

STANDING ORDERS FOR STAFF

1. APPLICATION AND SCOPE

These Standing Orders shall come into force from the date in accordance with the provisions of Section 7 of the Industrial Employment (Standing Orders) Act 1946 and shall apply to all staff members employed in the Plantation Corporation of Kerala Limited., Kottayam.

2. DEFINITIONS & EXPLANATIONS

In these orders, unless there is anything repugnant to the subject or context:

- (a) "ACT" means the Industrial Employment Standing Orders Act, 1946 (XX of 1946)
- (b) 'APPELLATE AUTHORITY' means the next higher authority to the disciplinary authority.
- (c) 'APPOINTING AUTHORITY' means the Managing Director or any other person to whom such powers have been delegated by him in writing.
- (d) "CORPORATION" means The Plantation Corporation of Kerala Limited., Kottayam, (PCK Limited)
- (e) 'DISCIPLINARY AUTHORITY' means the Managing Director or any other person to whom such powers have been delegated by him in writing.
- (f) 'EMPLOYER' means The Plantation Corporation of Kerala Ltd., represented by its Managing Director and includes General Managers and other Head of Departments, Managers, Assistant Managers or any other Officer appointed/ authorised by the Managing Director as the person responsible for the Management, supervision and control of the office/estate.
- (g) 'MANAGEMENT' means the person with whatever designation called to whom the ultimate control of the affairs of the Corporation is entrusted and includes any other Officer authorised by such person to act in his place or to whom all or any of his powers are delegated.
- (h) 'MANAGING DIRECTOR' - means the person appointed in the Corporation under that designation and includes any person authorised to act as such from time to time or for the time being.
- (i) 'MASCULINE' includes the feminine.

- (j) 'MUSTER ROLL/ATTENDANCE REGISTER' means any Register or records maintained for the purpose of keeping the list of staff or for the purpose of making attendance or for the purpose of preparing salary/wages.
- (k) 'NOTICE' means a notice in writing required to be given or pasted on the notice board for the purpose of these standing orders.
- (l) 'NOTICE BOARD' means, the notice board maintained in a conspicuous place at or near the main entrance to the works/division/departments/section/Factory/Office/Industrial establishment for the purpose of displaying notices required to be pasted or affixed under the provisions of these standing orders.
- (m) 'OFFICE/ESTATE' means all the estates, Factories, Head Office, Regional Office, Cochin Godown, all other places of activity under the Employer and includes the whole of the areas of the Plantation owned/possessed by the P.C.K.Ltd.
- (n) 'OFFICER' means any person employed in PCK Limited in a supervisory, technical, non-technical, executive, managerial or administrative capacity to whom a separate set of service rules are applicable and includes any other employee who is declared by the Management to be an Officer.
- (o) 'SINGLUAR' includes the plural
- (p) 'STAFF' means any person employed in P.C.K. Ltd on a monthly salary basis for supervisory, clerical, medical, motor vehicles and welfare establishments including apprentice/trainee but does not include a daily rated worker or an officer or any person employed through a contractor or covered by individual contract.
- (q) 'WAGES' means, wages as defined in the Payment of Wages Act, 1936 as amended from time to time.
- (r) 'WORKER' means any person employed in PCK Limited on a daily rated wage basis for manual labour to whom a separate certified standing orders are applicable.

3.CLASSIFICATION OF STAFF:- Staff shall be classified as

- (a) Permanent
- (b) Probationer

(c) Temporary

(d) Apprentice/Trainee

- (a) A "Permanent" member of the staff means one who has been confirmed as permanent employee.
- (b) (i) A "Probationer" is one who is provisionally employed to fill a permanent vacancy of a staff appointment, and who has not been confirmed in that appointment.
- (ii) 'PROBATION PERIOD' - The period of probation of a staff shall be for twelve months from the date of joining the Corporation which may be extended for a further period or periods at the discretion of the Management. The period(s) of extension of probation shall not exceed 6 months which means that the total period of probation shall not exceed 12 months. The probationary appointment will cease and determine on the last day of the period of probation when the staff has been informed in writing of the satisfactory completion of the probation period. During the period of probation the Corporation may at any time, terminate the service of the staff without assigning any reason whatsoever.
- (iii) The period of probation will be computed by including service which may be interrupted on account of casual leave or accident while on duty or strike or lock out or cessation of work which is not due to any fault on the part of the staff.
- (iv) Probation on promotion to a Higher post:- If a permanent staff is promoted to a higher post, he will be on probation for a period not exceeding 12 months from the date of joining in such higher post. If the performance of the probationer is not satisfactory during this period his period of probation may be extended for a further period or periods of maximum 18 months or he may be reverted to his old permanent post.
- (c) A "Temporary" member of the staff is one who is engaged on work which is of an essentially temporary character.
- (d) 'APPRENTICE OR TRAINEE': An apprentice or trainee is a learner who is paid an allowance during the period of his training and whose terms and conditions of service shall be governed either by special agreement or by the provisions of the Apprentice Act, 1961 as the case may be.

