

इंजीनियरिंग प्रोजेक्ट्स (इंडिया) लिमिटेड
(भारत सरकार का उपक्रम)
कॉर्पोरेट कार्यालय - मानव संसाधन विभाग

DLI/HRM/CIR/001

19th July 2021

परिपत्र संख्या/ Circular No. 14/2021

Sub: Notification of revised EPIL Conduct Discipline and Appeal Rules, 1999 (Amended upto February 2021)

The Board of Directors in their 275th meeting held on 02nd July 2021, have approved the revised EPIL Conduct, Discipline and Appeal Rules, 1999 (Amended upto February 2021). The said revised EPIL CDA Rules 1999 shall come into force from the date of this notification.

Accordingly, the copy of the revised EPIL Conduct, Discipline and Appeal Rules, 1999 (Amended upto February 2021) is enclosed herewith for wide circulation across the Company.

This issues with the approval of the Competent Authority.

Hras
19.7.21

(प्रमोद कुमार साहू/ Pramod Kumar Sahoo)

समूह महाप्रबंधक (मा.संसा)/ Group General Manager (HR)

To : पी एस - अध्यक्ष-सह-प्रबंध निदेशक
पी एस - निदेशक (परियोजनाएं)
पी एस - निदेशक (वित्त)

- मुख्य सतर्कता अधिकारी कार्यालय
सभी क्षेत्रीय प्रभारी

प्रभारी परियोजना नियंत्रण कार्यालय, भुवनेश्वर

सभी विभागाध्यक्ष, कॉर्पोरेट कार्यालय, नई दिल्ली

प्रभारी आईटी प्रभाग

परिपत्र फ़ाइल

-With a request to upload in EPIL website and remove earlier CDA Rules.



इंजीनियरिंग प्रोजेक्ट्स (इंडिया) लिमिटेड
ENGINEERING PROJECTS (INDIA) LIMITED
(भारत सरकार का उपक्रम)
(A Government of India Enterprise)

आचरण, अनुशासन एवं अपील नियम, 1999
CONDUCT, DISCIPLINE & APPEAL RULES, 1999

(फरवरी, 2021 तक संशोधित)
(as amended up to February, 2021)

Core – 3, SCOPE Complex,
7, Lodhi Road,
New Delhi - 110003



CONTENTS

Rule No.	Title	Page
Rule - 1	Short Title and Commencement	01
Rule - 2	Application	01
Rule - 3	Definitions	1-2
Rule - 4	General	2-4
Rule - 5	Acts of omission and commission constituting misconduct	5-8
Rule - 6	Unauthorized communication of information	8-9
Rule - 7	Taking part in Political Activities and Demonstration	9-10
Rule - 8	Connection with Electronic and Print Media	10
Rule - 9	Criticism of Government and the Company	10-11
Rule - 10	Evidence before Committee or any other Authority	11
Rule - 11	Subscriptions	11
Rule - 12	Private Trade or employment	11-12
Rule - 13	Investment, lending and borrowing	12
Rule - 14	Vindication of acts and character of employees	13
Rule - 15	Employment of near relatives of the employees of the Company in any Company or firm enjoying patronage of the Company	13-14
Rule - 16	Movable, Immovable and valuable property	14-16
Rule - 17	Bigamous marriages	16
Rule - 18	Approaching Foreign Government by the employees	16
Rule - 19	Joining of associations	17
Rule - 20	Demonstration and Strikes	17
Rule - 21	Acceptance of Gifts	17-19
Rule - 22	Unauthorized Absence from Duty	19
Rule - 23	Employment of the Family of a Government Servant in Foreign Mission and Foreign Organizations of India	19-20
Rule - 24	Letting out Accommodation to Foreign Nationals Foreign Missions etc.	20
Rule - 25	Insolvency and Habitual Indebtedness	20
Rule - 26	Canvassing of non-official or other influence	20
Rule - 27	Consumption of intoxicating drinks and drugs	21
Rule - 28	Prohibition regarding employment of children below 14 years of age	21
Rule - 29	Suspension	21-23
Rule - 30	Subsistence Allowance	23-24
Rule - 31	Treatment of the Period of Suspension	24



Rule No.	Title	Page
Rule - 32	Penalties	24-26
Rule - 33	Disciplinary Authority	26
Rule - 34	Procedure for imposing major penalties	26-31
Rule - 35	Action on the Inquiry Report	31
Rule - 36	Procedure for Imposing Minor Penalties	32
Rule - 37	Communication of orders	32
Rule - 38	Common proceedings	32
Rule - 39	Special Procedure in Certain Cases	32-33
Rule - 40	Employees on deputation from the Central Government or the State Government, etc.	33
Rule - 41	Past Misconduct	34
Rule - 42	Disciplinary provision for Retired Employees	34-36
Rule - 43	Appeals	36-37
Rule - 44	Review	37
Rule - 45	Service of orders, notices, etc.	37
Rule - 46	Power to relax time-limit and to condone delay	38
Rule - 47	Savings	38
Rule - 48	Removal of doubts	38
Rule - 49	Amendments	38
Annexure - I	Schedule of Delegation of Powers in respect of Disciplinary Matters under CDA Rules	39-44
Annexure - II	Schedule 1-A- List of Relatives	45
Annexure - III	Competent Authorities under CDA Rules (other than Minor & Major Penalties)	46
Annexure - IV	Administrative & Financial Implications of Penalties	47-51
	Model Forms & Drafts	Form No. 1-24



Rule 1. Short Title and Commencement

- (a) These rules shall be called “Engineering Projects (India) Limited Conduct, Discipline and Appeal Rules, 1999”.
- (b) These Rules (with amendments upto February-2021) shall come into force from the date of notification.

