

### 1.5 CONDUCT, DISCIPLINE AND APPEAL RULES

**RULE-1: SHORT TITLE AND COMMENCEMENT:**

- i) These Rules shall be called as Dredging Corporation of India Limited Conduct, Discipline and Appeal Rules.
- ii) They shall come into force from 5<sup>th</sup> May, 1978.

**RULE-2: APPLICATION:**

These rules shall apply to all regular employees of the Corporation (including probationers) borne on the shore establishment except those in casual employment or paid from contingencies.

**RULE-3: DEFINITIONS:**

In these Rules, unless the context otherwise requires

- a) **Employee** means a person in the employment of the Corporation other than the casual, work charged or contingent staff.
- b) **Company/ Corporation** means the Dredging Corporation of India Ltd.
- c) **Board** means the Board of Directors of the Corporation/ Company and includes, in relation to exercise of powers any committee of the Board/ Management OR any Officer of the Undertaking to whom the Board delegates any of its power.
- d) **Chairman-cum-Managing Director** means the Chairman-cum-managing Director of the Corporation/ Company.
- e) **Disciplinary Authority** means the authority specified in the schedule appended to these rules and competent to impose any of the penalties specified in Rule 25.
- f) **Competent Authority** means the authority empowered by Board of Directors by any general or special rule or order to discharge the function or use the powers specified in the rule or order.
- g) **Government** means the Government of India.
- h) **Appellate Authority** means the authority specified in the schedule appended to these rules.
- i) **Reviewing Authority** means, the Appellate Authority or any Authority above the Disciplinary Authority, which has not exercised the powers as Appellate Authority, on the orders passed by the Disciplinary Authority.  
**(Effective from 29.1.2002 - Office Order No.31/2001, dt.01.3.2001.)**
- j) **Family** in relation to an employee includes;
  - i) the wife or husband as the case may be of the employee, whether residing with him or not but does not include a wife or husband as the case may be separated from the employee by a decree or order of a competent court.
  - (ii) Sons or daughters or step-sons or step daughters of the employee and wholly dependant on him, but does not include a child or step-child who is no longer in any way dependant on the employee or of whose custody the employee has been deprived of by or under any law.

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

- k) Public Servant shall mean and include a person as mentioned in Section 21 of Indian Penal Code as amended from time to time.

**Rule-4 GENERAL:**

1. Every employee of the Corporation/ Company 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/ Company 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.

**Rule-5: MISCONDUCT**

Without prejudice to the generality of the term "mis-conduct", the following acts of omission and commission shall be treated as misconduct:

1. Theft, fraud or dishonesty in connection with the business or property of the Corporation/ Company or property of another person within the premises of the Corporation/ Company.
2. Taking or giving 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, qualifications, 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 interests of the Corporation/ Company.
6. Willful insubordination or disobedience, whether or not in combination with others, of any lawful and reasonable order of his superior.
7. Absence without leave or over-staying the sanctioned leave for more than four consecutive days without sufficient grounds or 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. Damage to any property of the Corporation/ Company.
11. Interference or tampering with any safety devices installed in or about the premises of the Corporation/ Company.
12. Drunkenness or riotous or disorderly or indecent behaviour in the premises of the Corporation/ Company or out side 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/ Company except as sanctioned by any law of the land for the time being in force or rules of the Corporation/ Company.
16. Sleeping while on duty.
17. Commission of any act which amounts to a criminal offence involving moral turpitude
18. Absence of the employees appointed at place of work without permission or sufficient cause.
19. Purchasing properties, machinery, stores, etc., from or selling properties, machinery, stores etc., to the Corporation/ Company without express permission in writing from the Competent Authority.
20. Commission of any act subversive of discipline or of good behaviour.
21. Abetment of, or attempt to abet, any act which amounts to misconduct.
22. Leaving station without permission.
23. Acceptance of gifts from and lending or borrowing money to or from, subordinate employees
24. Deliberately spreading false information or rumours with a view to bringing about disruption to the Company's normal work.
25. Unauthorized use or occupation of the Company's quarters, land or other property.
26. Unauthorized communication of official documents or information relating to the Company's business.
27. Striking work or inciting others to strike work in contravention of the provisions of any law or rule having the force of law.
28. Writing of anonymous letters etc., addressing appeals or representations to an authority other than the appellate or the appropriate authority.
29. Engaging in other employment whilst still in the service of the Company without prior permission of the authority.
30. Canvassing for Union/ Party membership or the collection of the Union or party dues, funds or contributions etc., at the factory or office premises or the Company's non-residential premises or precincts.
31. Distributing or exhibiting in the Corporation's premises or its precincts handbills, pamphlets, posters or causing to be displayed by means of signs or writings or other visible representations any matter, without previous sanction of the authority.
32. Organising, holding attending or taking part in any meeting within the Corporation's premises or its precincts without prior sanction of the authority.
33. Conduct within the Corporation's premises or its precincts which is likely to endanger the life or in the life or in the interest of discipline.
34. Refusal to accept charge sheet, orders or other communication served either in accordance with these rules or in the interest of discipline.
35. Wilful falsification, defacement or distribution of personnel records or any records of the Corporation.
36. Refusal to work on holidays or on Sundays when notified to do so in the exigencies of the Corporation's work.
37. Unauthorised use of Corporation's vehicle and allowing unauthorized person to operate Corporation's vehicle and carrying unauthorized persons in the Corporation's vehicle.

