



## **CONTENTS**

### **HOTEL CORPORATION OF INDIA LIMITED**

### **EMPLOYEES' SERVICE REGULATIONS**

#### **CHAPTER -I**

#### **PRELIMINARY**

**1. Short Title:**

These regulations may be called the Hotel Corporation of India Limited Employees' Service Regulations, and define the conditions of service of the employees of the Corporation. They are based on a recognition of the fact that the Hotel Industry by its very nature has to run round the clock on all days of the year and the customer's service and satisfaction is the raison D'etre of the industry.

**2. Commencements and Scope:**

- i) These regulations shall come into force on and from the date of notification by the Corporation and shall apply to all employees of the Corporation; Provided that in respect of temporary, casual, substitute, part-time trainees and apprentices, the Corporation may exclude or limit the application of any of these regulations.
- ii) Nothing contained in these regulations shall have the effect of altering the terms of any contract of employment which may exist between the Corporation and any of its employees, or the provisions of any special law for the time being in force.



### 3. Definations :

In these regulations, unless the context otherwise require:

- a) “Board” means Board of Directors of the Corporation and includes, in relation to the exercise of powers, any Committee of the Board or any Officers of the Corporation to whom the Board delegates any of its powers.
- b) “Corporation” means Hotel Corporation of India Ltd.
- c) “Chairman” means the Chairman of the Corporation.
- d) “Managing Director/Director” means the Managing Director/Director of the Corporation.
- e) “Government” means the Government of India.
- f) “Competent Authority” means in relation to the exercise of any power the Corporation, the Chairman, the Managing Director/Director, Head of the Department or any other officer specified in that behalf.
- g) “Disciplinary Authority” means the authority specified in the Schedule to Conduct, Discipline and Appeal regulations (Chapter IX).
- h) “Appointing Authority” means authority empowered by the Managing Director, Head of the Department or any other Officer specified in that behalf to appoint an employee.
- i) “Head of Department” means any person appointed as such holding charge of a Department and any other officer as designated by the corporation generally or for any specific purpose.



- j) “Employee” means a person in the service of the Corporation. Employees may be classified into permanent or temporary or part time employees or as probationers or substitutes or as officers or executives or as supervisory or non-supervisory staff or as clerks or technicians, or further classified as skilled, semi-skilled and unskilled workers.
  
- k) “Public Servant” Shall mean and include a person as mentioned in Section 21 of Indian Penal Code as amended from time to time.
  
- l) “Family” includes the employees’ wife and legitimate children residing with the dependent upon him.
  
- m) “Month” means the according to the Gregorian Calendar.
  
- n) “Pay” means the amount drawn monthly by the employee as:
  - a) Basis pay or basic wages in the grade of the post held by him substantively or in an officiating capacity, and
  - b) Personal pay granted to save an employee from loss of basic pay or an other personal considerations, and
  - c) Any other emoluments which may be classed as pay for any specific purpose.
  
- o) “Temporary Transfer” means transfer for a limited period not exceeding one year from the date of posting to the place of transfer.



**4. Administrative Orders :**

In addition to the provisions contained in the relevant enactment and these Regulations, the employees shall also be governed by administrative orders which will be issued periodically.

**5. Modification etc. of Regulations :**

Subject to the provision of applicable law if any, the Corporation reserves the right to modify, cancel or amend any or all of these regulations or orders issued thereunder and to give effect thereto from any date which the Corporation may deem fit.

**6. Interpretation:**

The Corporation reserves the right to interpret the meaning of these regulations and any supplementary regulations or orders issued thereunder as well as of Administration Orders issued from time to time and such interpretation shall be final and binding upon all employees and every person interested therein.



## **CHAPTER - II**

### **CLASSIFICATION OF EMPLOYEES**

**7. Permanent Employees :**

A permanent employee is an employee who has been confirmed in a permanent vacancy on completion of probation prescribed in regulation.

**8. Probationer :**

A probationer is an employee who is provisionally employed to fill a permanent vacancy and has not yet satisfactorily completed the period of probation. If a permanent employee is appointed on probation in a new post he may, at any time during the probation period, be reverted to his permanent post.

**9. Temporary Employee :**

A temporary employee is an employee who is engaged by the Corporation for a limited period or for work of a temporary nature.

**10. Casual Employee :**

A casual employee is an employee who is engaged for work which is essentially or an occasional or casual nature.

**11. Substitute Employee :**

A Substitute employee is an employee who is appointed to the post of a permanent employee or probationer who is temporarily absent.



**12. Part-time Employee :**

A part-time employee is an employee who is employed to do work for less than the normal period of working hours.

**13. Trainee :**

A trainee is a learner who is being trained for a job and who is paid a stipend during his period of training.

**14. Apprentice :**

An apprentice is a learner who may or may not be paid an allowance during the period of his training.



### **CHAPTER - III APPOINTMENT, PROBATION ETC.**

#### **15. Medical Examination :**

- i) The appointment of every person in a permanent vacancy shall be subject to his being certified medically fit by the Corporation's Medical Officer or any other Registered Medical Practitioner approved in this behalf by the Managing Director / Director: Provided that the Managing Director/ Director may, for reasons to be recorded in writing, approve of an appointment notwithstanding the medical opinion expressed, if he is satisfied that the disability reported is not likely to affect the occupational suitability of the employee.
  
- ii) Every employee shall be subject to medical examination at such interval and in such manner as may be prescribed by the Managing Director/ Director. The Competent Authority may terminate the services of an employee who is found to be suffering from a communicable disease.

#### **16. Personal Data :**

Every employee shall submit to the Competent Authority as may be specified, information regarding his age, address, marital status etc., in the prescribed form. It shall be obligatory on the employee to report any changes in the data so supplied to the authority who had originally called for such information or to the Department designated for the purpose.

#### **17. Fidelity and Security Bonds :**

Where the Corporation deems it necessary, employees dealing with cash, stores or property of the Corporation may be called upon to furnish such security as may be prescribed either in cash or in the form of Fidelity/ Security Bonds.



**18. Probation :**

- i) Every person appointed in or promoted to a permanent vacancy shall, before his confirmation in the post, be required to undergo probation for six months or twelve months as may be prescribed, provided that the stipulated period of probation may be reduced by the Managing Director/ Director at his discretion or, for reasons to be communicated in writing, extended by the Competent Authority.
- ii) For the purposes of confirmation, increment and privilege leave, the period of probation shall be deemed to have commenced from the first day of the calendar month in cases where the employee joins duty on or before the 15<sup>th</sup> of that month, and from the first day of the following calendar month in cases where the employee joins duty on or after the 16<sup>th</sup> of that month.

**19. Training :**

All employees are liable to undergo training for such period or periods as may be prescribed by the Competent Authority.

**20. Provident Fund :**

An employee on completing such qualified service as may be laid down in this behalf, shall be required to subscribe to the Corporation's Provident Fund, provided that he may be wholly or partially precluded from so subscribing to the said fund, if he is required to subscribe to any other Superannuation or Pension Fund or a Statutory Provident Fund : Provided further that the Corporation may, in its discretion, permit an employee employed on special contract to become a member of the said Fund on such terms as the Corporation may decide in each case.





## **CHAPTER - IV SECURITY MEASURES**

### **21. Liability to Search etc. :**

- i) No employee shall enter or leave the Corporation's premises except by the gate or gates specified for the purpose.
- ii) All the employees are liable on entering/ leaving or while inside the premises of the Corporation, to be searched by the person authorized by the Competent Authority provided that the female employee shall be searched by female or in the presence of a male employee except with her consent.

### **22. Identity Card :**

- i) Every employee shall be provided with an identity card containing such particulars as may be prescribed from time to time. The cost of photograph, where required, shall be borne by the employee.
- ii) The identity card shall be carried at all times while on duty and should be produced when required to any person authorized by the Corporation and should be worn when required to do so by the Competent Authority.
- iii) An employee reporting for duty without the identity card is liable to be refused entry and shall be treated as absent.
- iv) The loss of identity card shall be reported immediately to the concerned authority who would arrange a duplicate identity card on payment of such charges as may be laid down in this behalf. Failure to report the loss within a reasonable time shall render the employee liable to disciplinary action.



- v) On the cessation of his service in the Corporation every employee shall deposit the identity card with the designated officer and obtain a clearance to that effect. Failure to do so would entitle the Corporation to deduct such sum as may be specified, while settling his account.
- vi) The identity card shall not be transferable and there shall be no tampering with the identity card.

**23. Presence Outside Working hours :**

All employees who wish to visit the premises of the Corporation outside working hours must obtain prior permission of the Competent Authority. Such a permission may be obtained from the Department Head or time office.

**24. GATE PASSES :**

No item of food or beverage or any other property of the Corporation may be taken out of the premises without a Gate Pass. Gate Passes are issued by Departmental Heads or Sectional Heads. Such articles should be liable to inspection by any person authorized in this behalf.

**25. Prohibition on Visitors :**

No employee shall be allowed to meet any visitor in the Corporation's premises except with such prior permission as may be prescribed in this behalf.

**26. Undesirable Elements :**

It shall be the duty of every employee to draw the attention of his sectional or divisional head or supervisor to the presence of undesirable elements on the Corporation's premises.