Rule 2. Application

These rules shall apply to all employees except

- (i) Those in casual employment or paid from contingencies.
- (ii) Those governed by the standing orders under the Industrial Employment (Standing Orders) Act, 1946.

Rule 3. Definitions

In these Rules, unless the context otherwise requires:

- a) “Company” means Engineering Projects (India) Limited.
- b) “Employee” means a person in the employment of the company other than casual or temporary or contract or project duration employee or work-charged or contingent staff or workman as defined in the Industrial Disputes Act, 1947, but includes a probationer and a person on deputation to the Company.
- c) “Workman” means a person as defined in the Industrial Disputes Act 1947 and to whom the provision of these rules shall not apply.
- d) “Board” means the Board of Directors to the Company and includes in relation to the exercise of powers, any committee of the Board Management or any officer of the Company to whom the Board delegates any of its powers.
- e) “Chairman-cum-Managing Director” means Chairman-cum-Managing Director of the Company.
- f) “Management” means the ‘Board of Directors’, the Chairman-cum-Managing Director, or any other officer of the Company authorized by them to act on their behalf.
- g) “Disciplinary Authority” means the Authority specified in the Schedule at Annexure-I appended to these rules and competent to impose any of the penalties specified in the Rule 32.



- h) “Competent Authority” means the authority empowered by the Board of Directors by any general or special rule or order to discharge the function or use the powers specified in the Rule or Order.
- i) “Government” means the Government of India.
- j) “Appellate Authority” means the authority specified in the Schedule at Annexure-I appended to these rules.
- k) “Reviewing Authority” means the authority specified in the Schedule at Annexure-I attached to these rules.
- l) “Family” in relation to an employee includes:
- (1) The wife or husband as the case may be of the employee, whether residing with employee or not but does not include a wife or husband as the case may be separated from the employee by a decree or order of a competent court.
 - (2) Sons or Daughters or Stepsons or Stepdaughters of the employee and wholly dependent on employee, but does not include a child or stepchild who is no longer in any way dependent on the employee or of whose custody the employee has been deprived of by or under any law.
 - (3) Any other person related, whether by blood or marriage to the employee or to such employee’s wife or husband and wholly dependent on such employee.
- m) Public servant shall means and includes a person as defined in Section 2(1) (o) read with Section 14 (f) of the Lokpal and Lokayukta Act, 2013 as amended from time to time.
- n) Inquiry Authority - Inquiry Authority means an Employee or Committee of Employees duly constituted under these rules by the disciplinary authority or Retired Govt./PSUs officers to enquire into allegations of misconduct levelled against one or more than one charge sheeted employee.

Rule 4. General

4.1 Every employees of the Company shall at all times:

- (1) Maintain absolute integrity, devotion to duty, and do nothing which is unbecoming of a public servant.
- (2) Serve the Company honestly and faithfully and shall earnestly endeavour to promote the interest and reputation of the Company;
- (3) Conduct himself in a manner conducive to the interest, credibility and prestige of the Company.



- (4) Commit oneself to and uphold the supremacy of the Constitution and democratic values;
 - (5) Defend and uphold the sovereignty and integrity of India, the security of the State, public order, decency and morality;
 - (6) Maintain high ethical standards and honesty;
 - (7) Maintain political neutrality;
 - (8) Promote the principles of merit, fairness and impartiality in the discharge of duties;
 - (9) Maintain accountability and transparency;
 - (10) Maintain responsiveness to the public, particularly to the weaker section;
 - (11) Maintain courtesy and good behavior with the public;
 - (12) Maintain discipline in the discharge of one's duties and be liable to implement the lawful orders duly communicated to the employee;
 - (13) Perform and discharge one's duties with the highest degree of professionalism and dedication to the best of his/her abilities.
- 4.2 Every employee of the Company holding a supervisory post (S-3 level & above) shall, take all possible steps to ensure the integrity and devotion to duty of all employees for the time being under his/her control and authority.
- 4.3 No Employee shall, in the performance of his/her official duties or in the exercise of powers conferred on employee, act otherwise than in his/her best judgement except when employee is acting under the direction of his/her superior official.

Explanation I. - An employee who habitually fails to perform the task assigned to the employee within the time set for the purpose and with the quality of performance expected of the employee shall be deemed to be lacking in devotion to duty within the meaning the clause (1) of Sub-Rule (4.1).

Explanation II. - Nothing as stated above shall be construed as empowering the Company employee to evade his/her responsibilities by seeking instructions from, or approval of, a superior officer or authority when such instructions are not necessary under the scheme of distribution of power and responsibilities.

4.4 Every employee shall:

- (1) Comply with Service Rules of the Company in force from time to time;



- (2) Deemed to be in the employment of the Company for all the twenty-four hours of the day, liable to be called for duty at any time of the day apart from the normal hours of his/her duty;
- (3) At all times conduct himself/herself soberly and temperately and show proper respect and civility to all concerned;
- (4) Devote his/her whole time and energy exclusively for the work and interest of the Company;

4.5 No employee shall:

- (1) Even while on leave, directly or indirectly, engage in any other profession or business or enter the service of or be employed in any other capacity or for any purpose whatsoever and for any part of his/her time by any other person, government department, firm, Company or employer.
- (2) Have any private financial dealings with persons or friends having business relations with the Company for the sale or purchase of any materials, equipment, or supply of labour, if any or for any other purpose.
- (3) Through representation or otherwise, shall bring or attempt to bring, outside influence to bear upon any superior authority to further his/her interest in respect of matters pertaining to his/her service in the Company.