- 38. Surrounding or forcibly detaining Management or any of the Corporation's Officers.
- 39. Possession of any lethal weapon in the Corporation's premises or within the precincts without the prior permission of the authority.
- 40. (\*) Commission of an act, involving sexual harassment of working women at work places.  
(\*) (Circular No.01/98, dated 16.01.1998)

**RULE-5 (A)** Notwithstanding anything contained to the contrary in any other rules, the services of any employee shall be terminated by the Company, if;

- (a) His post is abolished;
- (b) He is declared on medical grounds to be unfit for services in the company,  
or
- (c) He remains on unauthorized absence for thirty days or more.

**EXPLANATION:**

1. In the case of (a) and (b) above, the services shall be terminated after giving three months notice to a permanent employee and one month notice to a temporary employee or pay in lieu thereof, in both the cases.
2. In the cases of (c) above, services of an employee shall be terminated if he fails to explain his conduct satisfactorily within 15 days from the date of receipt of the Show Cause Notice by him.  
The Management shall be empowered to make a decision without resorting to further inquiries.
3. (a) The decision in case of (c) above would be taken only with the prior approval of recommendations of a Screening Committee of two Officers to be constituted for this purpose by the CMD.  
(b) The reasons for the decision would be recorded in writing.  
  
(c) The employee, whose services have thus been terminated, may prefer an appeal within 30 days from the date of termination, for review of the matter by the Board.  
(Circular No.20/94 Ref: DCI/PA/1/13 dated 09.06.1994)

**RULE-6: EMPLOYMENT OF NEAR RELATIVES OF THE EMPLOYEES OF THE CORPORATION/ COMPANY IN ANY COMPANY OR FIRM ENJOYING PATRONAGE OF THE CORPORATION/ COMPANY.**

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 private firm with which he has official dealings, or with any other firm, having official dealings with the Corporation/ Company, provided that where the acceptance of the employment cannot await the prior permission of the competent authority the employment

may be accepted provisionally subject to the permission of the competent authority, to whom the matter shall be reported forthwith.

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

**RULE-7 TAKING PART IN DEMONSTRATIONS:**

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

**RULE-8 TAKING PART IN POLITICS:**

- a) No employee shall be a member of, or be otherwise associated with, any political party or any organization which takes part in politics nor shall take part in, subscribe in aid of, or assist in any other manner, any political movement or activity.
- b) It shall be the duty of every employee to endeavour to prevent any member of the family from taking part in, subscribing in aid, of or assisting in any other manner, any movement or activity which is, or tends directly or indirectly to be, subversive of the Government as by law established and where an employee is unable to prevent a dependent member of his family from taking part in, or subscribing in aid or, assisting in any other manner any such movement or activity, he shall make a report to that effect to the Company.
- c) If any question arises whether any movement or activity falls within the scope of this rule, the decision of the Corporation thereon shall be final.
- d) No employee shall canvass or otherwise interfere or use his influence in connection with, or to take part in, an election to any legislature or local authority provided that-
  1. 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.
  2. An employee shall not be deemed to have contravened the provisions of this rule by reason only that he assists in the conduct of an election in the due performance of a duty imposed on him or under any law for the time being in force.

**RULE-9: CONNECTION WITH PRESS OR RADIO:**

1. No employee of the Corporation/ Company 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 news paper or other periodical publication.

2. No employee of the Corporation/ Company shall, except with the previous sanction of the competent authority of the prescribed authority or in the bonafide discharge of his duties, participate in a radio broad cast or contribute any article or write any letter either in his own name or anonymously, pseudonymously by 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 literary, artistic or scientific character.

**RULE-10: CRITICISM OF GOVERNMENT AND THE CORPORATION/  
COMPANY:**

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 the Central or State Governments or of the Corporation/ Company and the Public.
- b) Which is capable of embracing the relations between the Corporation/ Company and the Public.  
Provided that nothing in these rules shall apply to any statement made or views expressed by an employee of purely factual nature which are 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 bonafide expression of views by him as an Office-bearer of a recognized trade Union for the purpose of safe guarding the conditions of service of such employees or for securing an improvement thereof.

