

NATIONAL SEEDS CORPORATION LIMITED
(A GOVERNMENT OF INDIA UNDERTAKING)
BEEJ BHAVAN, PUSA COMPLEX,
NEW DELHI - 110012.

No.6(1)/92-Vig./NSC

Dated : 21.10.1992

C I R C U L A R

Sub : **National Seeds Corporation Limited Employees Conduct,
Discipline & Appeal Rules - 1992.**

The Board of Directors at the 152nd meeting held on 25th September, 1992, has approved the adoption of National Seeds Corporation Limited Employees Conduct, Discipline & Appeal Rules - 1992 for its employees w.e.f. 1.11.1992. A copy of the Rules is enclosed.

It is requested that these Rules may be circulated among all the employees of the Corporation covered under these Rules. Copy of the Rules may also be displayed on the Notice Board.

Receipt of the circular may please be acknowledged.

sd/-
(AMBA DATT)
ASSTT.MANAGER(VIG.)

Encl. As above.

COPY TO:

- 1) All Heads of Divisions at NSC, Head Office for circulating among all the employees.
- 2) All RMs/FMs/Addl. RMs/DMs/AMs.
- 3) All officers of Personnel & Vigilance Divisions at HO.
- 4) ES to CMD.
- 5) PS to CMD
- 6) PS to ED
- 7) Library

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NATIONAL SEEDS CORPORATION LIMITED
CONDUCT, DISCIPLINE AND APPEAL RULES

1. Short Title and Commencement:

- i) These rules may called National Seeds Corporation Conduct, Discipline and Appeal Rules, 1992.
- ii) They shall come into force on 1st Nov., 1992.

2. Application :

- a) These rules shall apply to all employees except:
 - i) those in casual/muster roll employment or paid from contingencies;
 - ii) Those who are governed, or such of them as come to be governed at any future date, by the Standing Orders certified under the Industrial Dispute Act 1947.

3. Definitions:

In these rules, unless the context otherwise requires -

- a) Government - means the Government of India as well as State Government.
- b) Corporation - means the National Seeds Corporation Ltd.
- c) Board - means the Board of Directors of the Corporation and includes, in relation to the exercise of powers, any committee of the Board/Management or any officer of the Corporation to whom the Board delegates any of its powers.
- d) CMD/MD - means the Chairman-cum-Managing Director/ MD of the Corporation or other officers who hold charge of administrative functions of the Chairman-cum-Managing Director for the time being.
- e) ED - means the Executive Director of the Corporation or other officer who hold charge of the administrative functions of the Executive Director for the time being.

- f) General Manager - means the General Manager of Production, Marketing Engineering, Administration, Finance & Quality Control of the Corporation.
- g) Regional Manager - means an Officer holding the charge of the Region/Farm as Regional Manager/Farm Manager of the Corporation.
- h) Disciplinary - means the authority specified in the Schedule appended to Authority these rules, or any authority; higher than it, and competent under these Rules to impose on the employee any of the penalties specified in Rule 29.
- i) Competent - means the authority empowered by the Board by any Authority general or special rule or order to discharge the function or use the powers specified in the rule or order.
- j) Appellate - means the authority specified in the Schedule Authority appended to these rules.
- k) Reviewing - means the authority specified in the Schedule Authority appended to these rules.
- l) Employee - means a person in the employment of the Corporation other than the casual, work charged or contingent staff or workman as defined in the Industrial Dispute Act, 1947 but includes a person on deputation to the Corporation or to any other organization including Central/State and Public Sector Undertaking.
- m) Workman - means a person as defined in the Industrial Dispute Act, 1947 and to whom the provisions of these rules shall not apply.
- n) Family
 - i) the wife or husband as the case may be of the employee, whether residing with him or not, but does not include a wife or husband as the case may be separated from the employee by a decree or order.
 - ii) sons or daughters or step sons or step daughters of the employee and wholly dependent on him, but does not include a child or step-child who is no longer in any way dependent on the employee or of

whose custody the employee has been deprived by or under any law.

iii) any other person related whether by blood or marriage to the employee or to such employee's wife or husband and wholly dependent on such employee.

o) Public Servant - means and includes a person as mentioned in section 21 of Indian Penal Code as amended from time to time.

4. Scope of Service:

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

5. Liability to Abide by Rules and Orders:

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

6. General Conduct:

(1) Every employee of the Corporation shall at all times -

- i) maintain absolute integrity;
- ii) maintain devotion to duty; and
- iii) do nothing which is unbecoming of a public servant.

(2) Every employee of the Corporation holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all employees for the time being under his control and authority.

(3) Every employee shall at all times conduct himself soberly and temperately while on the official premises and show proper respect and civility to all concerned and shall use his utmost endeavours to promote the interests of the Corporation and to maintain and promote the good reputation thereof.

- (4) No employee shall, in the performance of his official duties or in the exercise of powers conferred on him act otherwise than in his best judgement except when he is acting under the direction of his official superior and shall, where he is acting under such direction, obtain the direction in writing wherever practicable, and where it is not practicable to obtain the direction in writing, he shall obtain written confirmation of the directions as soon thereafter as possible.

Explanation:

Nothing in rule 6(4) shall be construed as empowering an officer to evade his responsibilities by seeking instructions from, or approval of a superior officer or authority, when such instructions are not necessary under the scheme of distribution of power and responsibility.

7. Misconduct:

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

- (1) Theft, fraud or dishonesty in connection with the business or property of the Corporation or of property of another person within the premises of the Corporation.
- (2) Taking or giving bribes or any illegal gratification, or demanding or offering bribes or any illegal gratification.
- (3) Possession of pecuniary resources or property disproportionate to the known source of income by the employee or on his behalf by another person, which the employee cannot satisfactorily account for.
- (4) Furnishing false information regarding name, age, father's name, qualification, ability or previous service or any other matter germane to the employment, at the time of employment or during the course of employment.
- (5) Acting in a manner prejudicial to the interest of the Corporation.
- (6) Willful insubordination or disobedience, whether or not in combination with others, or any lawful and reasonable order of his superior.
- (7) Absence without leave or over staying the sanctioned leave more than four consecutive days without sufficient grounds on proper or satisfactory explanation.
- (8) Habitual late or irregular attendance.

