with, and if not, whether such non-compliance has resulted in violation of any principle of natural justice, equity and good conscience/and consequent failure of justice.
- (C) Whether the findings of the competent authority are warranted by the evidence on record; and
- (D) Whether the penalty or the enhanced penalty imposed the penalty or to any other authority with such directions as it may deem fit in the circumstances of the case.

Provided that:

- (a) If the enhanced penalty which the appellate authority proposes to impose is one of the penalties specified in clause (v) to (ix) of regulation 125 and an inquiry under regulation has not already been held in the case, appellate authority, subject to the provisions of regulation may itself hold such enquiry and direct that such enquiry is held , thereafter, on a consideration of the report of such inquiry and after giving the appellant a reasonable opportunity, as for as may be of making a representation against the penalty proposed on the basis of the evidence during such enquiry make such orders as it may deem fit;
- (b) If the enhanced penalty which the appellate authority proposed to impose is one of the penalties specified in clause (v) to (ix) of regulation 125 and an inquiry under regulation 129 has already been held in the case, the appellate authority shall after giving the appellant authority shall after giving the appellant a reasonable opportunity, as for as may be, of making representation against the penalty proposed on the basis of the evidence adduced during the enquiry, make such orders as it may deem fit.
- (c) No order imposing an enhanced penalty shall be made in any case, unless the appellant has been given a reasonable opportunity, as for as may be, making a representation against such enhanced penalty.

### **140. REVIEW**

- (1) Notwithstanding anything contained in these regulations, (i) the Board or (ii) the appellate authority, within six months of the date of the order proposed to be reviewed, or (iii) any other authority specified in this behalf by the Nigam by a general or special order and within such time as may be prescribed in such order.

May at any time either on its motion or otherwise call for the records in any inquiry and review any order made under these regulations from which an appeal is allowed but from which no appeal has been preferred or from which no appeal is allowed and may-

- (a) confirm, modify or set-aside or order, or
- (b) confirm, reduce, enhance or set-aside the penalty imposed by the order, or impose any penalty where no appeal has been preferred or
- (c) remit the case to the authority which made the order or to any other authority directing such authority to make 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 no authority will review its own judgment, &

- (2) Provided that no order imposing or enhancing any penalty shall be made by any reviewing authority unless the employee concerned has been given reasonable opportunity of making a representation against the penalty proposed and where it is proposed to impose any of the major penalties or to enhance the penalty imposed, no such penalty shall be imposed except after an enquiry in the manner laid down in regulation 129 and after giving a reasonable opportunity to the employee concerned of showing cause against the penalty imposed on the evidence adduced during the enquiry.
- (3) No proceeding for review shall be commenced until after:
  - (i) The expiry of the period of limitation for an appeal or
  - (ii) The disposal of the appeal, where any such appeal has been preferred.
- (4) An application for review shall be dealt with in the same manner as if it were an appeal under these regulations:

#### **141. IMPLEMENTATION OF ORDER IN APPEALS, AND REVIEW**

The authority which made the order appealed against or against which review petition has been filed shall give effect to the orders passed by the appellate or reviewing authority, as the case may be.

#### **142. SERVICE OF NOTICE**

- (a) Every order, notice and other process made or issued under these regulations shall be served in person on the employee concerned or communicated to him by registered post
- (b) If the employee is absent, it may be served on any adult member of his family or it may be fixed in front portion of his residence and a panchanama be recorded.
- (c) If residential address is not known, the brief articles of charge be published in news paper of the likely area, calling upon him to report and to obtain charge sheet and submit his defence statement to the (specified) authority within 15 days or else ex-parte enquiry and decision will be taken.

#### **143. CONDONATION OF DELAY**

Save on otherwise expressly provided in these regulations, the authority competent under these regulations to make any order may, for good and sufficient reasons extend the time specified in these regulations for anything required to be done under these regulations and condone any delay.