4.ANTECEDENTS:

No person who has been dismissed from the services of this Corporation or of Central Government or State Government or any Government Undertakings or who has been convicted by any criminal

court for an offence involving moral turpitude shall be appointed as a staff in the Corporation.

Note: (i) On the question whether an offence involves moral turpitude or not, the decision of the Management shall be final.

(ii) In the event of the Management coming to know subsequent to the appointment of the staff that he has antecedents which have made him ineligible for employment as stated above, his services shall be liable to be terminated without any notice at any time.

5.MEDICAL EXAMINATION:

- (i) All the staff appointed in a permanent post at the time of his joining shall produce a Medical Certificate of fitness from a Medical Officer not below the rank of an Assistant Surgeon or a Medical Officer employed in the service of the Corporation

No staff shall at any time during the period of his service with the Corporation refuse to subject himself to medical examination by a duly authorised Medical Officer of the Corporation if the Management is of the opinion that such medical examination is required and if the staff concerned is found unfit for further employment, he will be liable to be discharged from the service provided that the staff concerned will have the right to appeal to a Board attached to the District Hospital or Medical College

6.RECORD OF AGE:

- (a) The Corporation shall record the age of every staff. The following documents shall be deemed to be satisfactory proof of age at the time of entering the service.

- (i) Matriculation Certificate or equivalent in the case of candidates who have passed Matriculation or equivalent or higher examination.
 - (ii) School Leaving Certificate (if the staff has attended the School and has not passed the Matriculation or equivalent examination)
 - (iii) Birth Certificate issued by the Competent Authority under the Registration of Births & Deaths Act, 1969.
- (b) The age of the staff as recorded with the Corporation at the time of his employment shall not thereafter be sought to be altered by the staff.

7. ADDRESS OF THE STAFF

- (a) Every staff shall , at the time of entering the service in the Corporation furnish his permanent address and postal address as well as telephone number if any. Any change in these addresses shall be immediately notified to the Management.
- (b) Any communication forwarded by the Management by Registered Post Ack. Due to the permanent and or postal address given by the staff shall be regarded as sufficient compliance for the purpose of giving notice even if it is returned undelivered.

8. SERVICE RECORDS:

The Management shall maintain service records/personal file for every staff in the form prescribed by the Management.

9. IDENTITY CARDS:

- (a) Every staff shall be provided with an identity card bearing such particulars as may be prescribed by the Management for the purpose of identification.
- (b) Every staff shall show his identity card to the Security Staff on duty at the gate when entering the office/estate premises or leaving it. In addition, he shall, at any time within the office/estate premises, produce the identity card on demand by the Security Staff or other persons authorised in this regard.
- (c) The identity card shall not be transferable.
- (d) If a staff loses his identity card, he shall immediately report the loss to the issuing authority and a new card shall be issued to him on payment of fee prescribed in this regard.

- (c) On the termination of service or on proceeding on leave preparatory to retirement or on being suspended from work, the concerned staff shall surrender his card to the issuing authority.

10. PUBLICATION OF WORKING TIME ETC:

All instructions issued from time to time relating to attendance, checking of arrival and departure, the period and hours of work for all classes of staff in each shift as may be fixed from time to time, shall be exhibited on the notice board, subject to the relevant enactments.

11. ENTRY, EXIT AND SEARCH

All staff shall enter and leave the works premises only by the gates provided for the purpose. These gates may be closed during the working hours at the discretion of the Management and the staff shall not leave the works premises during such hours, except during rest intervals, without the permission in writing of their immediate superior Officer which shall be shown at the gate.

On entering or leaving the works premises or establishments and at any other time, in special circumstances, all staff are liable to be detained and searched by the Security Staff at the discretion of the Management. Female workmen are liable to be detained and searched by female searchers. No search shall be made except in the presence of at least one person of the same sex as the staff searched.

12. ATTENDANCE AND LATE COMING:

- (a) All staff shall be at work at the establishment at the time fixed and notified to them.
- (b) The staff who are required to sign in an Attendance Register will mark reporting on duty and leaving duty.
- (c) The staff who are required to use time card shall punch the card in the Time Clock at the time of reporting for duty and on leaving duty.
- (d) Any staff who is unauthorisedly absent from duty shall be liable for deduction of wages as provided in the payment of Wages Act 1936. Similarly, a staff, who after presenting himself for duty at the beginning, is found absent from the place of his work or duty at any time during the working hours, without permission shall be liable to have his wages proportionately deducted. Any staff found absent from his place of work during working hours, without permission, shall be liable to be treated as absent for the whole day if the absence is before the rest interval

and for half a day if the absence is after the said interval. The staff is also liable for disciplinary action on this account.