- (9) Neglect of work or negligence in the performance of duty including malingering or slowing down of work.
- (10) Causing damage to work in progress or to any property of the Corporation either willfully or through negligence.
- (11) Non-observance of safety precautions or rules, or interfering or tampering with any safety devices installed in or about the premises of the Corporation.
- (12) Drunkenness or riotous or disorderly or indecent behaviour in the premises of the Corporation or outside such premises where such behaviour is related to or connected with the employment.
- (13) Gambling within the premises of the establishment.
- (14) Smoking within the premises of the establishment where it is prohibited.
- (15) Collection without the permission of the competent authority of any money within the premises of the Corporation except as sanctioned by any law of the land for the time being in force or rules of the Corporation.
- (16) Sleeping while on duty under any pretext, whatsoever.
- (17) Commission or any act which amounts to a criminal offense involving moral turpitude.
- (18) Absence from the employee's appointed place of work without permission or sufficient cause.
- (19) Purchasing properties, machinery, stores etc.. from or selling properties, machinery, stores etc.. to the Corporation without express permission in writing from the competent authority.
- (20) Engaging in any trade or business without taking permission of the competent authority.
- (21) Canvassing in support of the business or Insurance Agency, Commission Agency, etc.. owned or managed by his spouse or any other member of his family.
- (22) Publication of any article, journal paper or book on any subject prejudicial to the Corporation or connected with any work of the Corporation without the prior permission of the competent authority.

(23) Disclosing to any unauthorized person or persons any information in regard to the working or process of the Corporation which comes into the possession of the employee during the course of his work.

(24) Spreading false rumours or giving false information which tends to bring into disrepute the Corporation or its employees or spreading panic among them.

(25) Levelling malicious or false allegations against any of the Officer/Employee of the Corporation.

(26) Occupying or taking possession in any unauthorized manner or refusal to vacate or deliver possession of Corporation's quarters or any of its premises, owned or hire, when required to do so by the Corporation.

(27) Refusal to accept a charge sheet or order or any other communication from the management.

(28) Striking work alone or in combination with other employees, or inciting them to strike work in contravention or the provisions of any law or rules having the force of law.

(29) Commission of any act subversive of discipline or of good behaviour.

(30) Abatement of or attempt at abatement of any act which amounts to misconduct.

(31) Prohibition of sexual harassment of working women

1) No NSC employee shall indulge in any action of sexual harassment of any women at her work place.

2) Every NSC employee who is In-charge of a work place shall take appropriate steps to prevent sexual harassment of any women at such work place.

Explanation:

For the purpose of this rule "sexual harassment" includes such unwelcome sexually determined behaviour, whether directly or otherwise as -

- (a) physical contact and advances;
- (b) demand or request for sexual favours;
- (c) sexually coloured remarks;

- (d) showing any pornography; or
- (e) any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

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

Incorporated vide Circular No.6(1)/92-Vig./NSC dt.26.02.1999 as per the decision taken by the Board of Directors in their 177th meeting held on 29.12.1998

8. Absence from Duty:

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

An employee who remains absent after the end of his leave shall not be entitled for any leave salary for the period of such absence and the period of over stay shall be treated as extra ordinary leave unless otherwise directed by the competent authority. An employee willfully absenting himself from duty after the expiry of leave shall also be liable to disciplinary action.

9. Acceptance of Rewards:

Except in the following cases, an employee of the Corporation shall not without the prior approval of the competent authority, accept a reward from any source:

- (a) the premium awarded for any essay or plan in public competition.
- (b) any reward offered for the arrest of a criminal or for information or special service in connection with the administration of justice.
- (c) any reward payable in accordance with the provisions of any Act or any Regulation or Rules framed there-under.
- (d) any reward sanctioned for services in connection with the administration of the Custom and Excise Laws; and
- (e) any fee payable to any employee for duties which is required to perform in his official capacity under any special or local law by order of the Govt.

10. Forwarding of Application:

No employee shall forward his application for employment to any Government (Central/State) or semi-Government Department or Public Undertaking (in India or abroad) except in accordance with the rules framed by the Corporation in this behalf.

No employee shall forward an application for an award of a fellowship, scholarship, etc.. direct to any authority unless the application is sponsored by the Corporation and he is permitted to take up such a fellowship or scholarship.

11. Employment of near relative of the employee of the Corporation in any Company or Firm enjoying patronage of the Corporation:

(1) No employee shall use his position or influence directly or indirectly to secure employment for any person related, whether by blood or marriage, to the employee or to the employee's wife or husband, whether such a person is dependent on the employee or not.

(2) No employee shall, except with the previous sanction of the competent authority, permit his son, daughter or any member of the family to accept employment with any company or firm, with which he has official dealing or with any other firm having official dealings with the Corporation.

Provided that where the acceptance of the employment cannot await the prior permission of the competent authority, the employment may be accepted provisionally subject to the permission of the competent authority to whom the matter shall be reported forthwith.

(3) No employee shall in the discharge of his official duties deal with any matter or give or sanction any contract to a company or firm or any other person if any member of his family is employed in that company or firm or under that person or if he or any member of his family is interested in such matter or contract or in any other matter and the employee shall refer every such matter or contract to his official superior and the matter of the contract shall thereafter be disposed off accordingly to the instruction of the authority to whom the reference is made.

12(A) Taking part in politics, elections and joining of associations :

(1) No employee shall be an office-bearer/member of a political party or an organization which takes part in politics.

(2) No employee shall take part in or assist in any member in any movement/agitation or demonstration of a political nature.

(3) No employee shall contest in an election to any legislature or local authority or otherwise take part in such an election as for example by proposing/seconding the nomination of a candidate at such an election or acting as a polling agent :

Provided that :

i) An employee qualified to vote at such election may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted;

ii) Any employee shall not be deemed to have contravened the provisions of this sub-rule by reasons only that he assists in the conduct of an election in the due performance of a duty imposed on him by or under any law for the time being in force.

(4) No employee shall canvas in, or use his influence in connection with, any election to any legislature or local authority.

“Explanation”

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

(5) No employee shall join or continue to be a member of an association, the object or activities of which are prejudicial to the interest and sovereignty and integrity of India or to the interest of the Corporation or to the public order or morality.

12(B) Taking part in demonstrations:

(1) No employee of the Corporation shall engage himself or participate in any demonstration, gate meeting unless organized by recognized Union/Association with prior permission of the management which involves incitement to an offence.

(2) No employee of the Corporation shall resort to or in any way abet any form of strike or coercion or physical duress in connection with any matter pertaining to his/her service or any other employee.

13(A) Connection with Press, Radio or Television :

(i) No employee of the Corporation shall, except with the previous sanction of the competent authority, own wholly or in part, or conduct or participate in the editing or management of any newspaper or other periodical publication.

(ii) No employee of the Corporation shall, except with the previous sanction of the competent authority or the prescribed authority, or in the bona fide discharge of his duties, participate in a radio or TV broadcast or contribute any article or write any letter in his own name or anonymously,

pseudonymously or in the name of any other person to any newspaper or periodical.

Provided that no such sanction shall be required if such broadcast or such contribution is of a purely literary, artistic or scientific character.

13(B) Vindication of Acts and Character of employees:

(i) 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 of a defamatory character.

(ii) Nothing 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 and where any action for vindicating his private character or any act done by him in private capacity is taken, the employee shall submit report to the competent authority regarding action.