**RULE-11: EVIDENCE BEFORE COMMITTEE OR ANY OTHER  
AUTHORITY:**

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

**RULE-12: UNAUTHORISED COMMUNICATION OF INFORMATION:**

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

**RULE-13 (a) GIFTS:**

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

**NOTE:** An employee of the Corporation/ Company 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 gifts is in conformity with the prevailing religious or social practice, an employee of the Corporation/ Company may accept gifts from his near relatives but he shall make a report to the competent Authority if the value of the gift exceeds Rs.500/-.
3. On such occasions as are specified in sub-rule (2) an employee of the Corporation/ Company 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/ Company shall not accept any gifts 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 gifts exceeds Rs.250/-.

**RULE-13: (B) NO EMPLOYEE OF THE CORPORATION/ COMPANY SHALL -**

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

**EXPLANATION:** For the purpose of this rule "Dowry" has the same meaning as in the Dowry Prohibition Act, 1961 (28 of 1961).

**RULE-14: PRIVATE TRADE OR EMPLOYMENT:**

1. No employee of the Corporation/ Company 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 literary, artistic or scientific character, subject to the condition that his official duties do not thereby suffer.

2. Every employee of the Corporation/ Company 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 of the Corporation/ Company 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 co-operative society for commercial purposes.

Provided that an employee of the Corporation/ Company may take part in the registration, promotion or management of a consumer/ House Building Co-operative Society substantially for the benefit of employees of the Corporation/ Company, registered under the Co-op. 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 of the Corporation/ Company may 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.

**RULE-15: INVESTMENT, LENDING AND BORROWING:**

No employee shall have 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 dealing or permit any such borrowing, lending or pecuniary obligation in his name or for his benefit of any member of his family.

**RULE-16: INSOLVENCY AND HABITUAL INDEBTEDNESS:**

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

2. An employee of the Corporation/ Company, who applies to be or is adjudged or declared insolvent shall forthwith report the fact to his competent authority.

**RULE-17: MOVABLE, IMMOVABLE AND VALUABLE PROPERTY:**

1. No employee of the Corporation/ Company shall except with the previous knowledge of the competent authority acquire or dispose of 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 of the Corporation/ Company shall, except with the previous sanction of the competent authority, enter into any transaction concerning an immovable or movable property with a person or a firm having official dealings with the employee or his subordinates.

3. Every employee of the Corporation, who enters into a transaction in respect of a movable property either in his name or in the name of the member of his family,



shall report to the Competent Authority, within one month from the date of such transaction, if the value of such property exceeds Rs.20,000/- in case of board level and below board level executives.

(Modified vide Circular No.13/09 dated 05.06.2009)

**EXPLANATION-1:**

The term every transaction concerning movable property owned or held by him includes all transactions of sale or purchase.

For the purpose of this sub-rule, the definition of movable property would include-

a) Jewellery, Insurance Policies, the annual premia of which exceeds Rs.20,000/- in case of board level and below board level executives, shares, securities and debentures.

(Circular No.13/09 dated 05-06-2009)

b) Loans advanced by such employees whether secured or not.

c) Motor Cars, Motor Cycles or Scooters or any other means of conveyance.

d) Refrigerators, Radios (radiograms and television sets).

**EXPLANATION-II**

Transaction entered into by the spouse or any other member of family of an employee of the Corporation, out of his or her own funds (including Streedhan, gifts, inheritance, etc.) as distinct from the funds of the employees of the Company himself, in his or her own name and in his or her own right, would not attract the provision of the above sub-rule.

(Circular No.DCI/PA/1/58, dt 28.3.82)

4. Every employee shall, on first appointment in the Corporation/ Company, submit a return of assets and liabilities in the prescribed form 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.20,000/- in case of board level and below board level executives.

(Circular No.13/09 dated 05-06-2009)

d) Debts and other liabilities incurred by him directly or indirectly.

e) Every employee shall, beginning 1<sup>st</sup> January, submit a return of immovable property inherited/ owned/ acquired annually.

(Circular Ref.No.DCI:PA:1:58 dt.23.2.1982)

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 or on his behalf or by any member of his family as may be specified in the order.

Such statement shall, if so, required by the Competent Authority include details of the means by which, or the source from which such property was acquired.

6. (i) A Full-time Director or any executive/ employee involved in the decision making process of fixation of price of an IPO/ FPO of shares of a CPSE shall not apply either himself/ herself or through any member of his/ her family or through any person acting on his behalf for allotment of shares (which includes all types of equity related instruments) in an IPO/ FPO of such CPSE, even out of the category of preferential quota reserved for employees/ Directors of the CPSE. (Circular No.30/2009 dated 20.11.2009)

(ii) All executives/ Employees including full time Directors of CPSEs who are in possession of unpublished price sensitive information would be prohibited from dealing/ transacting either in their own name or through any member of their family in the shares of their own company.

(iii) Full-time Directors or Executives/ Employees of a CPSE or any member of his/ her family or any person acting on his/her behalf shall not apply for shares out of any preferential quota reserved for employees/ Directors of other companies.

(iv) All employees of CPSEs would be required to disclose to the company all transactions of purchase/ sale in shares worth Rs.20000/- or more in value or existing holding/ interest in the shares worth Rs.20000/- or more in his/ her own company either in his/ her own name or in the name of any family member to report to the company indicating quantity, price, date of transaction and nature of interest within four working days.