**27. Co-operation with Security Staff :**

All employees shall co-operate with the Security staff in the discharge of the latter's duties.



## CHAPTER -V

### ATTENDANCE, LATE COMING & SHIFT WORKING

#### **28. Registering of Attendance :**

All employees shall comply with the instructions issued from time to time relating to the checking of the time of arrival and departure.

#### **29. Shift working :**

Subject to provision of applicable law, an employee shall be liable to work on shift /shifts as may be necessary, which shall change to such periods as may be specified by the Competent Authority. If more than one shift is worked, an employee shall be liable to be transferred from one shift to another. The employees shall not change their shifts inter-se without the prior permission of the Competent Authority.

#### **30. Duty Hours :**

The duty hours for each category of employees and for each shift shall be fixed by the Competent Authority and displayed on the notice board. The hours of work are liable to be revised to meet the varying workload, arising out of requirements of work and better utilization of manpower and the employees shall adhere to such revised working hours as and when prescribed.

All employees shall comply with the order issued from time to time relating to attendance, hours of work, shifts, change over, rest intervals or rest pauses and such other matters.



**31. Overtime :**

Any employee may be required by the Competent Authority to work overtime, in which case payment of such overtime to these categories who are entitled to it shall be in accordance with such provisions as may be laid down by the Corporation from time to time.

**32. Penalty for Absence after recording attendance :**

All employees shall be at work at the time and place fixed and notified to them. An employee, who after recording his attendance, absents himself from his proper place or places of work during working hours without permission or without sufficient reason, shall be liable to be treated as absent and a proportionate deduction effected from his pay or wages, in accordance with the payment of wages Act where applicable.

**33. Late attendance :**

The pay or wages of an employee will be liable to deduction for late attendance for every 15 minutes or part thereof provided that an employee reporting late for more than half an hour may be refused permission to work and may be treated as absent for the day. Habitual late attendance will constitute misconduct for the purpose of Regulation 60 (8) and render an employee liable for disciplinary action.



#### **34. Holidays :**

26<sup>th</sup> January, 15<sup>th</sup> August and 2<sup>nd</sup> October will be observed as paid holidays each year. In addition to these, employees will be allowed festival holidays in a calendar year, from among the holidays notified by the Competent Authority provided they inform the Competent Authority two week in advance about the religious on which they would like to avail the holiday will be granted an alternative day off in the event of working on such holiday. Employees within the definition of “Workmen” as given in the Industrial Disputes Act, 1947, shall in addition be paid compensation at two times including normal wages for the paid holiday or holiday or granted an alternative day off in lieu of working on such a holiday.



## CHAPTER -VI

### TRANSFER AND TOURS

#### 35. Liability for Transfer etc. :

An employee is liable to be sent on tour or be transferred from one post, department or section to another provided that his pay, grade and continuity of service are not adversely affected by such transfer.

#### 36. Joining Time :

- i) Subject to the provisions herein after contained, an employee on transfer from one station to another shall be normally allowed joining time as follows:
  - a) Seven days in the case of permanent transfer.
  - b) Three days in the case of temporary transfer.

**NOTE** : Posting of an employee from one station to Another for any purpose for a period of not Exceeding 30 days will not be treated as temporary transfer for the purpose of this regulation.

- ii) The joining time admissible as above shall be exclusive of days involved in the journey but inclusive of intervening Sundays and holidays.
- iii) However, in the case of temporary transfers, made with immediate effect, the employee concerned may be required to proceed immediately to the station of posting, in which case he will be allowed to return to his permanent situation not earlier than 15 day from the date of arrival at the station of posting and shall thereafter be given off in lieu of joining time due.



- iv) No joining time will normally be admissible to an employee at the end of this temporary transfer. The Competent Authority may, however, with due regard to the period of temporary transfer, allow joining time not exceeding three days as mentioned under sub regulation (i) to enable him to rejoin his permanent station.
- v) During joining time, the employee will not normally be required to attend to official duties, but the Competent Authority may, in the exigencies of work, recall him to duty, in which case the period of joining time shall be extended correspondingly.
- vi) During joining time, the employee will be entitled to the pay and allowance of the post from which he is transferred.

**37. Tours :**

An employee shall be deemed to be on tour if he is required to proceed on duty to a place beyond a radius of 25 miles from his head- quarters.

**38. Class of Travel :**

An employee on transfer or tour and his family where permitted shall travel by air, sea, rail or road as may be required by the Competent Authority. The class in which he can travel, where more than one class is available, would be as notified by the Corporation.

**39. Allowances :**

All employee on transfer or tour, as the case may be, shall be entitled to such travelling and other allowances as the Corporation may lay down from time to time.



## CHAPTER – VII

### PAY, ALLOWANCES ETC.,

#### **40. Pay and Allowances :**

The Corporation may determine the scale of pay, allowances or other emoluments applicable to its employees from to time as may be deemed necessary or desirable, provided that pay and allowance of the Managing Director will be in accordance with the provisions of the Companies Act 1956.

#### **41. Pay and Allowance when Effective :**

The pay and allowance of an employee shall be effective from the date from which he joins the post to which he is appointed. If he joins the post before the rest interval, the pay and allowance shall be admissible from the same day and, if after the rest interval, from the following day.

#### **42. Fixation of Pay on Promotion : (Amended & Approved in Ref. no. 227<sup>th</sup> Board Meeting held on 25.06.2014)**

- i) “On appointment/promotion to a higher post on a permanent basis, the basic pay of an employee in the lower grade shall first be raised by one increment in the scale applicable to higher post and then re-fixed at the corresponding stage in that scale provided that” :
  - a) If the pay so raised is below the minimum of the higher scale, the pay shall be fixed at the minimum.
  - b) If the pay so raised falls below the middle point between two stages, the fixation of pay in the higher scale shall be made at the nearest lower stage the difference between the pay so fixed and the pay raised as above shall be allowed as personal pay to be absorbed in the next increment.





- c) If the pay so raised falls at or above the middle point between two stages, the fixation in the higher scale, shall be made at the next higher stage.
- ii) The increment by which the present pay shall be raised under sub-regulation (i) above shall be the increment applicable to :
    - a) The corresponding stage in the higher scale if there is such a stage, or
    - b) The nearest lower state, if there is no such stage, or
    - c) The initial stage, if the pay in the lower scale is below the initial stage of the higher scale.
  - iii) On reversion to his substantive post, the employee appointed to officiate in a higher post shall be entitle to the pay which would have been admissible to him had he not been promoted.

**42-A. CURRENT CHARGE : (Amended & Approved in Ref.no.227<sup>th</sup> Board Meeting held on 25.06.2014)**

“when required by the Competent Authority, an employee shall hold current charge of a higher post in addition to his/ her own duties. An employee when required by the Competent Authority to hold current charge of a higher post in addition to his own duties and when such charges is held for a period of not less than 60 days, shall be entitled to a charge allowance at the rate of 10% of his/her basic pay.”



### **43. Disbursement of Salaries :**

- i) Pay and allowance of all employees excepting casual employees will be disbursed monthly on such dates and in such manner as the officer authorized on this behalf may notify from time to time.
- ii) Except as provided in Sub-Regulation (iii), no employee will be entitled to receive his pay and allowance in advance of such date.
- iii) An employee proceeding on leave or tour, may, on the sanction of Competent Authority, be paid in advance his pay and allowances for the month or months during which he is on leave or tour, if he is likely to be away from his headquarters on the date or dates appointed for disbursement of pay.
- iv) Where the services of an employee are terminated, his salary due to him and other dues, if any, shall be paid before the expiry of the second working day from the day on which his services are terminated.

### **44. Increments :**

- I) Increments are dependent on business conditions as well as the conduct and ability of the employee and no increment within a grade accrues as of right or as a matter of course. The Competent Authority may on positive grounds grant or, for reasons to be recorded in writing, withheld an increment: Provided that no increment shall be withheld unless (a) the employee is informed in writing of the grounds on which it is proposed to withhold increment and (b) he has been given a reasonable opportunity of showing cause why his increment should not be withheld.



- II) Where in a pay scale an efficiency bar is prescribed, the increment next above the bar shall not be granted without the specific sanction of the Competent Authority.

**45. Advance increments :**

In any case where an employee has shown outstanding merit or has displayed outstanding loyalty, or devotion to duty, the Managing Director/Director may, in his sole discretion, sanction to him advance increments as he may deem fit. In such cases, the Managing Director/Director will also indicate whether the dates of normal increments shall or shall be affected.

**46. Secondary Increments :**

- i) Subject to the general conditions laid down in Regulation 44(i) and to the provisions of Sub-Regulations (ii) hereof, the employees of such categories as may be specified by the Corporation for a secondary increment for every 3 year's service from the date on which they reach the maximum of their grade.
- ii) The rate of the secondary increment shall be the rate of the increment last drawn by them and the number of such increments shall not exceed three in any one grade.