14. Criticism of Government and the Corporation:

No employee shall, in any radio broadcast or in any document published under his name or in the name of any other person or in any communication to the press, or in any public utterances, make any statement:

a) which has the effect of adverse criticism of any policy or action of central or State Governments or of the Corporation; or

b) which is capable of embarrassing the relations between the Corporation and the public or the Management of the Corporation and employees.

Provided that nothing in these rules shall apply to any statement made or views expressed by an employee, of a purely; factual nature which are not considered to be of a confidential nature, in his official capacity or in due performance of the duties assigned to him.

Provided further that nothing contained in this clause shall apply to bona fide expression of views by him as an office-bearer of a recognized trade union for the purpose of safeguarding the conditions of service of such employees or for securing an improvement thereof.

15. Evidence before Committee or any other Authority;:

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

16. Unauthorized communication of Information :

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

17. Gifts :

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

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

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

- (2) On occasions such as weddings, anniversaries, funerals or religious functions, when the making of gift(s) is in conformity with the prevailing religious or social practices, an employee of the Corporation may accept gift(s)

from his near relatives but he shall make report to the competent authority if the value of the gift(s) exceeds Rs.500/-.

(3) On such occasions as are specified in sub-rule (2) an employee of the Corporation may accept gifts from his personal friends having no official dealings with him, but he shall make a report to the competent authority if the value of any such gift exceeds Rs.250/-.

(4) In any other case, an employee of the Corporation shall not accept or permit any member of his family or any other person acting on his behalf to accept any gift without the sanction of the competent authority if the value thereof exceeds Rs.250/-.

Provided that when more than one gift has been received from the same person/firm within a period of 12 months, the matter shall be reported to the competent authority if the aggregate value of the gift exceeds Rs.250/-.

(5) No employee shall except with the previous sanction of competent authority receive any complementary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour or in honour of any other employee.

18. Dowry:

No employee of the Corporation shall -

- (i) give or take or abet the giving or taking of dowry;
- (ii) demand, directly or indirectly, from the parents or guardian of a bride or bridegroom, as the case may be, any dowry.

Explanation : For the purpose of this rule 'DOWRY' has the same meaning as in the Dowry Prohibition Act, 1961 (28 of 1961).

19. Private Trade or Employment:

(1) No employee shall, except with the previous sanction of the competent authority, engage directly or indirectly in any trade or business or undertake any other employment.

Provided that an employee, may without such sanction, undertake honorary work of a social or charitable nature or occasional work of a literary, artistic or scientific character, subject to the conditions that his official duties do not thereby suffer; but he shall not undertake or shall discontinue, such work if so directed by the competent authority.

(2) Every employee shall report to the competent authority if any member of his family is engaged in a trade or business or owns or manages an insurance agency or commission agency.

(3) No employee shall without the previous sanction of the competent authority except in the discharge of his official duties, take part in the registration promotion or management of any bank or other company which is required to be registered under the Companies Act, 1956 (1 of 1956) or other law for the time being in force or any Cooperative Society for commercial purposes:

Provided that an employee may take part in the registration, promotion or management of a consumer/House Building Cooperative Society substantially for the benefit of employees of the Corporation, registered under the Cooperatives Societies Act 1912 (2 of 1912) or any other law for the time being in force or of a literary, scientific or charitable society registered under the Societies Registration Act, 1860 (21 of 1860) or any corresponding law in force.

(4) No employee shall accept any fee or any pecuniary advantage for any work done by him for any public body or any private person without the sanction of the competent authority.

20. Investment, Lending and Borrowing :

(1) No employee shall speculate in any stock, share or other investment.

Explanation : Frequent purchase or sale or both of shares, securities and other investments shall be deemed to be speculation within the meaning of this sub-regulation.

(2) 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 embrace or influence him in the discharge of his official duties.

(3) No employee shall except with the previous sanction of the competent authority asks for or accepts contribution to, or otherwise associate himself with the raising of any funds or other collections in cash or in kind in performance of any object whatsoever.

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

(5) Provided that an employee may give to, or accepts from a relative or a personal friend, a purely temporary loan of a small amount free of interest, or operate a credit account with a bona fide trade man or makes an advance of pay to his private employee.

21. Insolvency and Habitual indebtedness :

- (1) An employee shall avoid habitual indebtedness unless he proves that such indebtedness or insolvency is the result of circumstances beyond his control and does not proceed from extravagances or dissipation.
- (2) An employee who applies to be, or is adjudged or declared insolvent shall forthwith report the fact to his competent authority.

22. Movable, Immovable and Valuable Property :

- (1) No employee shall, except with the previous knowledge of the competent authority acquire or dispose off any immovable property by lease, mortgage, purchase, sale gift or otherwise, either in his own name or in the name of any member of his family.
- (2) No employee shall except with the previous sanction of the competent authority enter into any transaction concerning any immovable or movable property with person or firm having official dealings with the employee or his subordinate.
- (3) Every employee shall report to the competent authority every transaction concerning movable property owned or held by him in his own name or in the name of a member of his family, if the value of such property exceeds Rs.10,000/-.
- (4) Every employee shall, on first appointment in the Corporation, submit a return of assets and liabilities in such form as may be prescribed giving the particulars regarding -
 - (a) the immovable property, inherited by him, or owned or acquired by him, or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other person.
 - (b) Shares, debentures and cash, including bank deposits inherited by him or similarly, owned acquired, or held by him.
 - (c) other movable property inherited by him or similarly owned, acquired or held by him if the value of such property exceeds Rs.10,000/-

- (d) debts and other liabilities incurred by him directly or indirectly.
- (e) every employee unless otherwise exempted by the special Administrative Order shall beginning 1st January, submit a return of immovable property inherited, owned, acquired once in every two years.
- (5) The competent authority may, at any time, by general or special order require an employee to submit, within a period specified in the order, a full and complete statement of such movable or immovable property held or acquired by him on his behalf or by any member of his family as may be specified in the order. Such statement shall, if so required by the competent authority, include details of the means by which or the source from which such property was acquired.

23. Canvassing of Non-Official or other influence :

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

24. Marriages :

- (1) No employee shall enter into, or contract a marriage with a person having a spouse living; and
- (2) No employee, having a spouse living, shall enter into, or contract a marriage with any person.

Provided that the competent authority may permit an employee to enter into or contract, any such marriage as is referred to Clause (1) or Clause (2), if he is satisfied that :-

- (a) such marriage is permissible under the personal law applicable to such an employee and the other party to the marriage; and
- (b) there are other justifiable grounds for so doing.
- (3) The employee who has married or marries a person other than that of Indian nationality, shall forthwith intimate the facts to the Competent Authority.