(Circular No.23/09 dated 12.08.2009 w.e.f 12.08.2009)

**RULE-18: 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/ Company.

**RULE -19: BIGAMOUS 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 Board may permit our employee to enter into, or contact, any such marriage as is referred to in clause (1) or Clause (2), if it is satisfied that –

- a) such marriage is permissible under the personal law applicable to such employee and the other party to the marriage and
- b) There are other grounds for so doing.

3. (\*) PROHIBITION OF SEXUAL HARASSMENT OF WOMEN:

“In view of prohibition of sexual harassment of working women in the Corporation, all the employees should refrain from doing anything, whether directly or by implication, which constitutes sexual harassment of women employees, such as:

- a) Physical contact and advances;
  - b) A demand or request for sexual favours;
  - c) Sexually coloured remarks;
  - d) Showing pornography
  - e) Any other un-welcomed physical, verbal, non-verbal conduct of sexual nature”
- (\*)(Circular No.01/98 dated 16.1.1998)

**RULE-20: CONSUMPTION OF INTOXICATING DRINKS AND DRUGS:**

An employee of the Corporation/ Company shall take due care that performance of his duties is not affected in any way by the influence of any intoxicating drink or drug.

**RULE-21: INVENTIONS AND PATENTS:**

No employee shall divulge any of the trade secrets, specifications, patents, discoveries or inventions belonging to the Corporation. Discoveries/ Inventions made by any employee of the Corporation who is engaged on research or developmental work to whom special facilities have been made available by the Corporation for purposes of development/ research will automatically become the property of the Corporation.

**RULE-21(A):** (i) Notwithstanding, anything contained in these Rules, an executive, who has attained the age of 50 years and is considered to be medically unfit, inefficient or of doubtful integrity may be prematurely retired by the Competent Authority i.e., CMD.

(ii) The criteria for judging the medical unfitness, inefficiency or doubtful integrity of executives proposed to be prematurely retired, are as follows;

(a) Inefficiency: Inefficiency would be evaluated on the basis of the Appraisal Reports. An employee, who has secured rating as “POOR”, consequently, for 3 years in his Appraisal Reports, may be deemed as a fit case for premature retirement.

(b) Doubtful Integrity: An employee, who gets an adverse comments consecutively for three years on his/her integrity in his/her PARs would be recommended for premature retirement.

(c) Medical Unfitness: If an employee has been continuously on leave on medical grounds for a period of 12 weeks (including Sundays and Holidays) or he/she has been on leave for reasons for sickness for a total period of 120 days (including Sundays and Holidays) or more during a continuous period of six months or if a person though attending duties but is found to be mentally deranged, his/her Departmental Head may refer him/her to a Medical Board for his thorough medical check up and report:-

- The disease he/she is suffering from
- Whether it is curable or incurable
- Whether the disease is infectious/contagious
- In case of curable disease whether the person is likely to be fit to resume his/her normal duties within a period of 12 months.
- If the person is not fit to resume his/her duties within a period of 12 months and in cases of employees suffering from incurable and infectious/contagious disease or suffering from lunacy or mental derangement and whose services cannot be utilised by the Company or whose attendance is likely to pose health hazard to others as may be certified by the Medical Board, premature retirement will be considered. This premature retirement on medical grounds is independent of and without prejudice to the right of the Company under the contract of employment to dispense with the services of an employee on three months notice inter-alia on grounds of medical unfitness in case of an employee who might not have attained the age of 50 years, as is being presently done.

(iii) An executive employee, who is prematurely retired, will be entitled to the following benefits:

- (a) Three months pay and allowances in lieu of notice period, wherever such notice is not given
- (b) Encashment of PL and HPL, standing at credit, subject to the ceiling limits, prescribed under the Rules.
- (c) Full provident fund contribution of the employer with accretions thereto in the account of the employee subject to the provisions of the Provident Fund Rules, applicable to him/her.
- (d) Gratuity for each completed year of service or part thereof as admissible under the Gratuity Rules.
- (e) Transfer Benefits such as train fare, transfer grant, packing allowance etc., for self and family for proceeding to home town or to the place where he/she intends to settle in India, as admissible under the rules.

(Circular No.31/93 dated 22.07.1993)

**RULE-21 (AA)**

“No functional Director of the Company including the Chief Executive, who has retired from the service of the Company, after such retirement, shall accept any appointment or post, whether advisory or administrative, in any firm or company, whether Indian or foreign, with which the Company has or had business relations, within two years from the date of his retirement, without prior approval of the Government.”