**144. RECORDING OF STATEMENT OF WITNESSE**

The statement of the witness shall be recorded either in English or in Hindi.

After the statement of a witness is recorded, it shall be read over to him and, if necessary, explained to him in the language in which it was given. It shall be corrected, if necessary, and signed by the inquiring authority, the witness and the employee charged. If the witness denies the correctness of any part of the evidence when the same is read over to him, the inquiring authority may, instead of correcting the evidence, make a memorandum thereon of the object in taken to it by the witness and may add such remarks as it thinks necessary. If the evidence is given in English and the person charged is not familiar with that language, it shall be read out and explained to him in Hindi. The employee charged may be allowed to take copies of the statement.

**145. APPOINTING AUTHORITY AND DISCIPLINARY AUTHORITY**

(a) For Nigam Employees

SI	Category & payscale	Posts	Appointing authority	Disciplinary authority next below appointing authority
I	(a) Rs. 2325-2825	All	Board	Board
	(b) Rs. 2100-2625 Rs. 1370-2100	All	Chairman	MD
II	Rs. 1150-1920 Rs. 1000-1920	Horticulturist Asst. Manager PA to MD PA to Chairman and other equivalent posts	MD	ED
III	Rs. 925-1500 to	Tech.Assistant Sr. Accountant and other equivalent posts	ED	MD
		Accountant & other equivalent posts	RGM	Dy. DM
	Rs. 485-740	Field Assit. Fieldman, LDC, Steno, Draftman, Driver and other equivalent posts except truck cleaner	RGM	Dy. DM
IV	Rs. 575-880 Rs. 400-525 Rs. 380-495	Messenger, Cleaner, Helper and other equivalent posts	DM	Dy. DM

(b) For employees on deputation

SI	Post	Disciplinary authority for suspension and issuing charged sheet under intimation to Head of Dept. for awarding minor penalty with concurrence of the Head of Dept.
1.	ACF/Forest Ranger	MD
2.	Dy. Ranger/Accountant /UDC	ED/RGM
3.	Forester, Forest Guard, UDC, Draftman, Driver, Peon	DM

**Note:** Concurrence of head of department should be sought through MD.

**Chhattisgarh Rajya Van Vikas Nigam Limited**  
**D-252-253, Sector-5, Devendra Nagar, Raipur**  
**Details of Pay Scale of category wise as on 23-06-2003**

SI	Category	Pay scale of Choudhary pay commission of 1983	Pay scale of Vora pay scale of 1987	Revised pay scale of 1990	Revised pay scale of 1998
1	I (a)	2325-2875	4500-5300	5100-5700	16400-20000
		(b) 2100-2625	3700-5000	4100-5300	14300-18300
2	II	1150-1920	1940-3300	2375-4125	8000-13500
		1000-1920	1820-3300	2000-3500	6500-10500
3	III	925-1500	1540-2740	1640-2900	5500-9000
		900-1550	1500-2680	1600-2720	5000-8000
		740-1250	1290-2050	1400-2340	4500-7000
		680-1120	1260-1860	1320-2040	4000-6000
		485-740	800-1200	950-1400	3050-4590
4	IV	575-880	975-1650	1150-1800.	3050-4590
		400-525	750-940	775-1036	2610-3540
		380-495	725-900	750-945	2550-3200

**म.प्र. पुनरीक्षित नियम 1984 के नियमानुसार संशोधित पुनरीक्षित वेतनमान की विवरण तालिका (दिनांक 01.01.1996 से प्रभावशील)**