25. Consumption of Intoxicating Drinks and Drugs:

An employee of the Corporation shall :

- (a) strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being ;

- (b) not be under the influence of any intoxicating drinks or drug during the course of his duty and shall also take due care that the performance of his duties at any time is not affect in any way by the influence of such drink or drug ;
- (c) refrain from consuming any intoxicating drinks or drug in a public place ;
- (d) not appear in a public place in a state of intoxicating ;
- (e) not use any intoxicating drink or drug to excess.

Explanation : For the purpose of this rule, public places means any place or premises (including clubs, even exclusively meant for members where it is permissible for the members to invite non-members as guest, bars and restaurants, conveyance) to which the public have or are permitted to have access, whether on payment or otherwise.

26. Suspension :

- (1) The appointing authority or any authority to which it is subordinate or the disciplinary authority or any other authority, empowered in that behalf by the Management, by general or special order may place an employee under suspension.
 - (a) where a disciplinary proceedings against him is contemplated or is pending;
 - (b) where a case against him in respect of any criminal offense is under investigation or trial.

Provided that where the order of suspension is made by an Authority lower than the appointing authority, such authority shall forthwith report to the appointing authority the circumstances in which the order was made.

- (2) An employee who is detained in police custody, whether on a criminal charge otherwise, for a period exceeding 48 hours shall be deemed to have been suspended with effect from the date of detention, by an order of the appointing authority, and shall remain under suspension until further orders.
- (3) where a penalty of dismissal or removal from service or compulsory retirement imposed upon an employee under suspension is set aside on appeal or on review under these rules and the case is remitted for further inquiry or action or with any other directions, the order of his suspension shall deemed to have continued

in force on and from the date of the original order of dismissal or removal or compulsory retirement and shall remain in force until further orders.

- (4) Where a penalty of dismissal or removal or compulsory retirement from service imposed upon an employee is set aside or declared or rendered void in consequences of by a decision of a Court of Law and the disciplinary authority, on consideration of the circumstances of the case decides to hold a further inquiry against him on the ground that the court has passed the orders purely on technical ground without going into the merit of the case on the allegation on which the penalty of dismissal or removal or compulsory retirement was originally imposed, the employees shall be deemed to have been placed under suspension by the appointing authority from the date of the original order of dismissal or removal or compulsory retirement and shall continue to remain under suspension until further orders.
- (5) (a) An order of suspension made or deemed to have been made under this regulation shall continue to remain in force until it is modified or revoked by the authority competent to do so.

(b) where an employee is suspended or is deemed to have been suspended (whether in connection with any disciplinary proceedings or otherwise), and any other disciplinary proceedings is commenced against him during the continuance of that suspension, the authority competent to place him under suspension or may, for reasons to be recorded by him in writing, direct that the employee shall continue to be under suspension until the termination of all or any other such proceedings.

(c) an order of suspension made or deemed to have been made under this rule may at any time be revoked by the authority which made or is deemed to have made the order or by any authority to which that authority is subordinate.
- (6) The suspended employee shall record his attendance at the appointed time and place as per directions of the competent authority if so desired and shall not leave the station unless otherwise specifically instructed or permitted.

27. Subsistence Allowance:

- (1) An employee under suspension shall be entitled to draw subsistence allowance equal to 50 per cent of his basic pay provided the disciplinary authority is satisfied that the employee is not engaged in any other employment or business or profession or vocation, a certificate to this effect has to be furnished by the employee before drawal of such payment.

In addition he shall be entitled to Dearness Allowance admissible on such subsistence allowance and any compensatory allowance of which he was in respect on the date of suspension provided the suspending authority is

satisfied that the employee continues to meet the expenditure for which the allowance was granted. If the headquarters of an employee under suspension are changed in the interest of the Corporation by order of a competent authority, he shall be entitled to the allowance as admissible at the new station provided he furnishes the requisite certificates, if any with reference to such station.

- (2) Where the period of suspension exceeds six months, the authority which made or is deemed to have made the order of suspension, shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first six months as follows :-

- (i) The amount of subsistence allowance may be increased to 75% of basic pay and allowance thereon, if in the opinion of the said authority the period of suspension has been prolonged for reasons to be recorded in writing not directly attributable to the employee under suspension;

- (ii) The amount of subsistence allowance may be reduced to 25% of basic pay and allowances thereon if in the opinion of the said authority the period of suspension has been prolonged due to the reasons to be recorded in writing, directly attributable to the employees under suspension.

- (3) If an employee is arrested by the police on a criminal charge and bail is not granted, no subsistence allowance is payable. On grant of bail, if the competent authority decides to continue the suspension, the employee shall be entitled to subsistence allowance from the date he is granted bail.

28. Treatment of the period of Suspension :

- (1) When the employee under suspension is reinstated, the competent authority may grant to him the following pay and allowances for the period of suspension :-
 - (a) If the employee is exonerated and not awarded any of the penalties mentioned in Rule 29, the full pay and allowances which he would have been entitled to if he had not been suspended, less the subsistence allowance already paid to him; and
 - (b) If otherwise, such proportion of pay and allowances as the competent authority may prescribe.
- (2) In a case falling under sub-clause (a) the period of absence from duty will be treated as a period spent on duty. In case falling under sub-clause (b), it will not be treated as period spent on duty unless the competent authority so directs.

- (3) When the departmental proceeding against an employee for the imposition of major penalty finally end with the imposition of minor penalty, the employee shall be paid full pay and allowances for the period under suspension.

29 Penalties:

The following penalties may be imposed on an employee, as hereinafter provided, for misconduct committed by him or for any other good and sufficient reasons.

(A) Minor Penalties:

- (i) Censure.
- (ii) withholding of his promotion
- (iii) Recovery from his pay of the whole or part of any pecuniary loss caused by him to the Corporation by negligence or breach of orders:
- (iv) Reduction to a lower stage in the time scale of pay for a period not exceeding three years without cumulative effect.
- (v) Withholding of increments of pay without cumulative effect.

(B) Major Penalties

- (a) Reduction to a lower stage in the time-scale of pay for a specified period, with further directions as to whether or not the employee will earn increments of pay during the period the such reduction and whether on the expiry of such period of reduction will or will not have the effect of postponing the future increments of his pay;
- (b) Reduction to a lower time scale of pay, grade, post or service which shall ordinarily be a bar to the promotion of the employee to the time-scale of pay, grade, post or service from which he was reduced, with or; without further directions regarding conditions of restoration to the grade or post or Service from which the employee was reduced and his seniority and pay on such restoration to that grade, post or Service;
- (c) Compulsory retirement:
- (d) Removal from service which shall not ordinarily be a disqualification for future employment under the corporation:
- (e) Dismissal from service which shall ordinarily be a disqualification for future employment under the Corporation.