(Effective from 29.01.2001:: Office Order No.,31/2001, dt.01.3.2001)

**RULE-22: 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; or;
  - b) Where a case against him in respect of any criminal offence is under investigation or trial.
2. An employee who is detained in custody, whether on criminal charge or otherwise, for a period exceeding 48 hours shall be deemed to have been suspended with effect from the date of detention by an order of the appointing authority and shall remain under suspension until further orders.
3. Where a penalty of dismissal or removal from service imposed upon an employee under suspension is set aside on appeal or on review under these rules and the case is remitted for further inquiry or action or with any other directions, the order of his suspension shall be deemed to have continued in force from the date of the original order of dismissal or removal and shall remain in force until further orders.
4. Where a penalty of dismissal or removal from service imposed upon an employee is set aside or declared or rendered void in consequence of or by a decision of a Court of law and the disciplinary authority on consideration of the circumstances of the case decides to hold a further inquiry against him on the allegation on which the penalty of dismissal or removal was originally imposed, the employee shall be deemed to have been placed under suspension by the appointing authority from the date of the original order of dismissal or removal and shall continue to remain under suspension until further orders.
5. An order of suspension made or deemed to have been made under this Rule may at any time be revoked by the authority which made or is deemed to have made the order or by any authority to which that authority is subordinate.

**RULE-23 SUBSISTENCE ALLOWANCE:**

1. Where any employee is suspended by the employer, pending investigation or inquiry into complaints or charges of mis-conduct against him, the employer shall pay to such employee, subsistence allowance.
  - (a) At the rate of 50 (fifty) percent of his basic pay which the employee was entitled to immediately preceding the date of such suspension, for the first 90 (ninety) days of suspension, provided, the disciplinary authority is satisfied that the employee is not engaged in any other employment or business or profession or vocation. In addition, such employee shall be entitled to Dearness Allowance admissible on such subsistence allowance and any other compensatory allowance of which he was in receipt on the date of suspension,

provided the suspending authority is satisfied that the employee continues to meet the expenditure for which the allowance was granted.

(b) At the rate of 75 (seventy five) percent of such basic pay and other admissible allowances as in sub-para (a) for the remaining period of suspension 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.

(c) The amount of subsistence allowance may be reduced to 25 (twenty five) per cent of basic pay and other admissible allowances as in sub-para (a) above if, in the opinion of such authority, the period of suspension has been prolonged due to the reasons to be recorded in writing, directly attributable to the employee under suspension.

(d) 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.

(Effective from 29.01.2001'Office Order No.31/2001, dt.01.03.2001)

**RULE-24: TREATMENT OF THE PERIOD OF SUSPENSION:**

1. When the employee under suspension is re-instated, the Competent Authority may grant to him the following pay and allowances for the period of suspension:
  - a) If the employee is exonerated and not awarded any of the penalties mentioned in Rule 25, 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 case of 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 a period spent on duty unless the competent authority so directs.

**RULE-25: PENALTIES:**

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

**Minor Penalties:**

- a) Censure
- b) Withholding of increments of pay with or without cumulative effect.
- c) Withholding of promotion

- d) Recovery from pay of the whole or part of any pecuniary loss caused by him to the Corporation/Company, by negligence or breach of orders.
- e) Reduction to a lower stage in the time scale of pay for a period of not exceeding 3 years, without cumulative effect and not adversely affecting his terminal benefits.

**Major Penalties:**

- (f) Save as provided for in Clause (e), reduction to a lower stage in the time-scale of pay for a specific 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 the expiry of such period, the reduction will or will not have the effect of postponing the future increments of pay.
- (g) Reduction to a lower time scale of pay, grade or 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 or post.
- (h) Compulsory Retirement.
- (i) Removal from service which shall not be a disqualification for future employment under the Government or the Corporation/Company owned or controlled by the Government.
- (j) Dismissal from service, which shall ordinarily be a disqualification for future employment under the Government or the Corporation/Company owned or controlled by the Government.

“Provided that in every case in which the charge of possession of assets disproportionate to known sources of income or charge of acceptance from any person of any gratification, other than legal remuneration, as a motive or reward for doing or for bearing to do any official act is established, the penalty mentioned in Clause (i) and (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 above amendment shall take effect from 29-04-2005. Circular No.17./2005 dated 24-05-2005.)

**EXPLANATION:** The following shall not amount to penalty within the meaning of this rule:

- i). Withholding of an increment of an employee on account of his work being found unsatisfactory or not being of the required standard, or for failure to pass a prescribed test or examination;
- ii). Stoppage of an employee at the efficiency bar in a time scale, on the ground of his unfitness to cross the bar;
- 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 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, of 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). 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 on a temporary capacity otherwise than under a contract or agreement on the expiry 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.

**RULE-26: DISCIPLINARY AUTHORITY:**

The Disciplinary Authority, as specified in the Schedule or any authority higher than it may impose any of the penalties specified in Rule 25 on any employee.

**Rule 27: PROCEDURE FOR IMPOSING MAJOR PENALTIES:**

1. No order imposing any of the major penalties specified in Clause (f), (g), (h), (i) and (j) of Rule 25 shall be made except after an enquiry 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 mis-behaviour against an employee it may itself, enquire into or appoint any "Public Servant" or "Retired Public Servant" of proven integrity or a Retired Judge. (Hereinafter called the Inquiring Authority) to inquire into the truth thereof.