4.6 Prohibition of sexual harassment of women in work place

- (1) No employee shall indulge in any act of sexual harassment of any woman at any work place.
- (2) Every employee who is in-charge of a work place shall take appropriate steps to prevent sexual harassment to any woman at the work place.
 - a) "sexual harassment" includes any one or more of the following acts or behavior (whether directly or by implication) namely:-
 - i. physical contact and advances; or
 - ii. a demand or request for sexual favours; or
 - iii. making sexually coloured remarks; or
 - iv. showing pornography; or
 - v. any other unwelcome physical, verbal, non-verbal conduct of a sexual nature

**Rule 5. Acts of omission and commission constituting misconduct**

Without prejudice to the generality of the term “misconduct”, the following acts of omission and commission shall be treated as misconduct:

- 5.1 Wilful insubordination or disobedience, whether or not in combination with others of any lawful and reasonable order of a superior;
- 5.2 Theft, fraud or dishonesty in connection with business or property of the Company or of property of another person within the premises of the Company;
- 5.3 Non-observance of safety precautions or rules on the subject;
- 5.4 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;
- 5.5 Neglect of work or negligence in the performance of duty including malingering or deliberate slowing down of work and sleeping while on duty.
- 5.6 Habitual late or irregular attendance.
- 5.7 Entering or leaving or attempting to enter or leave the premises of the Company, works, factory, office buildings or establishment except in accordance with the Service Rules.
- 5.8 Leaving station of posting without permission of the Competent Authority.
- 5.9 Taking or giving bribe or any illegal gratification and adopting disruptive or corrupt practices.
- 5.10 Threatening or assaulting or intimidating any employee or person within the premises of the factory, works, office buildings or establishment of the Company.
- 5.11 Gambling or drunkenness or fighting or riotous or disorderly or indecent behavior within the premises of the factory or works or office buildings or establishment or housing colony of the Company, or outside such premises where such behavior is related to or connected with the employment.
- 5.12 Smoking or possessing match boxes or flame producing material within the premises of the factory or works or establishment or office building of the Company where it is prohibited.
- 5.13 Sabotaging or causing damage to, or loss of, the Company's property or interference with any safety devices installed in or about the premises of the Company.



- 5.14 Failure by an employee to inform the Management or the Medical Officer of the Company occurrence in the household, wherein he resides, of any contagious or notifiable disease, such as cholera, small-pox, chicken-pox, plague, diphtheria, typhus fever, cerebrospinal meningitis and yellow fever.
- 5.15 Unauthorized communication of official documents or information and disclosure to any unauthorized person of information relating to the Company's operations and business;
- 5.16 Carrying on money lending or any private business or engage himself/ herself in any other employment whether stipendiary or honorary, part-time or otherwise, without the written permission of the Management, and entering into speculation.
- 5.17 Spreading false rumour or giving information which may bring disrepute to the Company or its employees or spreading panic among the employees;
- 5.18 Writing or associating himself/ herself in writing anonymous or pseudonymous letters criticizing the Management, superior in the Company, or making false reports regarding the conduct of the colleagues or other employees.
- 5.19 Holding meeting(s) within the works, factory, office buildings, establishment, housing colony or in any of the premises owned by the Company, without the written permission of the Management;
- 5.20 Striking work or inciting others to strike work in contravention of the provisions of any law or rule for the time being in force.
- 5.21 Habitual indebtedness or insolvency.
- 5.22 Unauthorized use of Company quarters or land.
- 5.23 Conviction in any Court of Law for any criminal offence involving moral turpitude or violence.
- 5.24 Habitual breach of any law or rule applicable to the works or factory or office or establishment or projects of the Company.
- 5.25 Any breach of the Service Rules.
- 5.26 No employee shall, without the written permission of the Management:
- (1) Collect or canvass for the collection of any money within the works or factory or office or establishment or housing colony of the Company;
 - (2) Distribute or exhibit in or about the works or office buildings or establishment or housing colony of the Company, any newspapers, handbills, posters or the like.

Handwritten signature



- 5.27 Refusal on the part of the employee to work.
- 5.28 Theft of employer's or employee's property from the premises of the Company including factory, establishment, office or housing colony.
- 5.29 Absence without leave or over-staying the sanctioned leaves for more than four consecutive days without sufficient grounds or proper or satisfactory explanation.
- 5.30 Abetment or attempt at abetment of any act which amounts to misconduct after reporting for duty.
- 5.31 Absence from the employee's appointed place of work without permission or sufficient cause.
- 5.32 Leaving India or the country of posting without prior approval of the Competent Authority.
- 5.33 Diverting public resources for making gifts to officials of the Ministries Departments of the Government of India for his/her performed benefit.
- 5.34 Sexual Harassment of Women Employees in work place.
- A complaint mechanism shall provide, wherever necessary, a complaints committee, a special counsellor or other support service, including the maintenance of confidentiality.
- 5.35 Receipt of issue of testimonials or commendation letters or certificates.
- 5.36 Punching time card of other employees or making their attendance or tampering with the entries in the time card or attendance register.
- 5.37 Possession of pecuniary resources or property disproportionate to the known sources of income by the employee or on his / her behalf by another person, which the employee cannot satisfactorily account for.
- 5.38 Acting in a manner prejudicial and perjural to the interests of the Company.
- 5.39 Commission of any act subversive of discipline or of good behavior and Commission of any act, which amounts to a criminal offence involving moral turpitude.
- 5.40 Purchasing properties machinery, stores etc. from or selling properties, machinery, stores etc., to the Company without express permission in writing from the Competent Authority.