(c) If a staff is late by more than 10 minutes, he shall be allowed to mark attendance only with the written permission of the concerned superior in the prescribed proforma. Moreover if a staff is late by more than 10 minutes on 3 times, a casual leave/privilege leave will be deducted from his leave account against such late coming. A habitual late comer is also liable for disciplinary action on this account.

(f) Attendance shall be marked daily according to the method prescribed from time to time for each section or department. The notice prescribing the method shall be displayed on the notice board.

13. SHIFT WORKING:

(a) More than one shift may be worked in any unit/department or section of a department at the discretion of the Management as and when required. Notices showing the shifts shall be pasted on the notice board.

(b) The Management shall be entitled by notice to be pasted on the notice board to alter or vary the shift at their discretion and the staff shall be liable to be transferred from one shift to another. He shall not be allowed to change his shift without permission nor shall he leave his job at the end of a shift without permission of his in charge or until the other staff has taken over from him.

14. LAY OFF AND RETRENCHMENT:

Lay off and retrenchment of staff shall be governed by the provisions of the Industrial Disputes Act, 1947 and Rules made thereunder.

15. PAYMENT OF SALARY

(a) Salary due to the staff shall be paid before the expiry of the 7th day of the last day of the wage period in respect of which the wages are payable in accordance with provisions of the payment of Wages Act, 1936 on a working day during working hours notified under Standing Orders No. 16.

(b) Any pay due to a member of the staff, but not paid to him on the usual pay-day, on account of his temporary absence from work shall be paid to him on the day he returns to duty. However where such pay is

not given to him owing to his absence from the office/estate on leave, or for some other reasons or because of his death, it shall be sent to him, if he so directs, by money order at his cost, or given or sent to his representative duly appointed in writing or to his legal heir after a substantial claim has been made in respect of it.

(c) Where employment of any staff is terminated the wages earned by him and other dues if any except gratuity bonus and provident fund shall be paid before the expiry of second working day from the date on which his employment is terminated on production of clearance/ no liability certificate issued by the concerned department.

16. PUBLICATION OF HOLIDAYS/PAY DAYS

Notices specifying the day to be observed as Holidays and Pay days shall be pasted on the notice board. The list of holidays for a calendar year shall be displayed during the month of January, every year.

17. LEAVE:

Every staff shall be entitled to leave as follows:-

(a) **CASUAL LEAVE:-** A staff will be entitled in each year to a maximum of seven days casual leave on full pay. Casual leave not taken in any one calendar year will not be carried over to the leave account of the staff concerned for the next year. Any casual leave taken in excess of seven days in any one calendar year will be debited to his privilege leave account.

(b) **FESTIVAL LEAVE:** Three days leave on full pay shall be allowed in each calendar year to a staff on account of religious festival in accordance with the religious persuasion of each employee. This leave shall be in addition to any general holiday with pay which may be granted to all employees.

(c) **PRIVILEGE LEAVE:** A staff shall be entitled to privilege leave at the rate of one day with full pay for every 11 days of service. Accumulation of privilege leave will be allowed upto forty five days. Privilege leave can be encashed before lapsing, after reserving a minimum of fifteen days at credit for availing in emergencies.

(d) **SICK LEAVE:** A staff who is certified ill at any time while in the service of the Corporation shall be entitled to sick leave with full pay for the period of the illness subject to a maximum limit of 30 days in any one calendar year. The grant of such leave with full or proportionate pay for periods over one month in a calendar year shall be at the discretion of the employer. Unavailed portion of sick leave upto a maximum of seven days in a calendar year will be allowed to be carried forward to be availed by

subsequent years provided that such accumulation will not be permitted exceeding sixty days.

The Medical Certificate shall be given by the Corporation's Medical Officer or some other licensed medical practitioner approved by the Corporation.

(e) EXTRA ORDINARY LEAVE:- Extra ordinary leave on loss of pay shall be granted to the staff on the following grounds:-

(i) **Sickness:** This shall be granted to a staff for the period of his sickness on production of Medical Certificate in accordance with the provision 17 (d) of this order.

(ii) **Study leave:** A staff may be granted leave with or without pay for the purpose of higher studies. The grant of such leave shall be at the absolute discretion of the employer and subject to the Government orders issued in this regard from time to time.