क	विद्यमान वेतनमान	क	पुनरीक्षित वेतनमान
1	750-12-870-15-945	1	2550-55-2660-60-3200
2	775-12-871-15-1036	2	2610-60-3150-65-3540
3	825-15-900-20-1220	3	2750-70-3800-75-4400
4	950-20-1150-25-1400	4	3050-75-3950-80-4590
5	950-25-1000-30-1210-40-1530		
6	1150-30-1210-40-1450-50-1800		
7	1200-40-1440-50-2040	5	4000-100-6000
8	1320-40-1440-50-2040		
9	1400-40-1440-50-2340	6	4500-125-7000
10	1400-40-1440-50-2340-60-2640	7	5000-150-8000
11	1600-50-2300-60-2720		
12	1640-60-2600-75-2900	8	55-175-9000
13	2000-60-2300-75-3200-100-3500	9	6500-200-10500
14	2200-75-2800-100-4000	10	8000-275-13500
15	2375-75-3200-100-3500-125-4125		
16	3000-100-3500-125-4500	11	10000-325-15200
17	3000-100-3500-125-5000		
18	3200-100-3500-125-4625	12	10650-325-15850
19	3700-125-4700-150-5000	13	12000-375-16500
20	4100-125-4850-150-5300	14	14300-400-18300-
21	4500-125-4750-150-5500	15	16400-450-20000
22	5100-150-5700		
23	5900-200-6700	16	18400-500-22400

**CHAPTER - VII**

**Miscellaneous**

147. Maintenance of Service Book
148. Date of birth
149. Execution of agreement bond
150. Security deposits by employees
151. Joining time
152. Leave during joining time
153. Joining time treated as duty period
154. Annual Confidential Report
155. Communication of adverse remarks
156. Explanations
157. Provident Fund
158. Gratuity
159. Group Insurance Scheme
160. Advance increment for Family Planning Operation
161. Mercy appointment

**CHAPTER - VII**  
**MISCELLANEOUS PROVISIONS**

**146. MAINTENANCE OF SERVICE BOOK**

- (1) A service book shall be maintained for every employee. In this book, every step in the employee's official life shall be recorded and each entry shall be attested by the officer authorised for this purpose. It shall be kept in the custody of the head of the office in which the employee is attached. There shall be no erasure or over-writing, and all corrections shall be neatly made and properly attested.
- (2) In the service book at the time of first appointment full particulars of the employee like date of birth, qualifications, height, marks of identification, specimen signature, date of appointment etc, shall be signed by the employee himself. If an employee is illiterate, his left hand thumb impression (right hand thumb in case of ladies) shall be obtained. The head of the office shall attest the signature of the employee or his thumb impression, as the case may be.
- (3) In the service book, record of the following events shall be made by the head office on such occasion:
  - (a) Date and order of the first and subsequent appointment to any post, and the scale of pay etc.
  - (b) Date of joining the first and subsequent appointment, promotion, reservation etc.
  - (c) Date on which the pay of the employee is raised or reduced on account of grant of increments promotion or reservation, as the case may be.
  - (d) All kinds of leave availed of by the employee except casual leave.
  - (e) Orders regarding suspension of an employee and the date from which it takes effect the date on which it ends and subsequent order of reinstatement or revocation of suspension.
  - (f) Orders of warning and punishment.
- (4) All entries in the service book shall be attested by the head of office and in the case of service book of an employee who is himself the head of office, by the authority next higher to him. The head of the office shall verify the entries at the end of each year (1st July to 30<sup>th</sup> June) and record a certificate in the following form-  
"Service verified upto .....(date) from pay bills" etc.
- (5) When an employee is transferred from one office to another, the head of office under whom he was originally attached, shall record in the service book under his signature, the result of the verification of service with reference to pay bills and acquittance rolls in respect of the whole period during which the employee was attached to him and then forward service book to the other head of office.
- (6) When an employee is retired or his services are terminated, an entry of this fact shall be made in the service book, indicating the date and number of the order and the date of relinquishment of charge of the post by the employee concerned
- (7) An employee is at liberty to inspect the service book once in a year in order to satisfy himself that all the entries made therein are correct. If these are any errors, he may inform the head of office about it and the head of office shall have the facts verified and entries corrected accordingly. Such corrections shall be attested both by the employee and the head of office.
- (8) Specimen signature will be made after every 5 years.