## CHAPTER – VIII

### LEAVE

#### 47. Kinds of Leave :

Subject to the condition hereinafter laid down, employee will be eligible for the following type of leave:

- a) Privilege Leave.
- b) Casual/Sick Leave
- c) Special Sick Leave.
- d) Maternity Leave.
- e) Ex-gratia Sick Leave
- f) Quarantine Leave.
- g) Study leave.
- h) Sports Leave.
- i) Extraordinary Leave.
- j) Accident Leave

#### 48. General Condition regarding leave :

- i) The authority empowered to grant leave has the discretion to refuse, postpone, curtail or revoke leave according to the exigencies of service and no leave can be claimed as of right.
- ii) An employee may be required to take such privilege leave as the Competent Authority may decide on giving his reasonable notice. If leave so offered is not availed of by the employee, he shall forfeit it and his leave account shall be debited accordingly.



- iii) All leave shall be applied for in writing in the prescribed application form addressed to the Competent Authority. In case the application is for privilege or Study Leave, such application shall be submitted at least 15 days period to the date of commencement of leave.
- iv) Sundays or holidays may not be prefixed and /or suffixed to any type of leave except with the prior permission of the Competent Authority. Where so allowed, they shall not be counted as part of the leave.
- v) Sundays or holidays intervening during the period of leave shall count as part of the leave.
- vi) If leave is refused, postponed, curtailed or revoked, the reason therefore shall be recorded in writing and communicated to the employee.
- vii) An employee desiring to extend the leave already granted to him shall apply for such extension well in advance on the expiry of the leave originally sanctioned so that the sanction for the leave, or otherwise, can be communicated to him before the expiry of the leave already granted. Absence beyond the period of leave already sanctioned will be treated as unauthorized absence.
- viii) All leave to the credit of an employee shall ordinarily lapse on the date of cessation of his services. Provided that:-



- a) “The Privilege Leave admissible to an employee on the date of retirement or superannuation or resignation from the services of the Corporation may be en-cashed in lump-sum as on time settlement subject to maximum 300 days at the time of retirement or superannuation or resignation from the services of the Corporation.**(Amended & Approved in 168<sup>th</sup> Board Meeting held on 30.03.2001)**
- b) In the case of death of permanent employee or temporary employee who has completed one year’s continuous service, the legal heir/s of the deceased employee, may be paid the leave salary in respect of the privilege leave standing to the credit of the employee on the date of his death. The payment of leave salary is to be made on compassionate grounds and cannot be claimed as of right.”
- ix) An employee shall be eligible to en-cash ‘ Privilege Leave in accordance with the following conditions :-
- a) The encashment of privilege Leave shall be allowed at the option of an employee.
- b) Maximum period of leave that can be allowed to be en-cashed will be calculated on the basis that after retaining one year’s entitlement of privilege leave i.e.30 days to the credit of the employee, 50% of the balance privilege leave can be en-cashed without any precondition upon the employee concerned to proceed on leave compulsorily for the purpose of such encashment.



- c) Encashment of privilege Leave shall be allowed only once in a calendar year.
- d) For the purpose of encashment of Privilege Leave, only pay as accounted for Provident Fund contribution shall be taken into account.
- e) The rate of encashment per day shall be calculated on the basis of the emolument specified in condition (d) above and drawn by an employee in the month preceding the month in which encashment to privilege leave is sanctioned divided by thirty.
- f) Encashment of privilege leave will be authorized by the Departmental Head for staff of his Department and by the Unit Head for the Departmental Heads.
- g) No encashment of privilege leave shall be permissible to an employee during the period of his suspension from service.
- h) No deduction other than income tax shall be made from the amount payable if the encashment is for a period less than thirty days.
- i) The amount payable towards the Privilege Leave allowed to be en-cashed shall not be reckoned as pay for any purpose including Provident Fund Contribution.
- j) The period of Privilege Leave permitted to be en-cashed shall not be reckoned for the purpose of earning privilege leave or any other kind of leave.



- k) The benefits of encashment of privilege leave shall not be admissible to :-
- i) Employees on contract.
  - ii) Temporary employees.
  - iii) Apprentices and Trainees.
  - iv) Employees appointed for a specific project.
  - v) Employees who resign or whose services are terminated on disciplinary ground.
  - vi) Employees on deputation.

**49. Privilege Leave :**

- i) Every employee who has worked during the first year of service, except those serving under contract shall be entitled to leave with pay for 30 days and thereafter leave will be credited/allowed on half yearly basis on 1<sup>st</sup> July and 1<sup>st</sup> January subject to condition of the employee working during a half year except that leave for the period from the date of his completing one year of service till the end of that half year viz. 1<sup>st</sup> July or 1<sup>st</sup> January, shall be calculated on pro-rata basis, the employee being entitled to leave for the number of days for which bears to 30 days for one year service the same proportion as the number of days for which the employee worked, except that leave with pay will not be admissible for unauthorized absence from duty, leave authorized without pay study leave, extraordinary leave, sports leave etc.





The only exception to this rule being that the employee who retire from the services of the Corporation on attaining superannuation would also be entitled to leave calculated on pro-rata basis for the period of service in the year of superannuation.

**Explanation** : For these purpose any days of lay-off by agreement or contract or any maternity leave not exceeding 12 weeks and any leave enjoyed with pay and allowance shall be deemed to be days on which the employee has worked.

**50. Casual / Sick Leave :**

- i) An employee will be eligible for 10 days casual leave and 10 days sick leave with pay in a calendar year. An employee with less than year's service will be granted casual leave or sick leave on pro-rata basis.
- ii) a) Casual leave shall not be accumulated nor shall it be combined with any type of paid leave. However, sick leave can be accumulated up to 120 days with full pay.  
  
b) An employee under retirement under Regulation No.94 of HCI Employee's Service Rules & Regulations shall be eligible to en-cash Sick Leave standing to his/her credit at the time of retirement subject to a maximum of 120 days provided the employee has a minimum of 40 days Sick Leave to his /her credit. The encashment of Sick Leave would also be extended to the Legal heirs of the employee in case of death while in service but without stipulation of the minimum balance of 40 days. **(Amended & Approved in 148<sup>th</sup> Board Meeting held on 18.12.1996)**

For the purpose of encashment of Sick Leave only pay as counted for the Provident Fund contribution shall be taken into account.



- iii) Medical officer or any other Registered Medical Practitioner whose certificate is acceptable to the Competent Authority: Provided that in the case of employees governed by the Employee's State Insurance Act, a certificate of Insurance Medical Practitioner will be required irrespective of the duration of the sick leave.
- iv) Notwithstanding anything contained in sub-regulation (i) above, the salary payable to an employee for sick leave will be subject to adjustment in respect of any cash benefit to which he is eligible, under the Employee's State Insurance Scheme.

**51. Special Sick Leave :**

- (i) Subject to the conditions hereinafter mentioned, Special Sick Leave will be admissible to employees at the rates and in the circumstances specified below-

At the rate of thirty days on half basic pay in respect of each completed year of continuous service, the cases where the employee is suffering from:

- a) tuberculosis,
- b) leprosy,
- c) cancer,
- d) organic heart diseases requiring hospitalization and / or prolonged rest in bed,



- e) paralysis of vascular, infective or degenerative origin affecting one or more limbs (minor paralysis like bell's palsy is not included in this category),
- f) significant mental illness treated in a Government Mental Hospital (in such Cases, a certificate from the following authorities regularizing sickness will be accepted by the Corporation, subject to the approval of the same by the Chief Medical Officer of the Corporation):-
  - 1) Hospital Superintendent or any other Competent Authority of a Government Mental Hospital empowered to issue such a certificate.
  - 2) A Psychiatrist or Air-India panel of Specialists attached to a Government Hospital or a private hospital or nursing home.
- g) On the basis of the recommendation of the Corporation's Chief Medical Officer, special sick leave will also be admissible in cases where the employee is suffering from the following diseases or ailments of injury, provided the employee has hospitalized continuously for more than three months on account any one or more of the diseases or ailments or injuries mentioned below:-



- (1) head injury,
- (2) fracture of bones,
- (3) injury to any internal organ,
- (4) renal (kidney ) failure,
- (5) hepatic (liver) failure,
- (6) respiratory failure,
- (7) bone marrow failure,
- (8) unconsciousness from any cause,
- (9) brain abscess,
- (10) liver abscess,
- (11) abscess of the bone (ostcomyelitis),
- (12) sub-diaphragmatic abscess,
- (13) intra-abdominal abscess,
- (14) empyema,
- (15) intra-cronical aneurysms or vascular abnormalities requiring surgical treatment,
- (16) Collagen diseases listed below :
  - a) Systemic lupus crythematosis
  - b) Polyarteritis nodosa
  - c) Progressive systemic solerosis
  - d) Polymyosistis,
- (17) reumatic polyarthritis,
- (18) rheumatoid arthiritis,
- (19) septic arthritis,
- (20) sacroidosis,
- (21) crohn's diseases,
- (22) unlcerative celities,
- (23) cirosis of the liver and its sequalae,
- (24) peptic ulcer and its sequalae,
- (25) hyper or hypofunction of the endocrine glands,
- (26) glaucoma,
- (27) prolapsed intervertebral disc and its sequalae,



- (28) demyelinating diseases,
- (29) myasthenia gravis,
- (30) coronary thrombosis and its sequelae.

(ii) The leave admissible under this Regulation can be accumulated up to a maximum limit of 180 days during the entire period of his service.

(a) after all other type of paid leave are exhausted.