- 5.41 Damage to any property of the Company.
- 5.42 Interference or tampering with any safety devices installed in or about the premises of the Company.
- 5.43 Obtaining donations/ advertisement/sponsorship etc. for the associations/NGOs formed by either employee or their spouse / employee's family members etc. from the contractors, vendors, customers or other persons having commercial relationship / official dealings. This will be treated as misconduct.

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

Rule 6. Unauthorized communication of information

Unauthorized communication of information whether by writing or otherwise, directly or indirectly would amount to misconduct.

- 6.1 No employee shall, by writing to any person (including a co-employee) or by communicating to public papers, journals, books, pamphlets or leaflets or by speech or discussion at any place, disclose or cause to be disclosed at any time during service or after leaving the service of the Company any information or documents, official or otherwise, relating to the Company except with the approval of the Management.
- 6.2 No employee shall, otherwise than in the normal course of his/her work, engage in giving information or advice, on matters relating to the activities of the Company.
- 6.3 Except in the ordinary course of his/her duties, no employee shall disclose either during service or after leaving service of the Company, any secret, cost of production of any or all the Company's products, cost of equipment, plants etc. information or settlement of claims by Company in or out of court, or any other information of matters of trade or business secrets.
- 6.4 No employee is permitted to carry with employee or take outside the Company or establishment, or office premises any papers or books or drawings or photographs or apparatus or documents or any other property belonging to the Company or relating to the Company affairs. However, this prohibition shall not apply to Chairman-cum-Managing Director, Director, Heads of Division In-charges of ROs and Project Site Offices of the Company, Secretary of the Company and such other employees who are specially authorized by the Management to carry with them and take out of the factory, establishment, office premises any papers or documents for the purposes of study or for other purposes approved by the Management.



- 6.5 No employees is permitted to take notes, drawings or sketches for his/her own use or any plant, relating to process or work or keep copies of official papers with employee for his/her own personal use.
- 6.6 Any books, drawings, sketches, photographs and similar papers containing notes or information on the Company's business affairs or operations shall always be treated as Company's property whether prepared by an employee or otherwise.
- 6.7 Breach of this rule shall be misconduct under Sub-Rule 5(15), and the employee shall be liable to punishment in accordance with these rules.

Rule 7. Taking part in Political Activities and Demonstration

- 7.1 Each and every employee is prohibited to take part in political activities.

Explanation

If any question arises whether a party is a political or whether any organization takes part in politics or whether any movement or activity falls within the scope of such rule, the decision of the Management thereon shall be final.

- 7.2 No employee shall:

- (1) be an office bearer of, or member of or otherwise associated with, political party or organization which takes part in politics;
- (2) take part in or assist in any manner in any movement / agitation or demonstration of political nature;
- (3) take part in an election of any legislature or local authority;
- (4) canvas or otherwise interfere with or use his/her influence in any election to any legislature or local authority; and
- (5) engage himself/ herself or participate in any demonstration which involves incitement to an offence.

Provided that:

- (a) An employee qualified to vote at such election may exercise his/her right to vote, but where he/ she does so, he/ she shall give no indication of the manner in which he/ she proposes to vote or has voted;
- (b) No employee shall, deemed to have contravened the provisions of the Sub-Rule by virtue of the fact that he/ she assisted the conduct of an election in due performance of a duty imposed on employee by or under any law for the time being in force;



Explanation:

- (1) The display by an employee on his/her person, vehicle or residence of any electoral symbol shall amount to using his/her influence in connection with an election within meaning of this Sub-Rule.
- (2) Proposing or seconding the nomination of a candidate at an election to a legislative body or acting as his/her agent by an employee shall amount to taking part in such election.
- (3) No employee shall stand for election as a member for a Municipal Council, Corporation, District Board, Panchayat or legislative body.

Rule 8. Connection with Electronic and Print Media

- 8.1 No employee of the Company shall, except with the previous sanction of the competent authority, own wholly or in part, of conduct or participate in the editing or management of, any newspaper or other periodical publication.
- 8.2 No, employee of the Company shall, except with the previous sanction of the Competent authority or the prescribed authority, or in the bona fide discharge of his/her duties, participate in a Radio/TV broadcast or contribute any article or write any letter either in his/her own name or anonymously, pseudonymously, or in the name of any other person to any publication.

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

Rule 9. Criticism of Government and the Company

- 9.1 No employee shall in any electronic and print media or in any document published under his/her name or in the name of any other person or in any communication to the press, or in any public utterances, make any statement:
 - (1) which has the effect of adverse criticism of any policy or action of the Central or State Governments, or of the Company; or
 - (2) which is capable of embarrassing the relations between the Company and the public.

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



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

Rule 10. Evidence before Committee or any other Authority

10.1 Save as provided in Sub-Rule 10.3, no employee of the Company, except with the prior sanction of the competent authority, give evidence in connection with any enquiry conducted by any person, committee or authority.

10.2 Where any sanction has been accorded under Sub-Rule 10.1, no employee giving such evidence shall criticize the policy or any action of the Central Government or of a State Governments, or of the Company.

10.3 Nothing in this rule shall apply to:

- (1) Evidence given at any enquiry before an authority appointed by the Government, Parliament or a State Legislator; or
- (2) Evidence given in any judicial enquiry; or
- (3) Evidence given in any departmental enquiry ordered, by authorities subordinate to the Government.