(The above amendment shall take effect from 29-4-2005, Circular No.17/2005 dated 24-05-2005)

3. Where it is proposed to hold an inquiry, the Disciplinary Authority shall frame definite charges on the basis of the allegations against the employees. The charges, together with a statement of the allegations, on which they are based, a list of documents by which and a list of witnesses by whom the articles of charges are proposed to be sustained shall be communicated in writing to the employee, who shall be required to submit within such time as



may be specified by the Disciplinary Authority (not exceeding 15 days), a written statement whether he admits or denies any or all of the Articles of charge.

EXPLANATION: It will not be necessary to show the documents listed with the charge-sheet or any other document to the employee at this stage.

4. On receipt of the written statement of the employee or if no such statement is received within the time specified, an inquiry may be held by the Disciplinary Authority itself or by any other Public Servant appointed as an Inquiring Authority under Sub-Clause (2), who shall conduct inquiry and submit the report to the Disciplinary Authority within 6 (six) months from the date of appointment. 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 such charge.

(Effective from 29.01.2001- vide Office Order No.31/2001, dt.01.03.2001.)

5. Where the disciplinary authority itself inquires or appoints an inquiring authority for holding an inquiry it may, by an order appoint a Public Servant to be known as the "Presenting Officer" to present on its behalf of the case in support of the articles of charge.
6. The employee may take the assistance of any other Public Servant but may not engage a Legal Practitioner for this purpose. However, if the case is being presented on behalf of D.A., by a Prosecuting Officer of CBI or by the Law Officer of the Department, such as Legal Adviser, etc., the delinquent may be allowed to be represented by a legal practitioner in order to ensure expeditious disposal of inquiry proceedings. A person will not be permitted to act as defence assistant in more than three cases, at any given point of time. The Inquiring Authority shall satisfy himself that the aforesaid condition is satisfied.

(Effective from 29.01.2001, Office Order No.31/2001, dt.01.03.2001)

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

8. If the employee does not plead guilty, the Inquiring Authority shall adjourn the case to a later date not exceeding thirty days, after recording an order that the employee may for the purpose of preparing his defence.

- i) Inspect the documents listed with the charge-sheet.

- ii) Submit a list of additional documents, and witnesses that he wants to examine; and
- iii) Be supplied with the copies of the statements of witnesses, if any listed in the charge sheet.

**NOTE:** Relevancy of the additional documents and the witnesses referred to in sub-clause 8(ii) above 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 charges under inquiry.

- 9. The Inquiring Authority shall ask the authority in whose custody or possession the documents are kept, for the production of the documents on such date as may be specified.
- 10. The authority in whose custody or possession the requisitioned documents are, shall arrange to produce the same before the Inquiring Authority on the date, place and time specified in the requisition 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/ Company. In that event, it shall inform the Inquiring Authority accordingly.

- 11. On the date fixed for the Inquiry, the oral and documentary evidence by which the articles of charge are proposed to be proved shall be produced by or on behalf of the disciplinary authority. The witnesses shall be examined by or on behalf of the Presenting Officer and may be cross-examined by or on behalf of the employee. The Presenting Officer shall be entitled to re-examine the witnesses on any points on which they have been cross-examined, but not on a new matter, without the leave of the Inquiring Authority. The Inquiring Authority may also put such questions to the witnesses as it thinks fit.
- 12. Before the close of the prosecution case, 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 witnesses. In such cases 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.
- 13. When the case for the Disciplinary Authority is closed, the employee may be required to state his defence, orally or in writing, as he may prefer. If the defence is 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, if any appointed.
- 14. The evidence on behalf of the employee shall then be produced. 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, re-examination by the Inquiring Authority according to the provision applicable to the witnesses for the Disciplinary Authority.

15. The Inquiring Authority, may after the employee closes his case, and shall, if the employee has not examined himself, generally, question him on the circumstances appearing against him in the evidence for the purpose of enabling the employee to explain any circumstances appearing in the evidence against him.
16. After completion of the production of the evidence, the Presenting Officer and the employee may file written briefs of their respective cases within a week of the date of completion of the production of evidence and on receipt of written brief from the Presenting Officer respectively.

(Effective from 29.01.2001, Office Order No.31/2001, dt 01.03.2001)

17. If the employee does not submit the written statement of the defence referred to in sub-rule (3) on or before the date specified for the purpose or does not appear in person, or through the assisting Officer or otherwise fails or refuses to comply with any of the provisions of these rules, the Inquiring Authority may hold the enquiry ex-parte.
18. 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 herein before provided.

19. i) After the conclusion of the inquiry, report shall be prepared and it shall contain:
  - a) A gist of the articles of charge and the statement of the imputations of misconduct or misbehaviour;
  - b) A gist of the defence of the employee in respect of each article of charge;
  - c) An assessment of the evidence in respect of each article of charge;
  - d) The finding on each article of charge and the reasons thereof.