**147. DATE OF BIRTH**

In the first of the service book of an employee an entry showing his date of birth shall be made on the basis of his higher secondary certificate. In case, an employee has not passed the Higher Secondary Examination., the date of birth recorded in the school leaving certificate shall be accepted. If no such document is available, in the case of an employee of the category IV, Municipal/Kotwari record or the certificate of the Authorised Medical officer shall be acceptable as proof of a date of birth. The date of birth once recorded in the service book is not open to correction on any ground unless there is obviously clerical mistake in recoding it. Any correction in the date of birth will require approval of Board.

**148. EXECUTION OF AGREEMENT BOND**

**(a) For training**

All the employees who are deputed by the Nigam for training under various courses, whether professional or for adding qualifications, will have to furnish an agreement bond (annexed herewith) before proceeding for training, binding himself for serving the Nigam, after completion of the training for the periods noted against each.

Category of employee	Period of compulsory service in Nigam after completion of training "Bond period"
(a) Technical Assistants / Field Assistants/ Fieldman	5 years
(b) For the employees who are deputed for special courses, refreshers or other courses for gaining additional qualifications or experience for which expenses are borne by Nigam  Duration of the above courses 1. More than 1 month but less than 6 months 2. 6 months and more but less than 12 months 3. 12 months and more	2 years 3 years 5 years

In case any employee leaves the service of Nigam or is removed from the services for any reason whatsoever, prior to the completion of the period specified in column 2 against (a) and (b) above, he shall be liable to pay to the Nigam, the total amount of expenses borne by the Nigam on his training, courses etc; including pay and allowance for that period. Provided that the appointing authority may relax the recovery amount to proportionate bond period service.

**(b) At the time of appointment in the Nigam**

MD may require for certain posts that an individual who joins the services of the Nigam or his/her appointments shall execute a bond to serve the Nigam for a certain minimum period and also furnish solvency for an amount equivalent to his/her pay and allowance for that period. In case, an employee decided to leave the services of the Nigam, he/she shall deposit with the Nigam, the pay and allowance for the period by which, it falls short of that bond period. If an employee fails to deposit the amount, it shall be recovered as arrears of land revenue from him/her or his/her sureties.

**UNDERTAKING**

I Shri/Smt./Ku.....son/wife/daughter  
of Shri .....having permanent residence at  
village.....Post.....Tahsil.....  
District.....State.....hereby  
undertake to srve the MP Rajya Van Vikas Nigam Limited, Bhopal for a  
period of .....year from this .....day of .....  
Nineteen Hundred .....

In case of may quitting the service earlier than .....years , I undertake to  
deposit with the Nigam the pay and DA & ADA for the period it falls short of  
.....years.

I, thereby, consent to the recovery of the amount due referred to above, as arrears  
of land revenue form my or my sureties , in case I fail to comply with above  
mentioned requirements.

Name in full .....  
Signature .....  
Designation .....  
Address .....

Place :  
Date :

**Witness**

1. Signature .....
- Address .....
2. Signature .....
- Address .....

AGREEMENT BOND FOR .....COURSES  
AT.....CONNECTED WITH.....

An agreement made this .....day of .....19.....between the  
Madhya Pradesh Rajya Van Vikas Nigam Limited (hereinafter called the  
employer, which expression shall, where the context so admits, include his  
successors in office and assignees) on the one part and .....  
S/o Shri.....resident of .....Tehsil..... and district  
hereinafter called the employee which expression shall, where the context so  
admits, include his heirs, executors, administrators, representative and assignees)  
on the other part witnesses at following:

- (1) The employee hereby agree to give training to the employee at the  
..... in the matters relating to .....course. The  
course of such training shall be for .....(period) commencing  
from .....to .....
- (2) The employer agrees to bear the following expenses of the employee  
during the courses of training at the said.....
  - (a) Rs. ....( Ruppees.....only)  
on account of tuition fees for .....years..
  - (b) Rs. ....( Ruppees.....only)