Rule 11. Subscriptions

No employee shall, except with the previous sanction of the Management, ask or accept contribution to, or otherwise associate himself/ herself with the raising of, any funds or other collections in cash or in kind in pursuance of any object whatsoever.

Rule 12. Private Trade or employment

12.1 No employee of the Company shall except with the previous sanction of the competent authority, engage directly or indirectly in any trade or business or undertake any other employment;

Provided that an employee may, without such sanction, undertake honorary work of a social or charitable nature or occasional work of a literary, artistic or scientific character, subject to the condition that his/her official duties do not thereby suffer.

12.2 Every employee of the Company shall report to the competent authority; if any member of his/her family is engaged in a trade or business or owns or manages an insurance agency or Commission agency.



12.3 No employee of the Company shall, without the previous sanction of the competent authority except in the discharge of his/her 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, 2013 or other law for the time being in force or any Co-operative Society for commercial purposes.

Provided that an employee of the Company may take part in the registration, promotion or management of a consumer/House Building Co-operative society registered under HBCS ACT 1912 (2 of 1912) or any other law for the time being in force, or of a literary, scientific or charitable society registered under the Societies Registration Act, 1860, or any corresponding law in force.

12.4 No employee of the Company may accept any fee or any pecuniary advantage for any work done by employee for any public body or any private person without the sanction of the competent authority.

Rule 13. Investment, lending and borrowing

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

13.2 No employee shall, lend money to any person at interest or in a manner whereby return in money or kind is charged or paid.

Provided that an employee may give to or accept from a relative or a personal friend, a purely temporary loan free of interest, or operate a credit account with a bona-fide tradesman or make an advance of pay to his/her private employee.

13.3 Speculation of stock / shares of companies

Employee shall not speculate in any stock, share or other investment. It may also been explained that frequent purchase or sale or both, of shares, securities or other investments shall be deemed to be speculation within the meaning of this Sub-Rule.

With a view to enable the administrative authorities to keep a watch over such transactions, an intimation may be sent in the Proforma (on the lines of proforma annexed to DoPT OM dated 07.02.2019) to the prescribed authority if the total transactions in shares, securities, debentures or mutual funds scheme etc. **exceed six months' basic pay of Company employee** during the calendar year (to be submitted by 31st January of the subsequent calendar year).



Rule 14. Vindication of acts and character of employees

- 14.1 No employee shall, except with the previous sanction of the Management have resource to any court or to the press for the vindication of any official act which has been the subject matter of adverse criticism or defamation.
- 14.2 Nothing in this rule shall be deemed to prohibit an employee from vindicating his/her private character or any act done by employee in his/her private capacity, and where any action for vindicating his/her private character or any act done by employee in private capacity is taken, the employee shall submit a report to the Management regarding such action.

Rule 15. Employment of near relatives of the employees of the Company in any Company or firm enjoying patronage of the Company

- 15.1 No employee shall use his /her position or influence directly or indirectly to secure employment for any person related, whether by blood or marriage to the employee or to the employee's wife or husband, whether such a person is dependent upon the employee or not.
- 15.2 No employee shall, except with the previous sanction of the Competent Authority, permit his/her son, daughter or any member of the family to accept employment with private firm/company with which he has official dealings, or with any other firm/company, having official dealings with the Company.

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

- 15.3 No employee shall, in the discharge of his/her official duties deal with any matter or give or sanction any contract to any Company or firm any other person if any of his/her relative, as defined under Indian Companies Act, is employed in that company or firm or under that person or if he/she or any relative is interested in such matter or contract in any other matter and the employee shall refer every such matter or contract to his/her official superior and the matter of the contract shall thereafter be disposed of according to the instructions of the authority to whom the reference is made.
- 15.4 Restriction on top level executives of public enterprises joining private commercial undertakings after retirement.
- (a) No Functional Director of the Company including the Chief Executive who has retired/resigned from the service of the Company, after such retirement/resignation, shall accept any appointment or post, whether advisory or administrative, in any firm or Company, whether Indian or foreign, with



which the Company has or had business relations, within one year from the date of retirement without prior approval of the Government.

- (b) The term “retirement” mentioned in Sub-Rule (a) above includes resignation; but not cases of those whose term of appointment was not extended by Government for reasons other than proven misconduct. The term ‘business relations’ include ‘official dealings’ as well.
- (c) Functional Directors including Chief Executive who after superannuation or resignation accept employment in private commercial firms without prior sanction of the Government, will henceforth be debarred from being appointed as full time/part time Director of the Company. Further, in order to secure compliance of the restrictions, the Company shall secure a bond from the concerned person at the time of his/her employment/ retirement/ resignation as Director in Company for an appropriate sum of money payable by employee as damages for any violation of the restrictions. A copy of the model bond, duly vetted by the Ministry of Law & Justice and approved by the CVC, which would be executed by full-time functional Directors/ MDs/ CMDs of the Company before release of terminal benefits, is enclosed at **Form No.-21**.
- (d) The Administrative Ministry will be competent to consider and decide requests for post-retirement employment received from former Board level executives in consultation with DPE and with the approval of their Minister-in-charge. With a view to ensuring that all relevant particulars are available for considering the application for permission to take post-retirement employment, the application should be sent in a model form as at **Form No.-22**.

Rule 16. Movable, Immovable and valuable property

Every employee shall, on first appointment in the Company, submit a return of assets and liabilities in the prescribed form giving the particulars regarding:

- 16.1 The immovable property inherited by the employee, or owned or acquired by the employee, held by the employee on lease or mortgage, either in his/her own name or in the name of any member of his/her family or in the name of any other person.
- 16.2 Shares, securities, debentures, and cash including bank deposits inherited by the employee (or similarly) owned, acquired, or held by the employee.
- 16.3 Other movable property inherited by the employee or similarly owned, acquired or held by the employee if the value of such property exceeds Rs. two months basic pay.
- 16.4 Debts and other liabilities incurred by employee directly or indirectly.