## **52. Maternity Leave :**

- (i) The female employee not covered under the Employee's State Insurance Scheme having more than 80 days continuous service will be eligible for maternity leave with full pay for a period of 12 weeks of which not more than six weeks shall precede the day of delivery.
- (ii) In case of miscarriage, such employees will be eligible for maternity leave for a period of six weeks immediately following the day of miscarriage.

NOTE: "MISCARRIAGE" means expulsion of the contents of pregnant uterus at any period prior to or during the 26<sup>th</sup> week of pregnancy, but does not include any miscarriage, the causing of which is punishable under the India Panel Code (45 of 1960).



**53. Ex-gratia Sick Leave :**

The Managing Director/ Director may, in his discretion grant of authorize any other officer to grant in deserving cases Ex-gratia Sick Leave as follows to permanent employees :

- (i) 30 days leave with half basic pay and half dearness allowance as may be admissible, for every two years of completed service subject to a maximum of 60 days during the entire period of the employee's service.
- (ii) Ex-gratia Sick Leave will commence only after an employee has exhausted all other categories of paid leave.

**54. Quarantine Leave :**

- I) An employee may, on production of quarantine certificate issued by a Government or Municipal Medical authority or the Medical Officer of the Corporation, be granted quarantine leave with pay for a period not exceeding 7 days.
- II) Quarantine Leave is to be granted in case of cholera, small pox, plague, dyptheria, typhus fever, measles and cerebrosppinal meningitis
- III) Quarantine Leave is not admissible to cases in which an employee himself is suffering from an infectious disease. In such cases, he will be given the normal casual/sick or privilege leave, as may be due.



**55. Study Leave :**

Study leave may be granted by the Managing Director/Director in accordance with the procedure prescribed by the Corporation.

**56. Sports Leave :**

An employee selected to represent the Country or the State or the Corporation in any form of competitive sport or called for trials, test or training connected with proceeding such selection may, at the discretion of the Competent Authority be granted Sports Leave with pay for such periods as may be necessary but not exceeding 30 days in a financial year.

**57. Extraordinary Leave :**

Any leave granted to any employee in excess of leave with pay admissible to him shall be without pay unless the Managing Director/Director, on compassionate grounds, permits any part or whole of such leave to be treated as leave with pay debitable to the employee's future leave account.

**58. Emoluments during Leave :**

Except as otherwise expressly provided in any of these Regulations, an employee shall, during the period of his leave with pay, be eligible for drawing such allowances, in addition to his pay, as the Corporation may prescribe from time to time.



**58.A Accident Leave :**

An employee not covered under the Employees State Insurance Scheme, who is injured in an Accident during the course of employment, on production of Medical Certificate from the Medical Officer of the Corporation, at the discretion of the Competent Authority be granted Accident Leave with pay not exceeding 90 days, provided that the accident while on duty was not due to the employee's own negligence or default and that he has complied with all the instructions of the Corporation's Medical Officer in regard to his treatment.





## CHAPTER - IX CONDUCT, DISCIPLINE AND APPEAL

### **Application:**

These regulations shall apply to all employees except:

- i) those who are in casual employment or paid through voucher ;
- ii) those whose terms and conditions of service are governed by the Standing Order under the Employment (Standing Order) Act 1946 (20 of 1946).

### **59. General :**

- (1) Every employee of the Corporation shall at times-
  - i.** maintain absolute integrity;
  - ii.** maintain devotion to duty; and
  - iii.** do nothing which is unbecoming of a employee of the Corporation.
- (2) Every employee of the Corporation (to whom these regulations apply) 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.

### **60. Misconduct :**

Any breach of these regulations shall be deemed to constitute a misconduct as provided hereinafter.

Without prejudice to the generality of the terms “misconduct “, 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 or of property of another person within the premises of the Corporation.



- (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, qualification, ability or previous service or any other matter germane to the employment at the time of employment or during the course of employment.
- (5) Acting in a manner prejudicial to the interest of the Corporation.
- (6) Willful insubordination or disobedience whether or not in combination with others, of any lawful and reasonable order of his superior.
- (7) Absence without leave or over- staying the sanction 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) Willful damage to work in process or to any property of the Corporation.
- 11) Interference or tampering with any safety devices installed in or about the premises of the Corporation.
- 12) Drunkenness or riotous or disorderly or indecent behavior in the premises of the Corporation or outside such premises where such behavior is related to or connected with the employment.



- 13) Gambling within the premises of the establishment.
- 14) Smoking within the premises of the establishment where it is prohibited.
- 15) Collection without the permission of the Competent Authority of any money within the premises of the Corporation except as sanctioned by any law of the land for the time being in force or rules of the Corporation.
- 16) Sleeping while on duty.
- 17) Commission of any act which amounts to a criminal offence involving moral turpitude.
- 18) Absence from the employee's appointed place of work without permission or sufficient cause.
- 19) Purchasing properties, machinery, stores etc. To the corporation without express permission in writing from the Competent Authority.
- 20) Commission of any act subversive of discipline or of good behavior.
- 21) Abetment of or attempt at abetment of any act which amounts to misconduct.
- 22) Participation in an illegal strike or abetting, inciting, instigating or acting in furtherance thereof.
- 23) Acceptance of gifts from subordinate employees.
- 24) Lending to or borrowing money from subordinate employee.
- 25) Breach of any law, rules, regulations, or order applicable to the establishment.



- 26) Habitual in- discipline.
- 27) Possession of nay lethal weapon or instrument on the Corporation's premises except those instruments required for the discharge of duties or which are provided by the Corporation.
- 28) Speculation.
- 29) Insolvency.
- 30) Carrying on money lending and / or engaging in any business or trade within the premises of the establishment.
- 31) Organizing, attending or holding any meeting or taking out procession inside the premises of the establishment without previous permission of the Competent Authority.
- 32) Distribution or exhibition of any newspapers, handbills, pamphlets or posters on the premises of the establishment or at the work place without the previous sanction of the Competent Authority.
- 33) Disclosure to any unauthorized person of information relating to the Corporation business or defence or security measures or communicating directly or indirectly to any outside party, any document or information which has come into his possession or of which he has secured knowledge in the course of his official duties unless expressly permitted by the competent Authority.
- 34) Failure on the part of the employee to present himself to the medical officer for periodical check up when so directed.
- 35) Willfully making statements which are or which are known to be false or misrepresentation of facts.



- 36) Interfering or tampering with the official records, attendance registers, Identity cards etc. pertaining to himself or any other employee.
- 37) Smuggling, aiding or being concerned in any smuggling in contravention of any rules or regulations or Government Orders.
- 38) Unlawfully dealing in foreign exchange.
- 39) Wearing unauthorized badges/uniforms/signs or distributing within the premises any unauthorized bills/placards, pamphlets or posters.
- 40) Incivility to customers, visitors, supervisors.
- 41) Failure to deposit any article found in the Corporation's premises which are lost or unclaimed by any customer in the manner prescribed by the Corporation.
- 42) Sexual harassment which include such unwelcome sexually determined behavior (whether directly or by implication) as:
  - a) Physical contact and advances;
  - b) A demand or request for sexual favours;
  - c) Sexually coloured remarks;
  - d) Showing pornography;
  - e) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

**Regulation No. 60** (42) (Amended and Approved in 187 Board Meeting held on 27.10.2004)

**NOTE :** The above instance of misconduct are illustrative in nature, and not exhaustive.



**61. Employment Of Near Relative of the employees of The Corporation In Any Company Or Firm Enjoying Patronage Of The Corporation:**

- 1) No employee shall use his position or influence directly, or indirectly to secure employment for any person related, whether by blood or marriage to the employee or to the employee's wife or husband, whether such person is dependent on the employee or not.
- 2) No employee shall, except with the previous sanction of the Competent Authority permit his son, daughter or any member of the family to accept employment with any Company or firm with which he has official dealings, or with any Company or firm, having official dealing with the Corporation.

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

- 3) No employee shall in the discharge of his official duties deal with any matter or give or sanction any contract to any Company or firm or any other person if any member of his family is employed in that Company or firm or under that person or if he or any member of his family is interested in such matter or contract 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.



**62. Taking Part in Demonstration :**

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

**62.A Demonstrations :**

No employee shall engage himself or participate in any demonstration which is prejudicial to the interests of the sovereignty and integrity of India, the security of the State, friendly relations which foreign states, public order, decency or normality, or which involves contempt of Court, defamation or incitement to an offence.

**63. Connection With Press Or Radio :**

- (1) No employee of the Corporation shall, except with the previous sanction of the Contempt Authority own wholly or in part or conduct or participate in the editing or management of, any newspaper or other periodical publication.
- (2) No employee of the Corporation shall except with the previous sanction of the Competent Authority or the prescribed authority, or in the bonafide discharge of his duties, participate in radio broadcast or contribute any article or write any letter either in his own name or anonymously, pseudonymously, or in the name of any other person to any news paper or periodical.

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



**63.A Political Activities Etc. :**

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.

**63.B Joining of Association :**

No employee shall join or continue to be member of an association the objects or activities of which are prejudicial to the interests of the sovereignty or integrity of India or public order or morality.

**64. Criticism of Government and the Corporation :**

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

- a) Which has the effect of adverse criticism of any policy or action of the Central or state Governments, or of the Corporation, or
- b) Which is capable of embarrassing the relations between the Corporation 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 not considered to be of a confidential nature, in his official capacity or in due performance of the duties assigned to him.