**EXPLANATION:**

If in the opinion of the Inquiring Authority the proceedings of the inquiry establish any article of charge different from the original articles of the charge, it may record its finding on such article of charge.

Provided that the finding on such article of charge shall not be recorded unless the employee has either admitted the facts on which such article of charge is based or has had a reasonable opportunity of defending himself against such article of charge.

ii) The Inquiring Authority, where it is not itself, the Disciplinary Authority, shall forward to the Disciplinary Authority, the records of the inquiry, which shall include;

- a) The report of the inquiry prepared by it under sub-clause (i) above;
- b) The written statement of defence, if any, submitted by the employee referred to in sub-rule (13).
- c) The oral and documentary evidence produced in the course of the inquiry.
- d) Written briefs referred to in sub-rule (16), if any; and
- e) The orders, if any, made by the Disciplinary Authority and the Inquiring Authority in regards to the inquiry.

**RULE-28: ACTION ON THE INQUIRY REPORT:**

1. The Disciplinary Authority, if it is not itself the Inquiring Authority may, for reasons to be recorded by it in writing remit the case to the Inquiring Authority for fresh or further inquiry and report and the Inquiring Authority shall there upon proceed to hold the further inquiry according to the provisions of Rule 27 as far as may be.

(1) (a) The Disciplinary Authority shall forward or cause to be forwarded a copy of the report of the inquiry, if any, held by the Disciplinary Authority or where the Disciplinary Authority is not the inquiring authority, a copy of the report of the inquiring authority to the employee, who shall be required to submit his representation or submission to the Disciplinary Authority within 15 days, irrespective of whether the report is favourable or not to the employee.

(b) The Disciplinary Authority shall consider the representation, if any, submitted by the employee, before proceeding further in the matter.

(Effective from 29.01.2001 :: Office Order No.31/2001, dt.01.03.2001)

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

3. If the Disciplinary Authority having regards to its findings on all or any of the articles of charge is of the opinion that any of the penalties specified in Rule 25

should be imposed on the employee it shall notwithstanding anything contained in Rule 29, make an order imposing such penalty.

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

**RULE-29: PROCEDURE FOR IMPOSING MINOR PENALTIES:**

1. Where it is proposed to impose any of the minor penalties specified in Clauses (a) to (e) of Rule 25, the employee concerned shall be informed in writing of the imputations of misconduct or misbehavior against him and given an opportunity to submit his written statement of defence within a specified period, not exceeding 10 days. The defence statement, if any, submitted by the employee shall be taken into consideration by the Disciplinary Authority, before passing orders.

(Effective from 29.01.2001 vide Office Order No.31/2001, dt.01.03.2001.)

2. The record of the proceeding shall include:

i) a copy of the statement of imputations of misconduct or misbehaviour delivered to the employee;

ii) his defence statement, if any, and

iii) the orders of the disciplinary authority together with the reasons thereof;

**RULE-30 COMMUNICATION OF ORDERS:**

Orders made by the Disciplinary Authority shall be communicated to the employee, who shall be supplied with a copy of its findings on each article of charge or where the Disciplinary Authority is not the inquiring authority, a statement of findings of the disciplinary authority together with brief reasons for its disagreement, if any, with the findings of the Inquiring authority.

(Effective from 29.01.2001 :: Office Order No.31/2001, dt.01.03.2001.)

**RULE-31: COMMON PROCEEDINGS:**

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

**RULE-32 SPECIAL PROCEDURE IN CERTAIN CASES:**

Notwithstanding anything contained in Rule 27 or 28 or 29, the disciplinary authority may impose any of the penalties specified in Rule 25 in any of the following circumstances:

(i) The employee has been convicted on a criminal charge, or on the strength of facts or conclusions 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 enquiry in the manner provided in these rules; or
- (iii) Where the disciplinary authority is satisfied that in the interest of the security of the Corporation/ Company, it is not expedient to hold any inquiry in the manner provided in these rules.

**RULE-33: EMPLOYEES ON DEPUTATION FROM THE CENTRAL GOVERNMENT OR THE STATE GOVERNMENT, ETC.**

- (i) Where an order of suspension is made or disciplinary proceeding is taken against an employee, who is on deputation to the Corporation from the Central or State Government or another Public Undertaking, or a local authority, the authority lending his services (hereinafter referred to as the "Lending Authority"), shall forthwith be informed of the circumstances leading to the order of his suspension, of the commencement of the disciplinary proceeding, as the case may be.
- (ii) In the light of the findings in the disciplinary proceedings taken against the employee:
  - a) If the Disciplinary Authority is of the opinion that any of the minor penalties should be imposed on him, it may pass such orders on the case as it deems necessary after consultation with the Lending Authority provided that in the event of difference of opinion between the Disciplinary Authority and the Lending Authority, the services of the employee shall be placed at the disposal of the Lending Authority.
  - b) If the Disciplinary Authority is of the opinion that any of the major penalties should be imposed on him, it should replace his services at the disposal of the Lending Authority and transmit to it the proceedings of the enquiry for such action as it deems necessary.
- (iii) If the employee submits an appeal against an order imposing a minor penalty on him under sub-rule (ii)(a), 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 the authority for such action as it deems necessary.