- on account of travelling expenses on tour.
- (c) Rs. ....( Rupees.....only)  
on account of other expenses.  
Total Rs. ....(Rupees.....only)
- (3) (1) The employee hereby agrees that he shall diligently pursue the course of training at the said..... and shall abide by any rules, for the time being in force, regulating the conduct of students at the said.....
- (2) The employee further agrees that while he is under training at the said .....he shall not apply for private jobs or service in other departments of govt. whether union or state.
- (4) The employee further agrees that on completion of this training at the said .....he shall serve in Madhya Pradesh Rajya Van Vikas Nigam Ltd. for not less than .....year.
- (5) While in service in accordance with clause 5 of the bond, employee shall faithfully, diligently and with skill and ability perform his duties and observe the rules for the time being in force made by the employer for the conduct of its servants.
- (6) The pay and allowance and other conditions of service of the employee shall be regulated by the rules and orders of the Employer for the time being in force.
- (7) It is also agreed that if the employee leaves the said..... before completing his studies without the permission of the employer, for any reason whatsoever (including illness), or is discharged or dismissed therefrom for misconduct or fail to qualify himself at the said training with the prescribed period or such additional time as may be granted to him by the employer or fails to serve as hereinbefore provided or is dismissed form service for misconduct he shall pay to the employer a sum of money equal to the amount of training expenses and in addition, salary wages and allowance paid to the employee during duration of training borne by the employer in pursuance of clause-2
- (8) It is further agreed that any money falling due form the employee under this agreement shall be recoverable from his as arrear of land revenue.
- (9) In the event of any dispute arising under this agreement the matter shall be referred to the Secretary, Government of Madhya Pradesh, Forest Department whose decision thereon shall be final and binding on the parties.
- In witness whereof the parties hereto have set their hands on the date and year written in each case.

Witnesses	Employee
1 Signature Full address	Date.....
2. Signature Full address	
1 Signature Full address	Managing Director Date.....
2 Signature Full address	

**SOLVENCY CERTIFICATE**

I ..... Son of .....  
 occupation ..... resident .....  
 Tehsil ..... district ..... own and possess reliable assets  
 described in the schedule below:

**SCHEDULE**

**Part - A**

**Movable Property**

S.No.	Description of Property	Market value	Remarks

**Part - B**

**Immovable Property**

S.No.	Description of property with area and assessment current	particulars of encumbrances, if any	Nature of described rights	Market value	Remarks

I solemnly declare that to the best of my belief the facts about my property stated in the schedule above are complete and true that the property specified there is unencumbered except to the extent mentioned in column 3 of Part B.

Dated .....

Signature

Certified that after due enquiry, I find that ..... resident of village ..... in the ..... Tehsil ..... of the ..... district ..... who has subscribed his signature to the declaration in my presence is solvent on this day to the extent of Rs. .... (in words) ..... i estimate the market value of the property as follows :  
 (Rs. ....) It will be valued till .....

Movable Property .....  
 Immovable property .....

Dated .....

Sub - Divisional Officer

Tahsildar

Seal of the Court.

**SECURITY BOND**

I, ..... Son of .....  
resident of ..... the surety on behalf of  
Shri .....candidate hereby agree that in the event of the candidate  
failing to pay such amount as may be lawfully demanded from him under the above written  
agreement. I shall pay the said amount and bind my heirs, administrators, executors and  
representatives for such payment.