Provided further that nothing contained in this clause shall apply to bonafide expression of view by him as an office bearer of a recognised Trade Union for the purpose of safeguarding the conditions of service of such employees or for securing an improvement thereof.

**64.A Vindication of Official Acts :**

No employee shall, except with the previous sanction of the Competent Authority, have recourse to any court or to the press for vindication of any official act which has been the subject of adverse criticism or an attack of defamatory character:

Provided that nothing in this regulation shall be deemed to preclude an employee from vindicating his private character or to any act done by him in his private / personal capacity.

**65. Evidence Before Committee of Any Other Authority :**

1. Save as provided in the sub regulation (3) below no employee of the Corporation shall, except with 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 regulation (1), no employee giving such evidence shall criticize the policy or any action of the Central Government or State Government, or of the Corporation.
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;



- b) Evidence given in any judicial enquiry; or
- c) Evidence given at any departmental enquiry ordered by authorities subordinate to the Government.

**66. Unauthorized Communication of Information:**

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

**67. Gifts :**

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

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

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

2. On occasion such as weddings, anniversaries, funerals or religious functions, when the making of gifts is in conformity with the prevailing religious or social practices, an employee of the Corporation 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-regulation (2), an employee of the Corporation may accept gifts from his personal friends having no official dealing with him, but he shall make a report to the Competent Authority if the value of any such gift exceeds Rs.250/-.
4. In any other case, an employee of the Corporation shall not accept or permit any other member of his family or any other person acting on his behalf to 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 gift exceeds Rs.250/-.

**67.A No. employee of the Corporation Shall give/demand dowry :**

- 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 may be, any dowry.

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

**68. Private Trade Or Employment :**

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

- 2 Every employee of the Corporation shall report to the Competent Authority; any member of his family is engaged in trade or business or owns or manages an Insurance Agency or Commission Agency.
- 3 No employee of the Corporation 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 (I of 1956) or other law for the time being in force of any co-operative society for commercial purpose;

Provided that an employee of Corporation 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 registered under the Co-operative 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 Regulation Act, 1869 (21 of 1860) or any corresponding law in force.

- 4 No employee of the Corporation may accept any fees 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.



**69. Investing, Lending and Borrowing :**

No employee shall save in the ordinary course of business with a bank, the Life Insurance Corporation or a firm or 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 have official dealing or permit any such borrowing, lending or pecuniary obligation in his name or for his benefit or for the benefit of any member of his family.

**70. Insolvency and Habitual Indebtedness :**

- 1) An employee of the Corporation shall avoid habitual indebtedness unless he proves that such indebtedness or insolvency is the result of circumstance beyond his control and does not proceed from extravagance or dissipation.
- 2) An employee of the Corporation who applies to be or is adjudged or declared insolvent shall forthwith report the fact to his Competent Authority.

**71. Movable, Immovable an Valuable Property :**

- 1) No employee of the Corporation 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 shall except with the previous sanction of the Competent Authority enter into any transaction concerning any 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 shall report to the Competent Authority every transaction concerning movable property own or held by him in his own name or in the name of the member of his family within one month from the date of such transaction. If value of property exceeds Rs. 10000/- in case of employee who are in the scale of pay of Rs.12000-16800 and above and Rs. 5000/- for the employees in the scale of pay of Rs.7000-11400 and above but below the scale of pay of Rs. 12000-16800 provided previous sanction of the Competent Authority shall be obtained for any such transaction as:
- i) With a person having official dealing with the employee.
  - ii) Otherwise than through a regular or reputed dealer.
- 4) Every employee shall, on first appointment in the Corporation submit a return of assets and liabilities in the prescribed form giving the particular regarding:-
- (a) The movable property inherited by him, or owned or acquired by him, 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) Share, 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.2,500/-.
  - (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 owned/inherited/acquired once in every two every.

5) The Competent Authority may, at time, by general or special order require an employee to submit, within a period specified in 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.

**72. 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 interest in respect of matters pertaining to his service in the Corporation.

**73. Bigamous Marriage :**

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 of Directors may permit an employee to enter into, or contract, 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 other party to the marriage; and



b) There are other grounds for so doing.

3. An employee who has married or marries a person other than of Indian nationality shall forthwith intimate the fact to his employer.

**74. Consumption of Intoxicating Drinks and Drugs :**

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

**75. Suspension :**

- (1) The appointing authority or any authority to which it is subordinate or the disciplinary authority or any authority empowered in that behalf by the management by general or special order may place an employee under suspension-
  - (a) where disciplinary proceeding against him is contemplated or is pending or
  - (b) where case against him in respect of any criminal offence is under investigation or trial.
- (2) An employee who is detained in custody, whether on a criminal charge or otherwise, for a period exceeding 48 hours shall be deemed to have been suspended with effect from the date of detention, by an order of the appointing authority, and shall remain under suspension until further orders.
- (3) 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 Regulations 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 on and 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 disciplinary authority, on consideration of the circumstances of the case, decides to hold further enquiry against him on the allegations 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 regulation 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.

**76. Subsistence Allowance :**

- (1) An employee under suspension shall be entitled to draw subsistence allowance equal to 50 percent of his basis pay provided the disciplinary authority is satisfied that the employee is not engaged in any other employment or business or profession or vocation. In addition he shall be entitled to Dearness Allowance admissible on such subsistence allowance.
- (2) Where the period of suspension exceeds six months, the authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first six months as follows:



- I. The amount of subsistence allowance may be increase to 75 percent of basic pay and Dearness Allowances thereon if, in the opinion of the said authority, the period of suspension has been prolonged for reasons to be recorded in writing not directly attributable to the employee under suspension;
  - II. the amount of subsistence allowance may be reduced to 25% of basic pay and Dearness Allowance thereon if in the opinion of the said authority, the period of suspension has been prolonged due to the reasons to be recorded in writing, directly attributable to the employee under suspension.
- (3) If an employee is arrested by the police on a criminal charge and bail is not granted, no subsistence allowance is payable. On grant of bail, if the Competent Authority decides to continue the suspension, the employee shall be entitled to a subsistence allowance from the date he is granted bail.

**77. Treatment of The Period Of Suspension :**

- (1) When the employee under suspension is reinstated, the Competent Authority may grant to him the following pay allowance for the period of suspension :
  - (a) if the employee is exonerated and not awarded any of the penalties mentioned in Regulation 78 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 allowance as the Competent Authority may prescribe.



- (2) In a case falling under sub-clause (a) the period of absence from duty will be treated as a period spent on duty. In case falling under sub-clause (b) it will not be treated as a period spent on duty unless the Competent Authority so directs.

## **78. Penalties :**

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

### **Minor Penalties :**

- (a) censure;
- (b) withholding of increments or pay with or without cumulative effect;
- (c) withholding of promotion;
- (d) recovery from pay of such other amount as may be due to him of the whole or part of any pecuniary loss caused to the Corporation by negligence or breach of orders.

### **Major Penalties :**

- (e) reduction to lower grade or post, or to a lower stage in a time scale;
- (f) removal from service which shall not be disqualification for future employment;
- (g) dismissal.

**Explanation** : The following shall not amount to a penalty within the meaning of this Regulation –



- I. Withholding of 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. 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 this case;
- III. 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.
- IV. 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;
- V. Termination of Service :
  - (a) of an employee appointed on probation, during or at the end of the period of probation, in accordance with the terms of his appointment.
  - (b) of an employee appointed in a temporary capacity otherwise than under a contract or agreement, on the expiration of the period for which he was appointed or earlier in accordance with the terms of his appointment;
  - (c) of an employee appointed under a contract or agreement in accordance with the terms of such contract or agreement; and
  - (d) of any employee on reduction of establishment.



**79. Disciplinary Authority :**

The disciplinary Authority, as specified in the Schedule hereinbelow, or any authority higher than it may impose any of the penalties specified in Regulation 78 on an employee.



**SCHEDULE TO CONDUCT, DISCIPLINARY AND APPEAL REGULATIONS  
POWER TO AWARD PENALTIES  
DISCIPLINARY & APPELATE AUTHORITIES**

The power to award the penalties enumerated in regulations 78 shall be exercisable by and to the extent specified in the table below:-

<b>Sr.No.</b>	<b>Disciplinary Authority</b>	<b>Nature of Penalty</b>	<b>Employee on Whom Penalty can be imposed</b>	<b>Appellate Authority/Reviewing Authority</b>
1.	General Manager	Any or all	To any employee in salary grade, the maximum basic salary of which does not exceed Rs.9280/-(Grade Rs.6400-160-9280)	Vice President of the concerned Dept./Vice President-Administration
2.	General Manager	(a) to (e)	To any employee in salary grade, the maximum basic salary of which does not exceed Rs.16750/-(Grade Rs.10750-300-16750)	Vice President of the concerned Dept./Vice President-Administration
3.	Vice President of the concerned Dept./Vice President-Administration	Any or all	To any employee in salary grade, the maximum basic salary of which does not exceed Rs.18250/-(Grade Rs.13000-350-18250)	Managing Director
4.	Vice President of the concerned Dept./Vice President-Administration	(a) to (e)	To any employee in salary grade, the maximum basic salary of which does not exceed Rs.18800/-	Managing Director



5.	Managing Director	Any or all	To any employee in salary grade, the maximum basic salary of which does not exceed Rs.22300/- (Grade Rs.17500-400-22300)	Chairman
6.	Managing Director	(a) to (e)	To any employee in salary grade, the maximum basic salary of which does not exceed Rs.22900/- (Grade Rs.18500-450-22900)	Chairman
7.	Chairman	Any or all	To any employee	Board



**80. Procedure For imposing Major Penalties :**

1. No order imposing any of the major penalties specified in Clauses (E), (F) and (G) of Regulation 78 shall be made except after an enquiry is held in accordance with this Regulation.
2. Whenever the disciplinary authority is of the opinion that there are grounds for inquiry into the truth of any imputation of misconduct or misbehavior against an employee, it may itself enquiry into, or appoint any public servant or any other person from outside the Corporation (hereinafter called the inquiring authority) to inquire into the truth thereof.
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 charge 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 7 days) a written statement whether he admits or denies any of or all the Articles of Charge.