(iii) **Leave for employment abroad:** A staff may be granted leave without pay for doing employment abroad. The grant of such leave shall be at the absolute discretion of the employer and subject to the Government orders issued in this regard from time to time. The staff on such leave shall not be eligible for any service benefits for the period of such leave including gratuity.

(f) MATERNITY LEAVE:- Maternity leave to female staff shall be granted in accordance with the provisions of Maternity Benefits Act, 1951.

(g) LEAVE TO APPRENTICES:- Apprentices shall be entitled to leave as per the provisions of the Apprentices Act, 1961, as amended from time to time.

18. PROCEDURE FOR APPLYING LEAVE:

(a) A staff who desires to obtain leave of absence shall, except in case of emergency, apply at least 24 hours in advance for leave upto five days and 15 days in advance in other cases, to the Head of the Office/estate or establishment who shall issue orders on the application within a week of its submission or two days prior to the commencement of the leave applied for whichever is earlier, provided that if the leave applied for is to commence within 3 days thereof the order shall be given on the same day. If the leave is refused or postponed, the reason thereof shall be recorded in writing by the authority passing the order. A copy of such order shall be given to the staff, if he so desires. A staff who after proceeding on leave desires to extend leave, shall make an application in writing to the

Head of his office or estate allowing sufficient time to the Corporation to communicate its reply before the expiry of the leave already sanctioned.

If the application for extension of leave is on medical grounds and the staff is away from the station during the leave, he shall submit with his application a medical certificate from the Medical Officer of the Corporation or in his absence a Registered Medical Practitioner and intimate the probable period for which the extension is required. On receipt of such application for extension of leave, the Management shall immediately inform the staff whether the extension of leave applied for has or has not been sanctioned. If sanctioned, the period of extension shall be intimated to the staff.

- (b) A staff who has been granted leave or extension of leave on medical ground shall not be allowed to resume duty unless he produces a certificate of fitness from the Medical Officer who has issued the earlier medical certificate which shall also be liable to be verified by the Management.
- (c) All applications for leave shall be submitted in the prescribed proforma. All applications for leave exceeding two weeks or extension of leave shall contain a clear statement of the address of the applicant during the leave.
- (d) If a staff remains absent beyond the period of leave originally granted or subsequently extended, he shall lose his lien on his appointment in the establishment unless he returns within 8 days of the expiry of the leave originally granted or subsequently extended and explains to the satisfaction of the Management his inability to return before the expiry of his leave.
- (e) Normally a staff will not be refused leave applied for by him. The sanctioning authority has, subject to the statutory rules, the discretion to refuse, curtail or revoke the leave at any time if the exigencies of work so require. Leave so refused may be availed at any time within the calendar year at the option of the staff.

19. ABSENCE WITHOUT LEAVE:

- (i) A staff shall not absent himself without prior permission/leave. If any staff remains absent without prior permission he will be marked absent in the Attendance Register and it will render him liable to disciplinary action.
- (ii) Absence or leave without permission for more than 10 days will constitute the misconduct and the workman is liable for termination of his service as per Law, at any rate after getting explanation, and other procedure if deemed necessary.

notice. The name of such staff will be struck off from the rolls of the Corporation.

20. PAID HOLIDAYS:-

- (a) Subject to exigencies of work, staff shall be granted holidays with wages on 4 National Holidays and 9 other days of public festivals of general or local importance, making a total of 13 paid holidays during a calendar year. Such 9 festival holidays shall be decided by the employer in consultation with the concerned trade unions of staff. This shall be in accordance with the provisions of Kerala Industrial Establishments (National and Festival Holidays) Act, 1958 and connected rules.
- (b) Compensatory holidays in lieu of National and Festival Holidays:-

Any staff who cannot be spared on any of the National or Festival Holidays due to exigencies of work, shall be granted a compensatory holiday with wages on another day within two months. In case the staff is not granted a compensating holiday as above, he shall be paid wages for two days in lieu thereof. If any of the National Holidays falls on the weekly rest day with wages, and a staff is required to work on such rest day, he shall be allowed one day's compensatory holiday with wages plus a day's wage.

21. OVERTIME:

Subject to the provision of the law for the time being in force, all staff shall be liable to work overtime, whenever required by the Management.

22. STOPPAGE AND SHUT DOWN OF WORK:

- (a) The management may at any time in the event of fire, catastrophe, break-down of machinery or stoppage of supply of power, epidemics, civil commotion or any other cause beyond their control, stop or shut down any work, division, department or section wholly or partially for any period, periods without notice. The facts of stoppage or shut down shall be notified by the notice pasted on the notice board.
- (b) In the event of stoppage or shut down for any of the causes mentioned in Clause (a) other than a lock-out or strike.
 - (i) If occurs during working hours, the staff affected shall be notified by notice put up on the notice board, as soon as

practicable, when work will be resumed and whether they are to remain or leave their place of work.