(C) Explanation:

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

- (i) A warning, oral or in writing.
- (ii) Withholding of increment of an employee, in accordance with the specific terms of contract for unsatisfactory work during the year;

- (iii) Non-promotion, whether in an officiating capacity or otherwise, of an employee, to a higher post for which he may be eligible for consideration but for which he is found unsuitable after consideration of his case;
- (iv) Reversion to a lower grade or post, of an employee officiating in a higher grade or post on the expiry of the term, or on the ground that he is considered after trial, to be unsuitable for such higher grade or post, or on administrative grounds unconnected with his conduct;
- (v) Reversion to his previous grade or post, or an employee appointed on probation to another grade or post, during or at the end of the period of probation, in accordance with the terms of his appointment;
- (vi) Stoppage of an employee at the E. B. in the time scale, on the ground of his unfitness to cross the bar.
- (vii) Compulsory retirement of an employee in accordance with the provisions relating to superannuation on retirement
- (viii) Termination of Service:
 - (a) of an employee appointed on probation, during or at the end of the period of probation, in accordance with the terms of his appointment;
 - (b) of an employee appointed in a temporary capacity otherwise than under a contract or agreement, on the expiration of the period for which he was appointed, or earlier in accordance with the terms of his appointment;
 - (c) of an employee appointed under a contract or agreement, in accordance with the terms of such contract or agreement; and
 - (d) of an employee on reduction of establishment

Amended as per the decision taken by the Board of Directors in their 157th Meeting held on 30.12.1993.

30 Disciplinary Authority

The disciplinary authority, as specified in the schedule or any authority higher than it may impose any of the penalties in Rule 29 on any employee.

The Chairman / MD of the Corporation may by an order of writing, specify an officer, not lower in rank than the appointing authority of the employee concerned, to function as a disciplinary authority in his respect and to impose any of the penalties specified in rule 29.

31 Procedure for imposing Major penalties:

- (1) No order imposing any of the major penalties specified in Rule 29 shall be made except after an inquiry is held in accordance with this rule.
- (2) Whenever the disciplinary authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehavior against an employee, it may itself inquire into, or appoint any retiring or serving officer of the Corporation or any retiring or serving public servant (hereinafter called the inquiring authority) to inquire into the truth thereof.
- (3) Where it is purposed to hold an inquiry against an employee under this regulation the disciplinary authority shall draw up or cause to be drawn up-
 - i) the substance of imputations, misconduct or misbehavior into definite and distinct articles of charge;
 - ii) a statement of the imputations of misconduct or misbehavior in support of each article of charge which shall contain.
 - (a) a statement of all relevant facts, including any admission or confession made by the employee;
 - (b) a list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained.
- (4) The disciplinary authority shall deliver or cause to be delivered to the employee a copy of the article of charge, the statement of the imputations of misconduct or misbehavior and a list of documents and witnesses by which each article of charge is proposed to be sustained and shall require the employee of the Corporation to submit within such time as may be specified, a written statement of his defence and to state whether he desires to be heard in person.

Explanation:

It will not be necessary to show any document to the employees at this stage.

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

The disciplinary authority shall, where it is not the inquiring authority, forward to the inquiring authority.

- (i) a copy of the articles of charge and the statement of the imputations of misconduct or misbehavior;
- (ii) a copy of the written statement of defence, if any, submitted by the employee of the Corporation;
- (iii) a copy of the statement of witnesses, if any, referred to in sub-regulation(3);

(iv) evidence proving the delivery of the documents referred to in sub-regulation (4) to employee; and

(v) a copy of the order appointing the "Presenting Officer".

Provided that it may not be necessary to hold an inquiry in respect of the charges admitted by the employee in his written statement. The disciplinary authority shall, however, record its findings on each such charge.

(6) Where the disciplinary authority itself inquires or appoints an inquiring authority for holding an inquiry, it may, by an order, appoint an officer of the Corporation or a nominee of C.B.I (only in respect of cases investigated by C.B.I.) to be known as the Presenting Officer to present on its behalf the case in support of the article of charges.

(7) The employee may take the assistance of any other employee working in the particular unit where the employee is working / was working at the time of happenings of alleged charge(s) to which the inquiry relates or where the inquiry is being conducted to present the case on his behalf but may not engage a legal practitioner for the purpose unless the presenting officer appointed by the disciplinary authority is a legal practitioner or the disciplinary authority having regard to the circumstances of the case, so permits.

(8) On the date fixed by the inquiring authority, the employee shall appear before the inquiring authority at the time and place specified in the notice. The inquiring Authority shall ask the employee whether he pleads guilty or has any defence to make and if he pleads guilty to any of this charges, the inquiring authority shall record the plea, sign the record and obtain the signature of the employee concerned thereon. The inquiring authority shall, after recording the essentials of the case through documentary evidence where such documentary evidence is available, return a finding of guilt in respect of those charges to which the employee concerned pleads guilty.

(9) If the employee does not plead guilty, the inquiring authority shall proceed with the case and direct the Presenting Officer to lead his evidence. In case the charge sheeted employee makes a request for inspection of related documents and / or production of witnesses, the inquiring authority will consider the request and take appropriate action.

Note: Relevancy of the document and the witnesses will have to be given by the employee concerned and the documents and the witnesses shall be summoned if the Inquiring Authority is satisfied about their relevance to the charge under inquiry.

(10) Inquiring authority shall ask the authority in whose custody or possession the documents are kept, for the production of the documents on such date as may be specified.

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

Provided that the authority having the custody or possession of the requisitioned documents may claim privilege if the production of such documents will be against the public interest or the interest of the Corporation. In that event, it shall inform the inquiring authority accordingly.

- (12) During the course of inquiry, the oral and documentary evidence by which the charges are proposed to be proved shall be produced by or on behalf of the disciplinary authority. The witnesses shall be examined by or on behalf of the Presenting Officer and may be cross examined by or on behalf of the employee. The Presenting officer shall be entitled to re-examine the witnesses on any points on which they have been cross-examined, but not on a new matter, without the leave of the Inquiring Authority. The Inquiring Authority may also put such questions to the witnesses as it thinks fit.
- (13) Before the close of the case for or on behalf of the disciplinary authority, the inquiring authority may, in its discretion, allow the Presenting officer to produce evidence not included in the charge sheet or may itself call for new evidence or recall or re-examine any witness. In such case the employee shall be given opportunity to inspect the documentary evidence before it is taken on record or to cross-examine a witness, who has been so summoned.
- (14) When the case for the disciplinary authority is closed, the employee shall be asked to present his defence and produce evidence.
- (15) The employee may examine himself in his own behalf if he so prefers. The witnesses produced by the employee shall then be examined and shall be liable to cross-examination and re-examination according to the provisions applicable to the employee to explain any circumstances appearing in the evidence against him.
- (16) The inquiring authority may, after the employee closes his case, and shall, if the employee has not examined himself, generally question him on the circumstances appearing against him in the evidence for the purpose of enabling the employee to explain any circumstances appearing in the evidence against him.
- (17) After the completion of the production of the evidence the employee and the presenting Officer may file written briefs of their respective cases, within 15 days of the date of completion of the production of evidence.
- (18) If the employee does not submit the written statement of defence referred to in sub-rule (4) on or before the date specified for the purpose or does not appear in person or through the assisting employee or otherwise fails or refuses to comply

with any of the provisions of these rules, the inquiring authority may hold the inquiry ex parte.