Explanation : it will not be necessary to show the documents listed with the charge-sheet or any other documents 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, the Disciplinary Authority shall appoint the Enquiry Committee comprising of one more Officers of the Corporation or appoint any other public servant/ servants or any other person from outside the Corporation as Enquiring Authority under sub-clause (2). In case the Enquiry Committee comprises of Officers of the Corporation, such Officers will be in a higher grade than that of the person charged. In case the Enquiry Committee comprises of more than 1





Officers, one of them will be nominated as Convener provided that it may not be necessary to hold an enquiry in respect of the charges admitted by the employee in his written statement. The Disciplinary Authority shall however record its finding on each such charge.

5. "Where the Disciplinary Authority itself enquired or appoints an Enquiry Authority for holding an enquiry, it may by an order appoint one of the officers of the Corporation to be known as the "Presenting Officers" to present on its behalf the case in support of the articles of charge".
6. The employee shall be entitled to be defended by an employee of the department / unit in which he is working, from the same place where he is working. Such defending employee however, should not have more than 2 disciplinary cases in his hand where he is defending.
7. On the date fixed by the Enquiry Authority, the Employee shall appear before the Enquiry Authority at the time, place and date specified in the notice. The Enquiring Authority shall ask the employee whether he pleads guilty to any of the articles of charge, the Enquiring Authority shall record the plea, sign the record and obtain the signature of the employee concerned thereon. The Enquiring 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 enquiry authority shall adjourn the case to a later date not exceeding fifteen 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 witness, if any listed in the charge-sheet.

**NOTE :** Relevancy of the additional document 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 Enquiring Authority is satisfied about their relevance to the charges under inquiry.

9. The Enquiring 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 Enquiring 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 of the Corporation. In the event, it shall inform the Enquiring 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 witness shall be examined by or on behalf of the Presenting Officers 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 one Enquiring Authority. The Enquiring Authority may also put such questions to the witness as it thinks fit.



12. Before the close of the prosecution case, the Enquiring Authority may in its discretion, allow the Presenting Officer to produce evidence not included in the charge-sheet or may itself call for new evidence or recall or re-examine any witness. In such case the employee shall be given opportunity to inspect the documentary evidence before it is taken on record; or to cross examine a witness, who has been so summoned.
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 witness produced by the employee shall then be examined and shall be liable to cross-examination, re-examination and examination by the Enquiring Authority according to the provisions applicable to the witnesses for the disciplinary authority. If Presenting Officer is appointed he shall also be given the opportunity to cross –examine the witnesses.
15. The Enquiring Authority may, after employee closes his case, and shall, if the employee has not examined himself. Generally question him on the circumstance 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 the completion of the production of the evidences, the employee and the Presenting Officer may file written briefs of their respective cases within 7 days of the date of completion of the production of evidence.



17. If the employee does not submit the written statement of defence referred to in sub-regulation (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 Regulations, the Enquiring Authority may hold the enquiry ex-parte.
18. Whenever any Enquiring 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 Enquiring Authority which has, and which exercises, such jurisdiction, the Enquiring 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 enquiring authority is of the opinion that future 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 witness 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 of misbehavior;
  - b) a gist of the defence of the employee in respect of each article of charges;
  - c) an assessment of the evidence in respect of each article of charge;
  - d) the finding on each article of charge and the reasons therefore.



**Explanation** – If in the opinion of the Enquiring Authority the proceedings of the inquiry establish any article of charge different from the original articles of the charge, it may record its findings on such article of charge.

Provided that the findings 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.

(iii) The Enquiring Authority where it is not itself the Disciplinary Authority shall forward to the Disciplinary Authority the records of inquiry which shall include-

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

**80.A Complaints Committee on Sexual Harassment :**

- I. Notwithstanding anything to the contrary contained herein above, the disciplinary cases relating to misconduct of sexual harassment under Regulation 60 (42) of Hotel Corporation of India Employees Service Regulation shall be investigated and enquired into by the Complaints Committee constituted by the



Competent Authority by an Order, and such Complaints Committee so constituted, shall deemed to be an Enquiry Authority and its Report shall be treated as Enquiry Report under the Regulation No.80 (19) of HCI Employees Service Regulations.

- II. The Complaints Committee so constituted, also comprising one member from NGO concerned or any other body who is familiar with the issue of sexual harassment and its proceedings and report, cannot be called in question on the ground that it is not in consonance with the procedure laid down under Regulation No.80 of HCI Employee Service Regulations. **(Approved in 188<sup>th</sup> Board Meeting held on 28.03.2005).**

**81. Action On The Inquiry Report :**

- 1) The disciplinary Authority, if it is not itself the Enquiring Authority may, for reason to be recorded by it in writing remit the case to the Enquiring Authority for fresh or further inquiry and the Enquiring Authority shall thereupon proceed to hold further inquiry according to the provisions of Regulation 80.
- 2) The Disciplinary Authority shall, if it disagrees with the findings of the Enquiring Authority on any article of charge, record its reasons for such disagreement and record its own finding on such charge, if the evidence on record is sufficient for the purpose.
- 3) If the Disciplinary Authority having regard to its findings on all or any of the article of charge is of the opinion that any of the penalties specified in Regulation No.78 should be imposed on the employees, it shall notwithstanding anything contained in Regulation No.82 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.



**82. Procedure For Imposing Minor Penalties :**

- 1) Where it is proposed to impose any of the minor penalties specified in clauses (a) to (d) of Regulation No.78 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 7 days. The defence statement, if any, submitted by the employee shall be taken into consideration by the Disciplinary Authority before passing orders.
- 2) The record of the proceedings shall include :
  - I. A copy of the statement of imputation of misconduct or misbehavior delivered to the employee;
  - II. His defence statement if any; and
  - III. The orders of the Disciplinary Authority together with the reason therefore.

**83. Communication of Orders :**

Orders made by Disciplinary Authority under Regulation 81 or Regulation 82 shall be communicated to the employee concerned, who shall also be supplied with a copy of the report of inquiry, if any.

**84. Common Proceedings :**

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



**85. Special Procedure In Certain Cases :**

Notwithstanding anything contained in these Regulation, the Disciplinary Authority may impose any of the penalties specified in Regulation 78 without following the procedure set out in Regulation 80, 81 or 82 in any of the following circumstances-

- i. Where the employee has been convicted on criminal charge, or on the strength of facts or conclusions arrived at by judicial trial, or any penal action has been brought against him by the Customs Authorities under the Customs Act or Rules made thereunder or by the appropriate authorities under the Foreign Exchange Regulation Act, 1947 or rules made thereunder for activities amounting to misconduct within the meaning of clauses (37) & (38) of Regulation 60.
- 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 Regulations or;
- iii. Where the Board is satisfied that in the interest of the security of the Corporation, it is not expedient to hold any enquiry in the manner provided in these Regulations.

**85.A Disciplinary Procedure after Retirement /Voluntary retirement /Re-employment:**

The department enquiry proceeding against an employee is instituted while the employees was in services whether before his retirement / voluntary retirement / Re-employment shall





after the final retirement of the employee are to be deemed to be proceeding under regulation 80 and shall be continued and concluded by the enquiry authority in the same manner as if the employee had continued in the service. **(Amended & Approved in 181<sup>st</sup> Board Meeting held on 30.06.2003)**

**86. Employees On Deputation From The Central Government Or The State Government Or Public Sector Undertaking 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 legal authority, the authority lending his services (hereinafter referred to as the "Lending Authority") shall forthwith be informed of the circumstances leading to the order of his suspension, or the commencement of the disciplinary Proceeding, as the case may be.
- II. In the light of the findings in the disciplinary proceeding taken against the employee -
  - a) If the Disciplinary Authority is of the opinion that any of the minor penalties should be imposed on him, it may pass such orders on the case as it deems necessary after consultation with the Lending Authority; Provided that in the event of a difference of opinion between the Disciplinary and the Lending Authority, the services of the employee shall be placed at the disposal of 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 submit an appeal against an order imposing a minor penalty on him under sub-Regulation (ii) (a), it will be disposed of after consultation with the Lending Authority; Provided that if there is a difference of opinion between the Appellate Authority and the Lending Authority the services of the employee shall be placed at the disposal of the Lending Authority, and the proceedings of the case shall be transmitted to that authority for such action as it deems necessary.