(ii) The staff shall not ordinarily be required to remain for more than two hours after the commencement of the stoppage. If the period of detention does not exceed one hour, the staff so detained shall not be paid for the period of detention. If the period of detention exceeds one hour, the staff so detained shall be entitled to receive wages for the whole of the time during which they are detained as a result of stoppage. No other compensation shall be admissible in case of such stoppage. Whenever practicable, reasonable notice shall be given for the resumption of normal work.

(iii) If the management is unable to provide work for any of the staff affected, the management shall be entitled, without notice, to lay off from work or duty all or any such staff as the Management may select for any period or periods.

(c) The Management may in the event of strike affecting either wholly or partially any section or department or the work close down either wholly or partially such section or department and any other section or department affected by such closure in accordance with the provisions of the Industrial Disputes Act 1947. The staff concerned shall also be notified by the General notice prior to resumption of work as to when the work will be resumed.

(d) Staff in case of retrenchment or lay off will be given benefits as provided under Industrial Disputes Act, 1947.

23.SAFETY:-

All staff shall be bound to observe the Safety Rules as modified from time to time and use safety equipment as and when necessary. All accidents should be reported by the staff concerned to his superior.

24.SECRECY:-

(a) No staff shall by writing to any person (including a colleague) or by communicating to the Public, papers, journals, books, pamphlets or leaflets or by speech or discussion at any place disclose or cause to be disclosed at any time during the service with the Corporation, any information relating to any secrets, cost of production, of any or all of the Corporation's products, information about purchases made or contracts entered

into by the Corporation in or out of court or any other information or matters of trade or business secrets.

(b) No staff shall, otherwise than in the normal course of his work engage himself in giving information or advice on matters relating to the activities of the Corporation.

(c) No staff shall carry with him outside the factory/office/estate premises any papers, books, drawings, photographs, instrument, apparatus, documents or any other property belonging to the Corporation.

(d) No staff shall take notes, drawing or sketches, for his own use, of any plant, process or work or keep copies of office papers with him.

(e) Any books, drawing, sketches, photographs and similar papers containing papers or information relating to the Corporation's business affairs, or operations, shall always be treated as Corporation's property whether prepared by the workman or otherwise.

Provided that these prohibitions shall not apply to those staff who are specially authorised by the Management to take out of the office/estate premises papers and documents for purpose of study, or for other purposes approved by the Management.

A breach of this order shall constitute a misconduct under standing orders.

25. ACTS OF MIS-CONDUCT

Without prejudice to the general meaning of the term 'Misconduct' the following acts and omissions on the part of a staff shall be treated as 'misconduct'

(i) Wilful insubordination or disobedience, whether alone or in combination with others, of any lawful and reasonable order of a superior.

(ii) Theft, fraud or dishonesty in connection with the Corporation's business or property.

(iii) Non observance of safety measures or rules on the subject put up on the notice board, or interference with safety devices or fire fighting equipments.

(iv) Giving false information regarding one's name, father's name, age, qualifications, address, employment or concealing any facts about any previous employment or conviction in any court of law for an offence involving moral turpitude.

- (v) Habitual late attendance and/or habitual absence from duty without leave.
- (vi) Neglect or negligence of duty, malingering, absconding, slowing down of work or sleeping on duty.
- (vii) Transfer of Identity Card, Medical Card to another person or frequent loss of Identity Card.
- (viii) Taking or giving bribe or illegal gratification or indulging in corrupt practice.
- (ix) Assaulting or intimidating any workman or employee or officer of the Corporation within the premises or in the Corporation's Office/ Estate or outside where the act(s) is subversive of discipline.
- (x) Gambling, drunkenness, fighting, riotous disorderly or indecent behaviour in Corporation's premises or any act subversive of discipline.
- (xi) Smoking in prohibited areas notified by the Management.
- (xii) Leaving work without permission.
- (xiii) Sabotage or willful damage to or loss of Corporation's goods or property.
- (xiv) Willful failure to inform the Management or the Medical Officer of any contagious or notifiable disease contracted by a staff or any person residing with him as soon as the matter comes to his physical knowledge.
- (xv) Accepting service in any other establishment, factory, office, workshop etc. without the written permission of the Management.
- (xvi) Deliberately spreading false information with a view to bringing about disruption to Corporation's normal work.
- (xvii) Holding meetings within the work premises or any of the premises owned by the Corporation or in its estate during duty time without the previous written permission of the Management.
- (xviii) Striking work or inciting others to strike work in contravention of the provisions of any law or rules having the force of the law.
- (xix) Accepting of gifts from co-workmen or employees or lending or borrowing money to and from such workmen or employees.
- (xx) Failure to report for work when required to do so on a paid holiday or a weekly day of rest without any valid reason.
- (xxi) (a) Unauthorised use or occupation of Corporation's land, quarters, tools, machinery or other properties.
(b) Unauthorised sub-letting of the quarters/labour lines belonging to the Corporation.
- (xxii) Conviction in any court of law for any criminal offence involving moral turpitude.
- (xxiii) Breach of any law or standing orders applicable to the establishment.
- (xxiv) Refusal to work on another machine/Section/Unit/Division which does not require extra skill.