- 16.5 Every employee shall, beginning 1st January, submit a return of immovable property inherited/owned/acquired once in every year.
- 16.6 No employee shall, except with the prior sanction of the competent authority, enter into any transaction concerning any immovable or movable property with a person or a firm having official dealing with the employee or his/her subordinate.
- 16.7 No employee 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/her own name or in the name of any member of his/her family.
- 16.8 Every employee shall, report to the competent authority every transaction in movable property either in his/her own name or in the name of any member of his/her family within one month of such transaction, if the value of the such property exceeds Rs. two months basic pay.
- 16.9 The prescribed authority may, at any time, by general or special order ask an employee to submit, within a period specified in the order a full and complete statement of such movable or immovable property held or acquired by the employee or on his/her behalf or by any member of his/her 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.

Explanation I

For the purposes of this rule:

- (i) The expression “movable property” without prejudice to the generality of the term, shall have the meaning assigned to it under the Transfer of Property Act, 1897 and includes:-
- (a) Jewellery, insurance policies, the annual premium of which exceeds ‘two months’ basic pay of the employee , shares, securities and debentures.
- (b) All loans, whether secured or not, advanced or taken by the employee.
- (c) Motor car(s), Motor cycle(s), or any other means of conveyance; and
- (d) Refrigerator(s), audio/video recorder(s)/CDs, Television(s), Music system(s) etc.
- (e) Shares and/or securities and/or debentures provided that total transaction during the financial year exceed Rs. Six months Basic Pay.



(ii) “Prescribed Authority” means-

(a) The Company,

(b) In respect of employees on Foreign Service or on deputation to any other Company, the parent department on the cadre on which such employee is borne or the organization to which he is administratively subordinate as member of that cadre.

Explanation II

For the purpose of this rule 'lease' means, except where it is obtained from, or granted to, a person having official dealings with the Government Servant, a lease of immovable property from year to year or for any term exceeding one year or reserving a yearly rent.

Transaction entered into by the spouse or any other member of family of an employee of the Company out of his or her own funds (including stridhan, gifts, inheritance etc.) as distinct from the funds of the employee of the Company, in his or her own name in his or her own right would not attract the provisions of the above Sub-Rules.

Rule 17. Bigamous marriages

17.1 No employee shall enter into, or contract, a marriage with a person having a spouse living.

17.2 No employee, having a spouse living, shall enter into, or contract, a marriage with any person.

17.3 The Board of Directors, however may permit an employee to enter into, or contract, any such marriage as is referred to in sub-clause 17.1 and 17.2 above if it is satisfied that:

- 1) such marriage is permissible under the personal law applicable to such employee and the other party to the marriage; and
- 2) In the opinion of the Board, good and sufficient reasons exist for doing so.

Rule 18. Approaching Foreign Government by the employees

No employee shall approach directly or indirectly any foreign government or foreign organization for financial assistance for visiting a foreign country or attending a course abroad without prior permission of the Company.

**Rule 19. Joining of associations**

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

Rule 20. Demonstration and Strikes

20.1 No employee shall engage himself/ herself or participate in any demonstration which is prejudicial to the interest of the sovereignty and integrity of India, the security of the state, friendly relation with foreign states, public order, decency or morality, or which involves contempt of court, defamation or incitement to an offence.

20.2 No employee shall resort to or in any way abet any form of illegal strike in connection with any matter pertaining to his/her service or of any other employee.

Rule 21. Acceptance of Gifts

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

(a) On occasions 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 Company may accept gifts, from his/her near relatives but employee shall make a report to the competent authority if the value of the gift exceeds.

(i) rupees twenty five thousand in the case of Executives;

(ii) rupees fifteen thousand in the case of an Non-Executives

(b) On such occasions as are specified in Sub-Rule , an employee of the Company may accept gifts from his/her personal friends having no official dealings with the employee, but employee shall make a report to the competent authority if the value of any such gift exceeds rupees one thousand five hundred in the case of Executives and Non-Executives;

(c) In any other case, an employee of the Company shall not accept or permit any other member of his/her family or any other person acting on his/her behalf to accept any gifts without the sanction of the Competent Authority if the value thereof exceeds rupees **Five Thousand** in the case of Executives and & rupees **Two Thousand** in the case of Non-Executives.



Provided that when more than one gift has been received from the same person/firm within a period of 12 months, the matter shall be reported to the Competent Authority if the aggregate value of the gifts exceeds Rs. 25000/- and Rs. 15000/- in case of Executives and Non-Executives respectively.

Further as shares, securities, debentures etc are treated as movable property for the purpose of Rule 16(8) of EPIL CDA Rules, if any individual transaction in respect of above instruments exceeds the amount prescribed in Rule 16(8), the intimation to the prescribed authority would still be necessary. The intimation prescribed in Para 2 above will be in addition to this, where cumulative transaction(s) i.e. sale, purchase or both in shares, securities, debentures or mutual funds etc. in a year exceed the limits indicated in Para 2 above.

21.02 From Foreign dignitaries

(a) Employee being member of Indian delegation or otherwise, may receive and retain gifts from foreign dignitaries if the market value of gifts received on one occasion does not exceed Rs. 2000/-.