**87. Appeals :**

(i) An employee may appeal against an order imposing upon him any of the penalties specified in Regulation 78 or against the order of suspension referred to in Regulation 75. 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 three months of the date of appeal. The appellate authority may pass order confirming, enhancing, reducing or setting aside the penalty or remitting the case to the authority which impose the penalty or to any other authority with such direction as it may deem fit in the circumstance of the case.



Provided that if the enhanced penalty which the Appellate Authority proposes to impose is a major penalty specified in clauses (e), (f) and (g) of Regulation 78 and an inquiry as provided in Regulation 80 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 regulation 80 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 Regulation 80, 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.

**88.            Review        :**

Notwithstanding anything contained in these regulations, the reviewing authority as specified in the schedule 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.

Provided that if the enhanced penalty, which the reviewing authority proposes to impose, is a major penalty specified in clause (e), (f) or (g) of Regulation 78 and an enquiry as provided under regulation 80 has not already been held in the case, the reviewing Authority shall direct that such an enquiry be held in accordance with the provision or regulation 80 and thereafter consider the record of the enquiry 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 in accordance with the provision of regulation 80, the reviewing Authority shall give a 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.



**89. Service Of Orders, Notices, Etc. :**

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

**90. Power To Relax Time Limit And To Condone Delay :**

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

**91. Savings :**

1. Nothing in these Regulations shall be constructed as depriving any person to whom these regulations apply, of any right of appeal which had accrued to him under the regulations, which have been superseded by these regulations.
2. An appeal pending at the commencement of these regulations against an order made before the commencement of these regulations shall be considered, and orders thereon shall be made, in accordance with these regulations.
3. The proceedings pending at the commencement of the regulations shall be continued and disposed as far as may be, in accordance with the provisions of these regulation, as if such proceedings were proceedings under these regulations.
4. Any misconduct etc. committed prior to the issue of these regulations which was a mis-conduct under the superseded regulations shall be deemed to be a misconduct under these regulations.



**92.            Removal Of Doubts            :**

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

**93.            Amendments            :**

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



## CHAPTER- X

### CESSATION OF SERVICE

#### 94 Retiring Age :

- (i) Subject to the provisions of sub-regulation (ii) & (iv) hereof, an employee shall retire from the services of the Corporation upon attaining the age of 58 years, except in the following cases and he/she shall retire earlier.” **AMENDED & APPROVED IN 226<sup>TH</sup> BOARD MEETING HELD ON 20.01.2014 AT NEW DELHI**
- a) An employee, upon becoming medically unfit for carrying out his/her duties, after giving one month’s notice.
  - b) A female receptionist, upon attaining the age of 40 years.
- (ii) The Managing Director may require an employee to retire after he attains the age of 55 years on giving three month’s notice in writing without assigning any reason. An employee may also on giving three month’s notice in writing, retire voluntarily after the age of 55 years or subject to approval in writing of the Managing Director, at any time on completion of a continuous service of not less than 25 years.

**NOTE :** For the purpose of this Regulation the term “Continuous Services” shall include uninterrupted service rendered before joining the Corporation under Central Government, State Government, Defence Services, Public Sector Undertakings owned or controlled by Government, Autonomous Organizations and other Governmental Agencies, provided that there is no break between the date of leaving the service in the above mentioned organizations and the date of joining the service in the Corporation. For the purpose of this regulation, if the intervening period between cessation of service under Government and other agencies mentioned above and the date of joining the services in Corporation does not exceed the normal joining time admissible under the Central Government Rules on transfer to join the duties of a new post, such intervening period shall not be treated as “Break”.



- (iii) Except as otherwise provided in this regulation, an employee shall retire from the service of the Corporation on the afternoon of the last day of the month in which the employee attains the age of superannuation or completes the age of retirement.
- (iv) The managing Director may pre-maturely retire an employee who has attained the age of 50 years and is considered medically unfit, inefficient or of doubtful integrity. The Managing Director will exercise this power in respect of employees in the salary grade the maximum of basic pay of which does not exceed Rs.22,300/-

In respect of all other employees this power will be exercised by the Chairman of the Company.

However, this provision will not apply to employees who are covered under the Industrial Disputes Act, 1947.

**NOTE** : This provision for premature retirement on medical grounds under Regulation 94 (iv) is independent of and without prejudice to the right of the Company under the contract of employment or under Regulation 94(i) to dispense with the Services of an employee on one month's notice inter-alia on grounds of medical unfitness in case of an employee who might not have been even attained the age of 50 years.

## **95 Extension Of Service :**

Notwithstanding anything contained in Regulation 94, the services of any employee, may at the option of the Managing Director/ Vice President but on the employee being found medically fit, be extended for one year at a time beyond the age of retirement.



**96 Termination :**

(i)The services of any employee may be terminated without assigning any reason as under:-

- a) of a permanent employee by giving him 30 days notice in writing or pay in lieu of notice.
- b) the notice period in regard to other employees will be in accordance with the provisions of law applicable to them;
- c) provided that such notice shall not be necessary when services of such employees are dispensed with for misconduct.

**Explanation :**

- i. For the purpose of Regulation, the word “Pay” shall include all emoluments which would be admissible if he were on privilege leave.
- ii. The employment of casual and substitute employee shall automatically cease after the expiry of the period for which they were engaged.

**97. Resignation :**

- i. No employee shall resign from the services of the Corporation except by giving such notice as he would have received under Regulation 96 if his services were to be terminated, or compensation in lieu of such notice, unless, at the request of the employee, the notice is waived or shorter notice accepted in writing by the Competent Authority. Such compensation shall be equivalent to the amount of the pay as defined in the explanation to Regulation 96 which the employee would have drawn





during the period by which the notice falls short of the prescribed period, and shall be deemed to be a liability owned to the Corporation for the purpose of deduction from Provident Fund.

- ii. A resignation given under (i) above may be accepted
  - a) With immediate effect or at any time before the expiry of the period of notice, in which case the employee shall be paid his salary in respect of the entire period or notice given by him.
  - b) However, it may kindly be noted that the Corporation reserves the right not to accept your resignation if disciplinary proceeding are pending against you, or a decision has been taken by the Competent Authority to initiate disciplinary proceeding which has been communicated to the employee.
- iii. In case a shorter period of notice is accepted at the request of the employee, he shall be entitled to receive his pay and allowances only for the actual number of days worked.
- iv. If an employee leaves the services of the Corporation without giving any notice or by giving inadequate notice, such resignation shall be liable to be construed as a misconduct and may entail any of the punishments prescribed under Regulation 78.



- v. Notwithstanding anything contained in clauses (i) to (iii) above, an employee shall not be entitled to tender his resignation tendered by him shall not be effective or operative against the Corporation if at the time when such resignation is tendered, disciplinary action is to be taken against him by the appropriate authority.

**98. Voluntary Abandonment Of Services :**

- i. An employee remaining absent for 8 days or more without leave shall be considered to have voluntarily abandoned service with effect from the days of such absence.
- ii. An employee remaining absent beyond the period of leave originally granted, or subsequently extended, shall lose his lien on his job unless he returns :
  - a) Within 8 days of expiry of leave and;
  - b) Give satisfactory explanation for his inability to join duty on a stipulated date.



## **CHAPTER XI**

### **COMPENSATION**

**99. Compensation :**

- i. All employees who are “working” within the meaning of Workmen’s Compensation Act will be governed by the said Act.
- ii. In the event of death or disablement while on duty, by an accident to an employee not governed by the workmen’s Compensation Act or the Employee’s State Insurance Act, or in the event of loss or damage to the personal belongings caused while the employee is travelling on duty, the Corporation may pay compensation to him or to his legal representative/s as the case may at such rates and on such conditions as it may lay down from time to time, unless such accident loss or damage is attributable to his own negligence, default or breach of instruction.



## CHAPTER XII

### SUSPENSION OF WORK

#### 100. Closure :

- i. Any or all employees of the Corporation may be laid-off or retrenched as provided for in the Industrial Disputes Act 1947.
- ii. The Corporation shall have the right to shut down, either wholly or partially any department or section or sections due to adverse trade condition such as stoppages, lockouts, strikes, affecting one or more departments of Hotel business, break-down of any plant or machinery, reconstruction, demolition or extension of building, want of sufficient business, climatic disturbances, import restrictions by Government, Acts or Legislation, unprofitable working, epidemic, Civil Commotion or insurrection, reduction of shift, failure of power supply, fire, catastrophe, or any other cause of the like nature beyond the control of the Company, after complying with the legal formalities, if any.
  - (a) In the event of such stoppage during the working hours, the employee affected shall be notified by a notice put up on the Notice Board in the concerned departments or at the General Notice Board as soon as practicable, when work will be resumed and whether they are to remain for more than 2 hours after the commencement of the stoppage. If the period of detention does not exceed an hour, then the detained employee shall not be paid for such detention. An employee detained for more than one hour shall receive wages for the whole time during which he is detained due to stoppage. In case of piece rate employee, the average daily earning for the previous month shall be taken to be the daily wage.