(xxv)Insolvency

(xxvi)Collection or canvassing for the collection of any money within the Corporation's premises without the written permission of Management or distributing or exhibiting in or around the premises any newspapers, pamphlets, hand-bills posters or the like without the written permission of the Management.

(xxvii)Unauthorised entry into a place belonging to the Corporation.

(xxviii)Permitting or giving shelter to unauthorised persons in the Corporation's premises or colony or quarters or labour lines.

(xxix)Wilfully doing anything which is likely to endanger himself or others.

(xxx)Wilfully interfering with any appliances set up for the purpose of securing the health, safety and welfare of employees.

(xxxi)Carrying weapons or threatening, intimidating or attempting bodily injury to any workman or Officer or employee of the Corporation or conduct which violates common decency or morality of the community.

(xxxii)Refusal to accept any letter/notice issued by the Management.

(xxxiii)Writing of anonymous or pseudonymous letters criticising superiors in the service of the Corporation.

(xxxiv)Carrying unauthorised passengers without authority in Corporation's vehicles.

(xxxv)Abetment or attempt to commit any of the acts of misconduct.

(xxxvi)Intentionally giving false information prejudicial to the interest of the Corporation.

(xxxvii)Commission of any act subversive of discipline or good behaviour or acting in any manner prejudicial to the interest of the Corporation.

(xxxviii)Bringing or attempting to bring any outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service in the Corporation.

(xxxix)Marking false attendance/attempting to mark another employee's attendance in the card or register provided for recording attendance.

(xxxx)Doing private or personal work or engaging in any other trade or business within the office/estate premises or its precincts with or without tools or materials belonging to the Corporation without the previous permission of the management.

(xxxxi)Lending or borrowing money within the office/estate and indulging in speculative trade/business.

(xxxxii) Collecting signature or carrying on signature campaign during the working hours and within works premises or the precincts thereof for any unlawful purpose.

(xxxxiii) Failure to come on duty in uniform, if provided by the Corporation or its misuse.

(xxxxiv) Collection of funds in the Corporation's office/estate except Union's subscription/contribution without the express permission of the management.

(xxxxv) Not starting work by the notified time of duty hours, or leaving work before working hours are over or without handing over charge to the incoming staff of the following shifts wherever specified.

(xxxxvi) Sexual harassment of women at the work place or premises thereof by acts or words or by visible representation which includes physical contact and advances or a demand or request for sexual favours or sexually coloured remarks or showing pornography or any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

26. PENALTIES FOR MIS-CONDUCT:

The following penalties may, for good and sufficient reasons, be imposed for mis-conduct/gross mis-conduct:

(1) The following shall constitute minor penalties:

(a) Censure

(b) Fine (as per the provisions of Payment of Wages Act, 1936 as amended from time to time).

(c) Suspension without wages for a period not exceeding 4 days.

(2) The following shall constitute major penalties:

(a) Stoppage of increment with or without cumulative effect.

(b) Withholding of promotion.

(c) Reduction to a lower grade or post or rank or lower stage in a time scale.

(d) Discharge from service.

(e) Dismissal from service.

Explanation: Stoppage of increment at any efficiency bar shall not constitute a penalty.

27. PROCEDURE FOR DEALING WITH CASES OF MIS-CONDUCT

(i) Procedure for imposing of minor penalties:

Where a staff is charged with an offence which may lead to the imposition of a minor penalty, he shall be informed in writing of the allegations made against him and shall be given an opportunity to make

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representation within 7 days and the representation if any, shall be considered before imposing a minor penalty. A domestic enquiry is not required for imposing such penalties.

(ii) Procedure for imposition of major penalties:

(a) Where a staff is charged with an offence which may lead to the imposition of major penalty, he shall be informed in writing of the allegations against him and shall be given an opportunity to make representation within a period of not less than 10 days. On receipt of the staff's explanation where the allegations are denied by him, an enquiry shall be held by an Officer or Officers nominated by the Management. Such enquiry will be conducted by Officer other than the Officer who has made the allegations or is directly subordinate to him. At the enquiry, the staff concerned shall be afforded reasonable opportunity of explaining and defending his case with the assistance of a colleague/ an office bearer of a Trade Union of which he is a member. Where such enquiry relates to the alleged misconduct of several staff, the enquiry may be held for all the staff separately.