(b) From foreign firms

Employee should not accept any gift from any foreign firm, which is either contracting with the Company or is one with which they had or have or likely to have official dealings.

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

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

21.3 Dowry

No employee of the Company shall:

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

Note: For the purposes of this rule "dowry" has the same meaning as defined in Dowry Prohibition Act, 1961 (No. 28 of 1961) which reads as follows:



Definition of "Dowry"

In this Act "Dowry" means any property or valuable security given or agreed to be given either directly or indirectly.

- (a) by one party to a marriage to the other party to the marriage; or
- (b) by the parents of either party to a marriage or by any other person, to either party to the marriage or to any other person; at or before or after the marriage as consideration for the marriage of the said parties, but does not include dower or maher in the case of persons to whom the Muslim Personal Law (Shariat) applied.

Explanation-I

For the removal of doubts it is hereby declared that any presents made at the time of a marriage to either party to the marriage in the form of cash, ornaments, clothes or other articles, shall not be deemed to be dowry within the meaning of this section, unless they are made as consideration for the marriage of the said parties.

Explanation-II

the expression "valuable security" has the same meaning as in Section 30 of the Indian Penal Code.

Rule 22. Unauthorized Absence from Duty

If an employee remains unauthorisedly absent from duty for more than 10 days continuously, he/she will be deemed to have abandoned the job and his/her name shall be liable to be struck off the rolls of the Company without making any reference to employee.

Rule 23. Employment of the Family of a Government Servant in Foreign Mission and Foreign Organizations in India

23.1. Acceptance of employment in any of the following type of foreign organizations in India by any member of the family of an employee would require prior permission of the competent authority:

- 1) Foreign diplomatic missions.
- 2) Foreign organizations such as United States International Communication Agency, British Council, Cooperative for American Relief Everywhere, Catholic Relief Service etc.
- 3) International Organizations including foreign companies as defined in Section 2-A of the Foreign Contribution (Regulation) Act, 1976.



“Member of the family” for this purpose would include the spouse, but would exclude the spouse separated or one living separately while judicial proceedings are on, would include children and step children but exclude children and step-children whose custody the employee has been deprived of by law and would also include any other person including a non-relative, staying permanently with the employee.

Accordingly, before any member of the family of an employee accepts an employment in the organization stated at (1) to (3) above, the proposal of such employment should be submitted by the concerned employee giving details thereof to the HR Division, Corporate Office for necessary action.

Rule 24. Letting out Accommodation to Foreign Nationals Foreign Missions etc.

An employee wanting to let out his/her house to a foreign national /foreign mission/foreign organization (including international organization) must obtain prior permission of the Management in writing before doing so.

For seeking Management’s permission for the above purpose, the employee concerned will be required to send an application to the HR Division, Corporate Office giving details of the proposal, inter-alia containing the following particulars about the person/party to whom the house is proposed to be rented out:

- 1) Name of the Person/party
- 2) Parentage
- 3) Date of Birth
- 4) place of Birth
- 5) Permanent Address
- 6) Nationality

Rule 25. Insolvency and Habitual Indebtedness

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

25.2. An employee of the company who applies to be or is adjudged or declared insolvent shall forthwith report the fact to his/her Competent Authority.

Rule 26. 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/her interests in respect of matters pertaining to his / her service in the Company.



Rule 27. Consumption of intoxicating drinks and drugs

27.1. Employee of the Company shall:

- 1) Strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which employee may happen to be for the time being;
- 2) Not be under influence of any intoxicating drink or drug during the course of his/her duty and shall also take due care that the performance of his/her duties at any time is not affected in any way by the influence of such drink or drug;
- 3) refrain from consuming any intoxicating drink or drug in a public area;
- 4) Not appear in a public place in a state of intoxication;
- 5) Not use any intoxicating drink or drug to excess.

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

27.2. Employee of the Company should refrain from consuming intoxicating drinks even at official parties arranged by Foreign Missions whether within the Mission premises or in Halls/lounges exclusively reserved or at parties arranged by Government Organizations where foreigners are entertained or at similar parties hosted by others.

Rule 28. Prohibition regarding employment of children below 14 years of age

No Company employee shall employ to work any child below the age of 14 years.

(c) **Suspension**

29.1. The appointing authority or any authority to which it is subordinate or the disciplinary authority or any other authority empowered in that behalf by the Management by general or special order may place an employee under suspension:

- 1) Where a disciplinary proceeding against the employee is contemplated or is pending; or
- 2) Where case against the employee in respect of any criminal offence is under investigation or trial; or



- 3) Where, in the opinion of the authority aforesaid, he/she has engaged oneself in activities prejudicial to the interest of the security of the State.

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

- 29.2. An employee who is detained in police / judicial 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.
- 29.3. Where a penalty of dismissal or removal from service imposed upon an employee under suspension is set aside on appeal or on review under these rules and the case is remitted for further inquiry or action or with any other directions, the order of his/her 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.
- 29.4. Where a penalty of dismissal or removal from service imposed upon an employee is set aside or declared or rendered void in consequence of or by a decision of a court of law and the disciplinary authority, on consideration of the circumstances of the case, decides to hold a further inquiry against the employee 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.
- 29.5. An order of suspension made or deemed to have been made under this Rule may at any time be revoked by the authority, which made or is deemed to have made the order or by any authority to which that authority is subordinate

Notes:

- i) It shall be the duty of the employee who may be arrested for any reason to intimate the fact of his/her arrest and the circumstances connected therewith to his/her official superior promptly even though he might have subsequently been released on bail. Failure on the part of any employee to so inform his/her official superiors will be regarded as suppression of material information and will render employee liable to disciplinary action on this ground alone, apart from the action that may be called for on the outcome of the police case against employee.
- ii) The headquarters of an employee should normally be assumed to be his/her last place of duty. However, where an individual under suspension requests for a change of headquarters, there is no objection to a competent authority changing the headquarters if it is satisfied that such a course will not put company to any extra expenditure like grant of T.A. etc. or other complications.