**RULE-34: APPEALS:**

- i) An employee may appeal against an order imposing upon him any of the penalties specified in Rule 25 or against the order of suspension referred to in Rule 22. The appeal shall lie to the authority specified in the schedule.

ii) An appeal shall be preferred within one month 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 within 15 days. The Appellate Authority shall consider whether the findings are justified or whether the penalty is excessive or inadequate and pass appropriate orders within 3 months of the date of appeal. The Appellate Authority may pass orders confirming, enhancing, reducing or setting aside the penalty or remitting the case to the authority which imposed the penalty or to any other authority with such direction as it may deem fit in the circumstances of the case.

Provided that if the enhanced penalty which the appellate authority proposes to impose is a major penalty specified in Clauses (f),(g),(h),(i) and (j) of Rule 25 and an inquiry as provided in Rule 27 has not already been held in the case, the appellate authority shall direct that such an enquiry be held in accordance with the provisions of Rule 27 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 enquiry has already been held as provided in Rule 27, 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.

#### **RULE-35: REVIEW**

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

If the charged employee submitted his appeal against the Order of the Disciplinary Authority in accordance with Rule 34 and Appeal has already been considered by the Appellate Authority, by passing suitable orders thereon, a review under this Rule shall lie only to the higher authority (up to Board), if any, than the Appellate Authority.

(Effective from 29.01.2001 Office Order No.31/2001, dt.01.03.2001.)

Provided that if the enhanced penalty, which the Reviewing Authority proposes to impose, is a major penalty specified in Clauses (f), (g), (h), (i) and (j) of Rule 25 and an inquiry as provided under Rule 27 has not already been held in the case, the Reviewing Authority shall direct that such an enquiry be held in accordance with the provisions of Rule 27 and thereafter consider the record of the enquiry and pass such orders as it may deem proper. If the Reviewing Authority decides to enhance the punishment but an enquiry has already been held in accordance with the provisions of Rule 27, the Reviewing Authority shall give show-cause notice to the employee as to why the enhanced penalty should not be imposed upon him. The Reviewing Authority shall pass final order after taking into account the representation, if any, submitted by the employee.

**RULE-36: SERVICE OR ORDERS, NOTICES, ETC**

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

**Rule 36 A** (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 proceeding 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 Payment of Gratuity Act, 1972 should be kept in view in the event of delayed payment, in case the employee is fully exonerated.

(Restored the provisions prior to the amendments in 2010, Vide Circular No.13/2012 dt.30.05.2012)

**RULE-37: POWER TO RELAX TIME LIMIT AND 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 sufficient cause is shown, extend the time specified in these rules for anything required to be done under these rules or condone any delay.

**RULE-38: SAVINGS:**

1. Nothing in these rules shall be construed as depriving any person to whom these rules apply, of any right of appeal which had accrued to him under the rules, which have been superseded by these rules.
2. An 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.
3. The proceedings pending at the commencement of the 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.
4. Any misconduct, etc., committed prior to the issue of these rules which was a misconduct under the superseded rules shall be deemed to be misconduct under these rules.

**RULE-39: REMOVAL OF DOUBTS:**

Where a doubt arises as to the interpretation of any of these rules, the matter shall be referred to the Board for final decision.



**RULE-40: 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.

**SCHEDULE**

(Schedule of Powers under Conduct, Discipline and Appeal (CDA) Rules of Dredging Corporation of India Limited)

Description of Posts	Appointing Authority	Authority Competent to impose penalties and Penalties which it may impose (with reference to item Nos. in Rule 25 of CDA Rules)		Appellate Authority
		Penalties	Disciplinary Authority	
Posts to which appointments are made by the President	President	All	President	...
Jt.GMs and GMs	Board	All	C.M.D.	Board
Asst.Managers and above but below Jt.GMs	C.M.D.	Minor	Concerned Director	C.M.D.
		All	C.M.D.	Board
Non-Executive Employees	Concerned Director	Minor	Head of the Department/ Head of the Project.	Concerned Director
		All	Concerned Director.	C.M.D.

Note: (i) Where an Authority lower than the Disciplinary Authority suspends an employee, a report should be made to the Disciplinary Authority, immediately after suspension.

(ii) Where the Authority specified in this Schedule does not exist, the powers may be exercised by delegated authority or a higher authority.

(iii) The Authority specified in this Schedule shall exercise the powers conferred on them, irrespective of whether such Authority is the Appointing Authority or not under any Rule.

(Effective from 29.01.2001 Office Order No.31/2001, dt.01.03.2001.)