I further agree that the amount may be recovered from me as an arrear of land revenue.  
Signed this ..... day of ..... in the presence of :

1.           Signature     :  
              Name         :  
              Full Address : .....

2.           Signature     :  
              Name         :  
              Full Address : .....

**Signature of Surety**

**Signed before me  
Signature & seal of gazetted  
officer of a Magistrate.**

### 150. SECURITY DEPOSITS BY EMPLOYEES

- (1) Every employee, who is appointed to any post in which he is required to handle cash, or is in charge of valuable stores, machinery etc. shall be required to furnish security. The amount of such security shall be determined under the orders of the Managing Director according to the nature and circumstances of each such post.
- (2) The security of an employee should ordinarily be furnished in cash payments which should be credited to the Nigam.  
A post office savings bank pass book or saving bank pass book or any scheduled bank with the deposit of necessary amount, may also be accepted as security provided that the depositor has signed and delivered to the post master or agent of the Scheduled Bank, as the case may be, a letter in the prescribed form as required by the post office or Scheduled Bank saving bank account rules.  
Security may also be accepted in the shape of post office Cash certificates and National Savings Certificates, Fixed Deposit Receipts in any of the Nationalised Banks. In such cases, the certificates should be formally transferred to the competent authority which takes the deposit and should be accepted at their surrender value at the time of tender.
- (3)
  - (a). Ordinarily, an employee is required to furnish the whole of the security in one installment on appointment but the competent authority may permit the security to be furnished in installments by monthly deduction at the rate of 10 percent of the salary of the employee concerned provided that an employee has already deposited 25% of the necessary amount of security.
  - (b) The deductions so made shall be credited to the account of the Nigam
  - (c) Until full amount of the required security is made up, the employee shall bind himself personally and furnish a solvent surety.

### 151. JOINING

- (1) Joining time may be granted to an employee to enable him to join the new post, when he is transferred in the interest of Nigam work from one post to another either in the same capacity or on promotion or on demotion. The duration of joining time shall be governed by the following principles :-
  - (i) One day, when the appointment or transfer to another post does not involve change of headquarters.
  - (ii) When the appointment or transfer to another post involves change of headquarters he shall be entitled to joining time for journey by rail or road at the following rates :-
    - (a) Upto 1000 KM or less 10 days
    - (b) More than 1000 KM 12 days
- (2) When holiday follows the joining time, the normal joining time may be deemed to have been extended to cover such holiday (s).

### 152. LEAVE DURING JOINING TIME

If an employee is transferred while he was on earned leave, he shall also be entitled to joining time for joining the post of his transfer.

**153. JOINING TIME TREATED AS DUTY PERIOD**

The period of joining time admissible to an employee under regulation 151 shall for all purposes be treated as duty period.

**154. ANNUAL CONFIDENTIAL REPORTS**

- (1) Annual Confidential reports on the work of all employees shall be maintained by the appointing authority. The form shall be prescribed by the managing Director in respect of each category of employees. For promotees till one year and for probationers till their confirmation quarterly reports shall be written for the periods beginning from 1st January, 1 March, 1 July and 1 October, The reports shall be written by such officers as may be prescribed by the managing Director in this behalf separately.
- (2) When an employee has worked in more than one charge during the financial year, a separate report shall be written by competent authority regarding his work for each charge in which he has worked for more than three months.
- (3) If the employee has not worked for more than three months in any one charge, his report shall be written by the officer under whom he had worked for the longest period in that year.
- (4) The report shall comment generally on way in which the employee has carried out his various duties during the period covered by the report. The report shall indicate his ability to work, sincerity to work, integrity and character, his relations with colleagues and general public with whom he may come into contact in connection with his official duties. A confidential report shall be written with utmost care. The reporting officer must avoid vague remarks and opinions which cannot be substantiated. In other words, there should be any remark of personal nature on which reflects the likes and dislikes of the reporting officer. The annual confidential report shall be based on the result of such observations and periodical inspections of the work of the employee as may come to the notice of Reporting Officer.
- (5) No reporting officer shall record his opinion on the work of a close relation of his, nor shall the report be routed through such officer who is closely related to the employee in respect of whom the reports has been written. In the case of an employee, who is related to the Reporting officer, the report shall be written by the officer next higher to the Reporting.
- (6) In every C.R., the initial recording officer and subsequent scrutiny officers will categories the C.R. in to following standard categories -

(i)	Excellent	A +	उत्कृष्ट	क +
(ii)	Very Good	A	बहुत अच्छा	क
(iii)	Good	B	अच्छा	ख
(iv)	Ordinary	C	साधारण	ग
(v)	Poor	D	घटिया	घ
- (7) Recording Recording in the various entries of C.R. should not be contradictory, such as - capability "ordinary"

- General performance "Excellent".