- (b) In the event of lay off, the employees shall be entitled to receive their wages in accordance with the relevant section of the Industrial Disputes Act, 1947, as amended from time to time.
- (c) The Corporation in the event of the strike affecting wholly or partially any section or department as the case may be, or the entire establishment, may close down either wholly or partially the affected section or department or any other department or section as the case may be. The fact of such closure would be notified on the Notice Board. The employee concerned will also be notified by the General Notice on the Notice Board before the work is resumed when resumption of work will begin.

**101**      **Uniforms :**

- i. Such categories of employees as may specified from time to time shall, while on duty wear uniforms supplied to them.
- ii. Employees who have been supplied with uniforms under sub-regulation (i) above shall exercise proper care in preserving them in good condition. Uniforms will at all times, remain the property of the Corporation and must be returned in the event of an employee ceasing to be in its services or his transfer to a position where the uniform is no longer required or is instructed to return the uniforms by the Competent Authority.



**102. Return Of Corporation's Property :**

An employee shall, on ceasing to be in the services of the Corporation, give proper account of all property of the Corporation in his possession, custody or charge. Failure to comply with this regulation will result in such amount, as may be decided by the Competent Authority, being deducted from the salary or any other sums of money due to him from the Corporation. The amount so determined will also be liable to be treated as a liability owing by him to the Corporation for the purpose of Employee's Provident Fund.

**103. Inventions and Patents :**

No employee shall, without the previous consent in writing of the Competent Authority, apply for a patent or exclusive privilege in respect of any invention under any enactment, if such invention is made by him when in the service of the Corporation and he shall in the event of patent or exclusive privilege under any such enactment to make, sell and use such invention, or allow other to do so, being granted to him, grant to the Corporation the unqualified right to adopt and use the said invention without its being obliged to pay royalty or other consideration therefore. He shall not assign, charge or transfer in any manner whatsoever his original or any extended patent or exclusive privilege in respect of the said invention, without the previous consent in writing of the Competent Authority and without providing for the unqualified use, free of charge to the Corporation, of the said invention and further he shall, on demand, execute in favour of the Corporation such letter of license, or other deed or document for the purpose as it may advise : Provided always that the Competent Authority shall, at any time within six months of the receipt of an intimation from the employee that he has acquired such patent or exclusive privilege in India or abroad, have the right to require the employee to transfer and



assign such patent or exclusive privilege to the Corporation for such consideration as the Competent Authority shall at its discretion fix and if such right be exercised, the employee shall execute all such deeds of assignment, grants and assurances and do all such acts, deeds and things for vesting in the Corporation and /or its nominee the ownership of the patent or exclusive privilege and the full benefit thereof as the Competent Authority shall required.

**104                    Service Certificate :**

All employees shall be given a services certificate at the time of their termination, dismissal, removal, discharge, resignation, retrenchment or retirement.

**105.                Complaints :**

All complaints arising out of employment including those relating to unfair treatment or wrongful execution shall be submitted to the Competent Authority with the right of appeal to the authority immediately senior to the Competent Authority.

**106.                Entitlement Of Food :**

No employee will be entitles to free food unless specifically authorised in writing by the Managing Director /Vice Presidents.

**107.                Corporation to Fix The Strength Of Employees required for Running Of The Establishment**

It will be purely the Corporation's function to fix the strength of an establishment or any department and the strength will not be called into question by the employees. The employees recognize this to be the exclusive domain of the Corporation.

\*\*\*\*\*







Number	Regulations- Chapters	Pages
<b>Chapter-I Preliminary</b>		
1.	Short Title	01
2.	Commencement and Scope	01
3.	Definations	02,03
4.	Administrative Orders	04
5.	Modification etc., of Regulation	04
6.	Interpretation	04
<b>Chapter-II - Classification of Employees</b>		
7.	Permanent Employee	05
8.	Probationer	05
9.	Temporary Employee	05
10.	Casual Employee	05
11.	Substitute Employee	05
12.	Part Time Employee	06
13.	Trainee	06
14.	Apprentice	06
<b>Chaper-III- Appointement, Probation Etc.,</b>		
15.	Medical Examination	07
16.	Personal Data	07
17.	Fidelity and Security Bonds	07
18.	Probation	08
19.	Training	08
20.	Provident Fund	08



<b>Chapter-IV-Security Measures</b>		
21.	Liability to Search etc.,	09
22.	Identity Card	09
23.	Presence Outside Working Hours	10
24.	Gate Passes	10
25.	Prohibition on Visitors	10
26.	Undesirable Elements	10
27.	Co-operation with Security Staff	10
<b>Chapter-V- Attendance, Late Coming &amp; Shift Working</b>		
28.	Registering of Attendance	11
29.	Shift Working	11
30.	Duty Hours	11
31.	Over Time	12
32.	Penalty for absence after Recording attendance	12
33.	Late Attendance	12
34.	Holidays	13
<b>Chapter-VI-Transfers and Tours</b>		
35.	Liability for Transfer Etc.,	14
36.	Joining Time	14
37.	Tours	15
38.	Class of Travel	15
39.	Allowances	15



<b>Chapter-VII-Pay, Allowances Etc.,</b>		
40.	Pay and Allowances	16
41.	Pay and Allowances when effective	16
42.	Fixation of Pay on Promotion	16
42A.	Current Charge	17
43.	Disbursement of Salaries	18
44.	Increments	18
45.	Advance Increment	19
46.	Secondary Increment	19
<b>Chapter-VIII--Leave</b>		
47.	Kinds of Leave	20
48.	General Conditions regard Leave	20-24
49.	Privilege Leave	24
50.	Casual/Sick Leave	25
51.	Special Sick Leave	26-28
52.	Maternity Leave	29
53.	Ex-gratia Sick Leave	30
54.	Quarantine Leave	30
55.	Study Leave	31
56.	Sport Leave	31
57.	Extra- Ordinary Leave	31
58.	Emoluments During Leave	31
58A	Accident Leave	32



<b>Chapter-IX- Conduct Discipline and Appeal</b>		
<b>59.</b>	General	33
<b>60.</b>	Misconducts	33-37
<b>61.</b>	Employment of Near Relative of the Employees of the Corporation in any Company or firm patronage of the Corporation	38
<b>62.</b>	Taking part in Demonstration	39
<b>62A.</b>	Demonstration	39
<b>63.</b>	Connection with Press and Radio	39
<b>63A.</b>	Political Activities Etc.,	40
<b>63B.</b>	Joining of Association	40
<b>64.</b>	Criticism of Government and the Corporation	40
<b>64A.</b>	Vindication of Official Acts	41
<b>65.</b>	Evidence before Committee or any other Authority	41
<b>66.</b>	Unauthorised Communication of Information	42
<b>67.</b>	Gifts	42
<b>67A.</b>	No Employee of the Corporation shall give/demand for the Dowry.	43
<b>68.</b>	Private Trade or Employment	43-44
<b>69.</b>	Investing, Lending and Borrowing	45
<b>70.</b>	Insolvency and Habitual Indebtedness	45
<b>71.</b>	Movable, Immovable and Valuable Property	45-46
<b>72.</b>	Canvassing or non-official or other influence	47



<b>73.</b>	<b>Bigamous Marriage</b>	<b>47</b>
<b>74.</b>	Consumption of Intoxicating Drinks and Drugs	48
<b>75.</b>	Suspension	48
<b>76.</b>	Subsistence Allowance	49
<b>77.</b>	Treatment of the Period of Suspension	50
<b>78.</b>	Penalties	51-52
<b>79.</b>	Disciplinary Authority	53
	Schedule to Conduct, Disciplinary and Appeal Regulations, Power to Award Penalties, Disciplinary and Appellate Authorities.	54-55
<b>80.</b>	Procedure for imposing Major Penalties	56-61
<b>80A.</b>	Complaint Committee on Sexual Harassment	61
<b>81.</b>	Action on the Inquiry Report	62
<b>82.</b>	Procedure for imposing Minor Penalties	63
<b>83.</b>	Communication of Orders	63
<b>84.</b>	Common Proceedings	63
<b>85.</b>	Special Procedure in certain Cases	64
<b>85A.</b>	Disciplinary Procedure after Retirement/Voluntary Retirement/Re-employment	64
<b>86.</b>	Employment on deputation from the Central Govt. or the State Govt. or Public Sector Undertakings Etc.,	65
<b>87.</b>	Appeals	66
<b>88.</b>	Review	67
<b>89.</b>	Service of Orders, Notices Etc.,	68
<b>90.</b>	Power of relax time limit and to condone delay	68



91.	<b>Savings</b>	<b>68</b>
92.	Removal of Doubts	69
93.	Amendments	69
	<b>Chapter-X –Cessation of Service</b>	
94.	Retiring Age	70-71
95.	Extension of Service	71
96.	Termination	72
97.	Resignation	72-73
98.	Voluntary abandonment of Services	74
	<b>Chapter-XI-Compensation</b>	
99.	Compensation	75
	<b>Chapter-XII-Suspension of Work</b>	
100.	Closure	76-77
	<b>Chapter-XIII-Miscellaneous</b>	
101.	Uniforms	77
102.	Return of Corporation's Property	78
103.	Invention and Patents	78
104.	Service Certificate	79
105.	Complaints	79
106.	Entitlement of Food	79
107.	Corporation to fix the strength of employees required for running of the Establishment	79