- (19) Whenever any inquiring authority, after having heard and recorded the whole or any part of the evidence in an inquiry ceases to exercise jurisdiction therein and is succeeded by another inquiring authority which has, and which exercises, such jurisdiction, the inquiring authority so succeeding may act on the evidence so recorded by its predecessor or partly recorded by its predecessor and partly recorded by itself. Provided that if the succeeding inquiring authority is of the opinion that further examination of any of the witnesses whose evidence has already been recorded is necessary in the interest of justice, it may recall, examine, cross-examine and re-examine any such witnesses as here in before provided.
- (20) (i) After conclusion of the inquiry, report shall be prepared and it shall contain –
- (a) a gist of the charges ;
 - (b) a gist of the defence of the employee in respect of each charge;
 - (c) an assessment of the evidence in respect of each charge;
 - (d) the finding on each charge and the reason therefore.

Explanation:

If in the opinion of the inquiring authority the proceedings of the inquiry establish any charge different from the original charge, it may record its findings on such charges

Provided that the findings on such charge shall not be recorded unless the employee has either admitted the fact on which such charge is based and the essentials of documentary evidence, if any have been duly recorded by the Inquiring authority , or has had a reasonable opportunity of defending himself against such charge.

- (ii) The inquiring authority, where it is not itself the disciplinary authority, shall forward to the disciplinary authority, the records of inquiry which shall include-
- (a) the report of the inquiry prepared by it under sub-clause (i) above;
 - (b) the oral and documentary evidence produced in the course of the inquiry;
 - (c) written briefs referred to in sub-rule (17), if any, and
 - (d) the orders, if any, made by the disciplinary authority and the inquiring authority in regard to the inquiry.

32. Action on the inquiry report:

- (1) The disciplinary authority immediately on receipt of report from the inquiring authority shall furnish a copy of the report to the concerned employee to make representation, if any, within 15 days after receipt of inquiry report.
- (2) The disciplinary authority, if it is not itself the inquiring authority, may for reasons to be recorded by it in writing remit the case to the inquiring authority for fresh or further inquiry and report and the inquiring authority shall there upon proceed to hold the further inquiry according to the provisions of Rule 31 as far as may be.
- (3) The disciplinary authority shall, if it disagrees with the findings of the inquiring authority on any charge, record its reasons for such disagreement and record its own findings on such charge, if the evidence on record is sufficient for the purpose.
- (4) If the disciplinary authority having regard to its finding on all or any of the charges is of the opinion that any of the penalties specified in Rule 29 should be imposed on the employee it shall, notwithstanding anything contained in Rule 33, make an order imposing such penalty.
- (5) If the disciplinary authority, having regard to its findings on all or any of the charges, is of the opinion that no penalty is called for, it may pass an order exonerating the employee concerned.

33. Procedure for imposing Minor Penalties:

- (1) Where it is proposed to impose any of the minor penalties specified in Rule 29, the employee concerned shall be given a charge sheet stating the alleged charges against him and given an opportunity to submit his written statement of defence within a specified period. The defence statement, if any, submitted by the employee shall be taken into consideration by the disciplinary authority before passing orders.

“Provided that in a case in which the disciplinary authority is of the opinion that an inquiry in the manner laid down in sub-rules (3) to (19) of Rule 31 is necessary, such inquiry may be held purely on disciplinary authority's discretion.”

- (2) The record of the proceedings shall include-
 - (i) a copy of the charge-sheet stating the alleged charges delivered to the employee.
 - (ii) the evidence produced during the inquiry, if held: and

- (iii) the orders of the disciplinary authority together with the reasons thereof.

34. Communication of orders:

Orders made by the disciplinary authority under Rule 31 or Rule 33 with regard to its findings on each charge shall be communicated to the employee concerned.

Explanation

Where an inquiry is held by an inquiring authority appointed by the disciplinary authority and the disciplinary authority disagrees with any or all the findings of the inquiring authority on each of the charges, orders of the disciplinary authority will also state the reason for his disagreement with the findings of the inquiring authority.

35. Common Proceedings:

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

36. Special Procedure in Certain Cases:

Notwithstanding anything contained in Rule 31 or 32 or 33 the disciplinary authority may impose any of the penalties specified in Rule 29 in any of the following circumstances:-

- (i) the employee has been convicted on a criminal charge, or on the strength of facts or conclusion arrived at by a judicial trial; or
- (ii) where the disciplinary authority is satisfied for reasons to be recorded by it in writing that it is not reasonably practicable to hold an inquiry in the manner provided in these Rules; or
- (iii) where the CMD is satisfied that in the overall interest or the security of the Corporation, it is not expedient to hold any inquiry in the manner provided in these rules.

37. Employees on Deputation from the Central Government or the State Government etc..:

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

(ii) In the light or the findings in the disciplinary proceedings taken against the employee.

(a) if the disciplinary authority is of the opinion that any of the minor penalties should be imposed on him, it may pass such orders on the case as it deems necessary after consultation with the Lending Authority;

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

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

(iii) If the employee submits an appeal against an order imposing a minor penalty on him, it will be disposed off after consultation with the Lending Authority;

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

38. Appeals:

(i) An employee may appeal against an order imposing upon him any of the penalties specified in Rule 29 or against the order of suspension / referred to in Rule 26 . The appeal shall lie to the authority specified in the schedule.

(ii) An appeal shall be preferred within 45 days from the date of communication of the order appealed against. The appeal shall be addressed to the Appellate Authority specified in the Schedule and submitted to the authority whose order is appealed against. The authority whose order is appealed against shall forward the appeal together with its comments and the records of the case to the appellate authority. The appellate authority shall consider whether the findings are justified or whether the penalty is excessive or inadequate and pass appropriate orders. The appellate authority may pass order confirming, enhancing, reducing or setting aside the penalty or remitting the case to the authority which imposed the penalty or to any other authority with such direction as it may deem fit in the circumstances of the case.

Provided that if the enhanced penalty which the appellate authority proposes to impose is a major penalty specified in Rule 29 and an inquiry as provided in Rule 31 has not already been held in the case, the appellate authority shall direct that such an inquiry be held in accordance with the provisions of Rule 31 and thereafter consider the record of the inquiry and pass such orders as it may deem proper. If the Appellate Authority decides to enhance the punishment, but an inquiry has already been held as provided in Rule 31, the Appellate Authority shall give a show-cause notice to the employee as to why the enhanced penalty should not be imposed upon him. The appellate authority shall pass final order after taking into account the representation, if any, submitted by the employee.