(b) Where a disciplinary proceedings against a staff is contemplated or is pending or where criminal proceedings against him in respect of any offence are under investigation or trial and the Management is satisfied that it is necessary or desirable to place the staff under suspension, it may, by order in writing suspend him with effect from such date as may be specified in the order. A statement setting out in detail the reasons for such suspension shall be supplied to the staff within two weeks from the date of suspension. During the period of suspension, a staff shall not enter the work premises except with the permission of the Management nor shall he leave the Headquarters without the permission of the authority who suspended him.

(c) If during the enquiry, the staff is found guilty of misconduct other than that stated in the order of suspension and/or the charge sheet, the staff shall be liable to punishment for such misconduct, but before any punishment is imposed on him he shall be afforded reasonable opportunity of explaining and defending his case in respect of such misconduct.

(d) A staff who is placed under suspension under Clause (b) above, shall during the period of such suspension be paid subsistence allowance in accordance with the provisions of the payment of Subsistence Allowance Act. The payment shall be effected on the pay day.

(e) If on the conclusion of the enquiry or as the case may be of the criminal proceedings, the staff has been found guilty of the charges framed against him or some other misconduct brought out in the course of enquiry and the punishment is awarded, the staff shall not be entitled to any remuneration for such period other than the subsistence allowance already paid to him. If a penalty other than dismissal or discharge is imposed on him, the punishing authority shall by order decide as to how the period of suspension shall be treated. If, however, he is not found guilty of the alleged misconduct or any other misconduct after the departmental enquiry or as the case may be after the criminal proceedings, he will be reinstated in his post and shall be paid the difference, between the subsistence allowance already paid and the emoluments which he would have received if he had not been suspended, the period of suspension being treated as on duty.

Provided that when an order of dismissal is passed, the staff shall be deemed to have been absent from duty during the period of suspension and shall not be entitled to any remuneration for such period and the subsistence allowance already paid to him shall not be recovered.

(f) The payment of subsistence allowance under these standing orders shall be subject to the staff not taking up any employment during the period of suspension.

(g) No order for removal or discharge or dismissal from service shall be made by an authority lower than the appointing authority of the staff. In awarding punishment, the Management shall take into account the gravity of the misconduct, the previous record of the staff and any other extenuating or aggravating circumstances, that may exist. A copy of such orders passed by the Management shall be supplied to the staff.

(h) If a staff refuse to accept a charge sheet, order or other communications served on him, in accordance with these Standing Orders, a copy thereof shall be sent by registered post to his address as recorded in the service record and another copy pasted on the notice board and this shall constitute adequate service.

28. PROCEDURE IN CASE OF RETIREMENT OF A STAFF WHILE DISCIPLINARY ACTION IS PENDING:

- (i) Any disciplinary proceedings initiated, while a staff member is in service, will not lapse for the reason that his date of retirement falls before the disciplinary proceedings can be completed. Such staff member who is to retire during the

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- pendency of the disciplinary proceedings shall deem to continue in service by an order issued for the limited purpose of continuing the disciplinary proceedings, until the enquiry into the charges of misconduct against him is completed and a final order thereon is passed, but without any entitlement for any salary or other remuneration or benefits during such deemed continuance in service
- (ii) The retirement benefit of such staff member shall be paid subject to the outcome of the disciplinary proceedings and it will be settled only on completion of the disciplinary proceedings and a final order thereon is passed.

- If however the employee is exonerated of the charges he shall be given his retirement benefit together with an interest @ 6% for the period the enquiry after retirement.
- (iii) Any fine which is imposed on any staff member may be recovered from any retirement benefits due to him, if the staff member retires from service before the recovery can be made or the punishment is imposed after such retirement, pursuant to the enquiry completed after the date of retirement in accordance with sub-clause (i) of the order No.28 of the standing orders. This shall be in addition to the recovery of any monetary loss caused to the Corporation on account of the misconduct proved to have been committed by the staff member in the enquiry so conducted into the charges of misconduct.

29.SPECIAL PROCEDURE IN CERTAIN CASES:

Where a staff has been convicted for a criminal offence in a court of law and where the Management is satisfied for reasons to be recorded in writing, that it is inexpedient or against the interest of security of the establishment to continue to employ the staff, the staff may be removed or discharged or dismissed from service without following the procedure laid down in Standing Orders No.27.

Provided where the removal or dismissal of a staff is due to conviction by a criminal Court, the staff shall be reinstated on a higher court finally acquitting/exonerating him. However on such reinstatement the staff will not be eligible for backwages for the period he was out of service.