(8) **Adverse remarks**

No adverse remark can be given without any base. It must be preceded by proper guidance, objections, warning. Thereafter if an employee fails to improve, and adverse entry can be made.

**155. COMMUNICATION OF ADVERSE REMARKS**

Adverse of suggestive remarks recorded by the Reporting Officer shall be communicated to the employee concerned by the appointing authority and he may be asked to remedy the short comings pointed out in the report in future.

**156. EXPLANATIONS**

- (1) Adverse remarks are those which come in the way of an employee's future prospects such as crossing the efficiency bar or promotion.
- (2) It is open to an employee to represent to the appointing authority against the adverse remarks communicated to him. Such representation must be made within 45 days from the date of receipt of such remarks. However, the competent authority may, at its discretion, entertain a representation beyond the time specified above. If there is satisfactory explanation for the delay.
- (3) On receipt of the representation, the appointing authority shall investigate the circumstances in which the remarks were recorded and for this purpose, it may ask the Reporting officer to indicate the basis on which such remarks were made. On receipt of his report, the appointing authority will satisfy itself whether the remarks are justified or not by referring to the reporting officer. In case the appointing authority is satisfied that the remarks were not justified, it may pass an order to expunge the said remarks in full or in parts. If the remarks are to be expunged, the relevant portion from the annual report may be scored through the confidential report in support of its action so that it can be read. If the representation is found without substance, it shall be rejected and communicated to the employee. The order of expunction to the employee. In either case, there is no need to keep the representation with the annual confidential report.
- (4) Revised category of CR. The D.P.C. at the time of promotion will reassess the expunged CR into a new category.
- (5) The decision on the representation of an employee shall accordingly be taken within three months from the date of such representation.

**WELFARE SCHEMES**

**157. PROVIDENT FUND**

Every employee of the Nigam irrespective of his monthly emoluments, shall be required to become member of "Employees' Provident Fund" framed under the Employees' Provident Fund and Miscellaneous Provisions Act., 1952 administered by the Regional Provident Fund Commissioner, Madhya Pradesh, Indore. Every employee on becoming a member of the scheme shall contribute @ 8% of his emoluments and the employer shall contribute an equal amount.

**158. GRATUITY**

Every employee of the Nigam irrespective of the amount of his salary, shall be entitled to the payment of gratuity in the manner and at the rates prescribed under the payment of



Gratuity Act, 1972. Employees who are in technical, managerial, administrative or executive services of the Nigam, shall also be entitled to the benefits of gratuity scheme, even if they do not fall within the purview of payment of Gratuity Act 1972.

The Gratuity Scheme shall be administered by the Nigam by creation of an irrevocable trust and entering into an agreement for a Group Gratuity Life Assurance Scheme of the Life Insurance Corporation of India.

**159. GROUP INSURANCE SCHEME**

All employees of Nigam and employees on deputation shall be covered by a Master Group Insurance Policy or some other Group Insurance Scheme.

**160. ADVANCE INCREMENTS AND OTHER BENEFITS FOR FAMILY PLANNING OPERATIONS :**

Advance increments and other benefits for Family planning Operations will be admissible to Nigam employees as enforced by Govt. of M.P. from time to time.

**161. MERCY APPOINTMENT**

In case a Nigam Employee dies in service, his wife or children or parents may be given mercy appointment by M.D. as per the rules and procedure in vogue in State Government Departments.

\*\*\*