(iii) Every employee submitting an appeal shall do so separately and in his own name.

(iv) Every appeal referred under these Rules shall contain all material statements and arguments relied on by the appellant and shall contain no disrespectful and/or improper language and shall be complete in itself.

(v) The authority who passed the order, which is appealed against, may withhold the appeal if it is not made in accordance with the rules and submitted within the time limit, or if it is a repetition of an appeal already decided and no new facts and / or circumstances / considerations have been adduced.

39. Review:

Notwithstanding anything contained in these rules, the reviewing authority, as specified in the schedule, may call for the record of the case within 6 months of the date of the final order and after reviewing the case pass such orders thereon as it may deem fit.

Provided that if the enhanced penalty which the reviewing authority proposes to impose, is major penalty specified in Rule 29 and an inquiry as provided under Rule 31 has not already been held in the case, the reviewing authority shall direct that such an inquiry be held in accordance with the provisions of Rule 31 and thereafter consider the record of the inquiry and pass such order as it may deem proper. If the appellate authority decides to enhance the punishment but an inquiry has already been held in accordance with the provisions of Rule 31, the reviewing authority shall give show cause notice to the employee as to why the enhanced penalty should not be imposed on him. The reviewing authority shall pass final order after taking into account the representation, if any, submitted by the employee.

40. Service of Order, Notice, etc. :

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

41. Power to Relax Time-Limit and to Condone Delay:

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

42. Savings:

While these rules supercede existing Conduct, Discipline and Appeal Rules, it is hereby provided that-

- 1) Any misconduct, etc. committed prior to the issue of these rules which was a misconduct under the superseded rules shall be deemed to be a misconduct under these rules.
- 2) Any proceedings pending at the commencement of these rules shall be continued and disposed as far as may be, in accordance with the provisions of these rules, as if such proceedings were proceedings under these rules.
- 3) Any appeal pending at the commencement of these rules against an order made before the commencement of these rules shall be considered and orders thereon shall be made, in accordance with these rules.

43. Notification of Authorities:

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

44. Removal of Doubts:

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

45. Amendments:

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

46. Disciplinary provision for retired employees:

- (i) Disciplinary proceedings, if instituted while the employee was in service whether before his retirement or during his re-employment, shall, after the final retirement of the employee, be deemed to be proceedings and shall be continued and concluded by the authority by which it was commenced in the same manner as if the employee had continued in service.

(ii) During the pendency of the disciplinary proceedings, the disciplinary authority may withhold payment of gratuity, for ordering the recovery from gratuity of the whole or part of any pecuniary loss caused to the Company if the employee is found in a disciplinary proceeding or judicial proceeding to have been guilty of offences/misconduct as mentioned in sub-section (6) of Section 4 of the Payment of Gratuity Act, 1972 or to have caused pecuniary loss to the Company by misconduct or negligence, during his service including service rendered on deputation or on re-employment after retirement. However, the provisions of Section 7(3) and 7(3A) of the Payment of Gratuity Act, 1972 should be kept in view in the event of delayed payment, in case the employee is fully exonerated.

Incorporated vide Circular No.6(1)/92-Vig/NSC dt. 28.04.2000 as per the decision taken by the Board of Directors in their 182nd Meeting held on 29.3.2000

Annexure-A**DISCIPLINARY AND APPELLATE AUTHORITY (See Rule No. 29)**

Sl No	Description of Post	Nature of Penalty	Authority competent to impose penalty (Disciplinary Authority)	Appellate Authority	Reviewing Authority
1	All posts for which CMD is Appointing Authority	i) Minor ii) Major	MD/CMD	Board	Board
2	All posts carrying scale of pay, the maximum of which does not exceed Rs. 5000/- in CDA and Rs. 6225/- in IDA pattern.	Minor	GM(A) / ED	MD/ CMD	Board
3	All posts carrying scale of pay, the maximum of which does not exceed Rs. 2900/- in CDA and Rs. 3040/- in IDA pattern.	Major	GM(A) / ED	MD/ CMD	Board
4	All posts carrying scale of pay, the maximum of which does not exceed Rs. 4000/- in CDA and Rs. 4320/- in IDA pattern.	Minor	Regional/ Farm Manager who are in the pay Scale of Rs. 3000-5000 in CDA and Rs. 3700-5900 in IDA pattern	GM(A) / ED	MD/ CMD
5	All posts carrying scale of pay, the maximum of which does not exceed Rs. 3500/- in CDA and Rs. 3600/- in IDA pattern.	Minor	Regional/ Farm Manager who are in the pay Scale of Rs. 3000-4500 in CDA and Rs. 3000-5040 in IDA pattern	GM(A) / ED	MD/ CMD
6	All posts carrying scale of pay, the maximum of which does not exceed Rs. 2040/- in CDA and Rs. 1900/- in IDA pattern.	Major	Regional/ Farm Manager	GM(A) / ED	MD/ CMD

The above delegated powers will correspondingly change with the revision of pay scales, if any, at a subsequent date.

**NATIONAL SEEDS CORPORATION LIMITED
(A GOVERNMENT OF INDIA UNDERTAKING)
BEEJ BHAVAN, PUSA COMPLEX,
NEW DELHI - 110 012.**

No.6(1)/92-Vig./NSC

Dated the 18th March, 2005

CIRCULAR

Sub: Amendment in Rule No.29 - Penalties: Minor/Major of NSC Conduct, Discipline & Appeal Rules, 1992.

The Board of Directors in their 202nd meeting held on 24th February, 2005 approved the amendment in Rule No. 29 of NSC Conduct, Discipline & Appeal Rules, 1992 in the light of guidelines issued by the Department of Public Enterprises, Ministry of Heavy Industries and Public Enterprises, Govt. Of India, New Delhi as under:-

“Rule 29 : Penalties:

The following penalties may be imposed on an employee, as hereinafter provided for misconduct committed by him or for any other good and sufficient reasons :

(A) Minor Penalties:

- (a) Censure.
- (b) withholding of increments of pay with or without cumulative effect;
- (c) withholding of his promotion
- (d) recovery from pay of the whole or part of any pecuniary loss caused to the Corporation/Company by negligence or breach of order;
- (e) Reduction to a lower stage in the time scale of pay for a period not exceeding three years without cumulative effect and not adversely affecting his terminal benefits.