30. APPEAL

A staff on whom any of the penalties is imposed shall have the right of appeal to the authority notified in this behalf. The appeal shall be submitted within 30 days, of the receipt of the order of the punishing authority and the appellate authority shall dispose of the appeal within 60 days of the receipt of the appeal.

31. TERMINATION OF EMPLOYMENT

The employment of any contractual staff may be terminated by giving 30 days' notice by the Corporation or on payment of 30 days' wages in lieu of notice, in accordance with the terms of appointment, subject to the provisions of the Industrial Disputes Act 1947 as amended from time to time, but the services of a permanent staff shall not be terminated as punishment unless he has been given an opportunity of explaining the charges of misconduct alleged against him in the manner prescribed in Standing Order No.27. Such notice is not required in the case of a probationer or an apprentice or a trainee.

32. RESIGNATION

Staff other than those who have executed a bond to serve the Corporation for a specified period, who wish to leave the Corporation's service shall give the Corporation the same notice as the Corporation is required to give them under Standing Order No.31.

33. RETURN OF TOOLS ETC.:

Every retrenched staff or a staff under suspension or a staff leaving the services of the Corporation shall before leaving the service of the Corporation, return any of the property or tools belonging to the Corporation issued or lent to him in connection with his employment in the Corporation. The cost of such property or tools not so returned shall be liable to be deducted from his pay/wages or other amounts due to him.

34. ESSENTIAL SERVICES:

The following services shall be considered as essential services:

- (1) Maintenance of electric power services.
- (2) Maintenance of water, air and gas services
- (3) Watch and ward
- (4) Fire protection
- (5) Telephone operation and maintenance
- (6) Medical and sanitary services
- (7) Transport services of essential services

35. PUBLICATION OF WRITTEN ARTICLES:

Subject to his legal rights no staff shall publish or caused to be published, an article written by him or any matter whatsoever in any

local or overseas newspaper, journal or other publication, without written permission of the Management provided that such permission shall not be necessary for the publication of articles which have no bearing on the affairs of the Corporation.

36.TRANSFER:

Staff are liable to be transferred from one section or job to any other office/estate/division/unit/section/job, provided that the pay, grade, continuity and conditions of service are not adversely affected by such transfers and provided that the jobs provided on transfer are of similar nature and are capable of being performed without any special skills or previous experience. As far as possible the transfers shall be done in accordance with the prescribed transfer rules of the Corporation with it's modification from time to time.

37.INCREMENT:

The staff shall be eligible for increment on completion of every year of service as admissible in accordance with pay scale attached to the post held by him, provided that in the case of those availing E.O.L and those unauthorisedly absenting from duty, the increment shall be delayed by the period of such E.O.L/unauthorised absence. If a staff is on sick leave on the date on which his increment falls due, the monetary benefit of the increment sanctioned shall be payable only from the date on which he rejoins for duty. The sanctioning of the increment shall be subject to the satisfactory report on the performance of an employee during the incremental period by the superior officers concerned.

38.PROMOTION

The criteria for promotion of staff shall be seniority, suitability and efficiency. The promotions shall be done in accordance with the prescribed channel of promotions and shall be subject to the promotion rules of the Corporation with it's modifications from time to time. If the name of any senior is not considered for promotion we may be given detailed report why his name is not considered for promotion and he may be asked to offer his explanation. Only after getting his explanation and considering the same, the management can deny promotion chance to a senior.

39.APPLICATION FOR EMPLOYMENT

A staff seeking employment outside the Corporation shall submit his application through proper channel and the number of time he can apply for employment outside the Corporation shall be limited to three in a calendar year. If the Management withholds forwarding of his application, the reason for not forwarding the application shall be intimated to the staff.

40. CERTIFICATE OF SERVICE:

Every staff shall be furnished with a service certificate at the time of his dismissal/discharge/termination of his service, resignation or retirement on his request.

41. AGE OF RETIREMENT:

The age of retirement shall be 58 years.

42. LIABILITY OF THE MANAGEMENT:

The Managing Director or any other responsible Officer nominated by him shall be held responsible for the proper and faithful observance of these Standing Orders.

43. EXHIBITION OF STANDING ORDERS:

A copy of the Standing Order in English shall be pasted on the main notice board and shall be kept in legible condition.

It shall also be supplied to a staff on payment of Rs. 5/- per copy on demand.

44. POWER OF DIFFERENT AUTHORITIES

All powers conferred on any person of the Corporation under these Standing Orders shall also be exercisable by any other authority or person of the Corporation superior to him.

45. INTERPRETATION OF STANDING ORDERS:

If there is any conflict between the Standing Orders in English and those in any other language or languages, the English version shall prevail and be followed.