(B) Major Penalties

- (f) Save as provided in clause (e), reduction to a lower stage in the time-scale of pay for a specified period, with further directions as to whether or not the employee will earn increments of pay during the period of such reduction and whether on expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay;

- (g) reduction to a lower time scale of pay, grade, post or service which shall ordinarily be a bar to the promotion of the employee to the time-scale of pay, grade, post from which he was reduced, with or without further directions regarding conditions of restoration to the grade or post from which the employee was reduced and his seniority and pay on such restoration to that grade, post;
- (h) compulsory retirement;
- (i) removal from service which shall not ordinarily be a disqualification for future employment under the Govt. or the Corporation/Company owned or controlled by the Govt.
- (j) dismissal from service which shall ordinarily be a disqualification for future employment under the Govt. or the Corporation/Company owned or controlled by the Govt.

Provided that, in every case in which the charge of possession of assets disproportionate to known source of income or the charge of acceptance from any person of any gratification, other than legal remuneration, as a motive or reward for doing or forbearing to do any official act is established, the penalty mentioned in clause (i) or (j) shall be imposed.

Provided further that in any exceptional case and for special reasons recorded in writing, any other penalty may be imposed”.

The aforesaid amendments in Rule 29 of NSC CDA Rules, 1992 are accordingly brought to the notice of officers and staff of NSC for information, guidance and compliance.

(Arun Kumar)
Asstt. Manager (Admn.)

Copy to:

1. All Heads of Divisions, NSC Head Office, New Delhi for circulating among all the employees working under them.
2. All RMs for circulating among all employees working under them
3. PS to Chairman/M.D
4. Notice Board.

NATIONAL SEEDS CORPORATION LIMITED
(A GOVERNMENT OF INDIA UNDERTAKING)
BEEJ BHAVAN, PUSA COMPLEX,
NEW DELHI - 110 012.

No. 6(1)/92-Vig./NSC

Dated the 14th July, 2005

CIRCULAR

Sub: **Appointment of Retired officers as Inquiring Authority.**

The Board of Directors in their 203rd meeting held on 29.6.2005 approved the amendment in NSC Conduct, Discipline & Appeal Rules, 1992 in the light of the guidelines issued by the Central Vigilance Commission as under :-

Existing Rule No. 31(2)	Proposed Rule No. 31(2)
“Whenever the disciplinary authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehavior against an employee, it may itself inquire into, or appoint retiring or any serving officer of the Corporation or any retiring or serving public servant (hereinafter called the inquiring authority) to inquire into the truth thereof”.	“Whenever the disciplinary authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehavior against an employee, it may itself inquire into or appoint any serving officer of the Corporation or serving public servant (hereinafter called the inquiring authority) to inquire into the truth thereof”.

The aforesaid amendments to NSC Conduct, Discipline & Appeal Rules, 1992 are, accordingly, brought to the notice of officers/staff of NSC for information, guidance and compliance.

(ARUN KUMAR)
JOINT MANAGER (VIG.)

Copy to:

1. All Heads of Divisions, NSC Head Office, New Delhi for circulating among all the employees working under them.
2. All RMs for circulating among all employees working under them
3. PS to Chairman/M.D
4. Notice Board.

NATIONAL SEEDS CORPORATION LIMITED
(A Govt. of India Undertaking - Miniratna Company)
Beej Bhavan, Pusa Complex
New Delhi - 110012.

No. 6(1)/92-Vig/NSC

Dated: 1 May, 2012

OFFICE ORDER

Subject: Change in the Disciplinary/Appellate Authority.

As per Rule 45 of National Seeds Corporation Limited Employees, Conduct, Discipline and Appeal Rules, 1992, the Board of Directors in its 242nd Meeting held on 1st May, 2012 approved the amendment in Rule 30 & 38 relating to Disciplinary Authority and Appellate Authority. As per said amendment, the Disciplinary Authority and Appellate Authority for the employees of the Corporation will be as under with effect from 1st May, 2012:-

(A) Disciplinary Authorities at Head Office Level:

S.No.	Designation	Major		Minor	
		Disciplinary Authority	Appellate Authority	Disciplinary Authority	Appellate Authority
1.	Asstt. Admn. Officer and below or Equivalent	GM(A)	CMD	GM(A)	CMD
2.	Admn./Seed Officer or Equivalent	GM(A)	CMD	GM(A)	CMD
3.	Asstt. Manager (Mktg./Prod.)	Director (Com.)	CMD	Director (Com.)	CMD
4.	Asstt. Manager (Fin.)	Director (Fin.)	CMD	Director (Fin.)	CMD
5.	Asstt. Engineer (Agri./Civil/Elect./Mech.)	Director (Fin.)	CMD	Director (Fin.)	CMD
6.	Asstt. Manager (Admn./Legal/Vig./OL)	GM(A)	CMD	GM(A)	CMD
7.	Manager (Mktg./Prod.)	Director (Com.)	CMD	Director (Com.)	CMD
8.	Manager (Fin.)	Director (Fin.)	CMD	Director (Fin.)	CMD
9.	Manager (Admn./Legal/Vig.)	GM(A)	CMD	GM(A)	CMD
10.	Executive Engineer (Agri./Civil/Elect./Mech.)	Director (Fin.)	CMD	Director (Fin.)	CMD
11.	Asstt. General Manager (Mktg./Prod.)	Director (Com.)	CMD	Director (Com.)	CMD
12.	Asstt. General Manager (Fin.)	Director (Fin.)	CMD	Director (Fin.)	CMD
13.	Asstt. General Manager (Admn./Legal/Vig.)	CMD	BOD	GM(A)	CMD
14.	Dy. General Manager (Mktg./Prod.)	Director (Com.)	CMD	Director (Com.)	CMD
15.	Dy. General Manager (Engg./Fin.)	Director (Fin.)	CMD	Director (Fin.)	CMD
16.	Dy. General Manager (Admn./Legal/Vig.)	CMD	BOD	GM(A)	CMD
17.	General Manager	CMD	BOD	CMD	BOD

(B) Disciplinary Authorities at Regional Office Level:

S.No.	Designation	Major		Minor	
		Disciplinary Authority	Appellate Authority	Disciplinary Authority	Appellate Authority
1.	Up to Asstt. Manager or Equivalent	-	-	RM in the Scale of 15600-39000 GP-6600(CDA)/20600-46500(IDA)(Manager Rank)	GM(A)
2.	Up to AAO or Equivalent	RM	GM(A)	RM	GM(A)

The aforesaid amendment in the Disciplinary & Appellate Authority under NSC Conduct, Discipline and Appeal rules, 1992 are brought to the notice of officers and staff of NSC for information, guidance and compliance.

D. R. Sarin

(D.R. Sarin)

General Manager (P&A)

Distributions:-

1. Director (Commercial) & Director (Finance), HQ, NSC, New Delhi for circulating among all the employees working under them.
2. All Regional Managers for circulating among all employees working under them.
3. Company Secretary, HQ, NSC, New Delhi.
4. Dy. General Manager (P & A), HQ, NSC, New Delhi.
5. PS to Hon'ble CMD, NSC, New Delhi.
6. Notice Board.