- iii) Application of an employee for appointment, whether by Direct Recruitment, deputation or transfer, to any other post should not be considered/ forwarded if: He is under suspension; **or** Disciplinary proceedings are pending against employee and a charge sheet has been issued; **or** Sanction for prosecution, where necessary has been accorded by the competent authority; **or** where a prosecution sanction is not necessary, a charge sheet has been filed in a court of law against employee for criminal prosecution.
- iv) The company reserves the right not to accept the resignation of the employee who is under suspension or against whom disciplinary cases are pending and contemplated or a decision has been taken by the competent authority to issue a charge sheet(DPE's guidelines no. 2(28)/75-BPE(GM-I) dated 09.12.1982 and further instructions thereon).
- v) Promotion of an employee under suspension / in respect of whom a charge sheet has been issued and the disciplinary proceedings are pending / prosecution for a criminal charge is pending, shall be governed as per "Sealed Cover Procedure" contained in DOP&T's OM no. 22011/4/91-Estt.(A) dated 14.09.1992 & further instructions thereon.
- vi) Guidelines for constitution and composition of review committee for the purpose of Sub Rule-(g) shall be governed in terms of DOP&T's OM No. 11012/4/2003-Estt. (A) dated 07.01.2004).

Rule 30. Subsistence Allowance

- 30.1. An employee under suspension shall be entitled to draw subsistence allowance equal to 50 percent, of his/her basic 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 the employee shall be entitled to Dearness Allowance admissible on such subsistence allowance and any other compensatory allowance of which the employee was in receipt on the date of suspension provided the suspending authority is satisfied that the employee continues to meet the expenditure for which the allowance was granted.
- 30.2. 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:-
 - a) The amount of subsistence allowance may be increased to 75 percent of basic pay and 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.
 - b) The amount of subsistence allowance may be reduced to 25 percent of basic pay and allowances thereon if in the opinion of the said authority, the period of suspension has been prolonged due to the reasons to be recorded in writing directly attributable to the employee under suspension.



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

- a) During the suspension period the suspended employee has to mark his/her daily attendance on working days in his/her headquarter.
- b) No payment shall be made unless the employee furnishes a certificate that he/she is not engaged in other employment, business profession or vocation.

Rule 31. Treatment of the Period of Suspension

31.1. When the employee under suspension is re-instated, the competent authority may grant to the employee the following pay and allowances for the period of suspension:

- 1) If the employee is exonerated and not awarded any of the penalties mentioned in Rule 32 the full pay and allowances which employee would have been entitled to if employee had not been suspended, less the subsistence allowance already paid to the employee; and
- 2) If otherwise, such proportion of pay and allowances as the competent authority may prescribe.

31.2. In a case falling under clause (1) of Sub-clause 31.1, the period of absence because of suspension from duty will be treated as a period spent on duty. In case failing under clause (2) of Sub-clause 31.1 it will not be treated as a period spent on duty unless the competent authority so directs.

Rule 32. Penalties

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

32.1. Minor Penalties

- 1) Censure;
- 2) Withholding of increments of pay without cumulative effect;
- 3) Withholding of promotion;
- 4) Recovery from pay or such other amount as may be due to employee, of the whole or part of any pecuniary loss, caused to the Company by negligence or breach of orders.
- 5) Reduction to a lower stage in the time-scale of pay by one stage for a period not exceeding 3 years, without cumulative effect and not adversely affecting his/her terminal benefits



32.2. Major Penalties

- 1) Save as provided in clause 32.1 (5), reduction to a lower stage in the time scale of pay for a specified period, with further directions as to whether or not the employee will earn increments of pay during the period of such reduction and whether on expiry of such period, the reduction will or will not have the effect of postponing the future increment of pay;
- 2) Reduction to a lower time scale of pay, grade, post or Service which shall ordinarily be a bar to the promotion of the employee to the time-scale of pay, grade, post from which employee was reduced, with or without further directions regarding conditions of restoration to the grade or post from which the employee was reduced and his/her seniority and pay on such restoration to that grade or post;
- 3) Compulsory retirement;
- 4) Removal from service which shall not be a disqualification for future employment under the Govt. or the Company owned or controlled by the Govt.;
- 5) Dismissal from service which shall ordinarily be a disqualification for future employment under the Govt. or the Company owned or controlled by the Govt.;

Provided that, in every case in which the charge of possession of assets disproportionate to known sources of income or the charge of acceptance from any person of any gratification, other than legal remuneration, as a motive or reward for doing or forbearing to do any official act is established, the penalty mentioned in clause 32.2 (4) or (5) shall be imposed:

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

Explanation

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

- a) Withholding of increment of an employee on account of his/her work being found unsatisfactory or not being of the required standard, or for failure to pass a prescribed test or examination;
- b) Non-promotion, whether in an officiating capacity or otherwise, of an employee, to a higher post for which he/she may be eligible for consideration but for which he/she is found unsuitable after consideration of his/her case;
- c) Reversion to a lower grade or post, of an employee officiating in a higher grade or post on the ground that he/she is considered, after trial, to be unsuitable for such higher grade or post or on administrative grounds not connected with his/her conduct.



- d) Reversion of his/her 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/her appointment;
- e) **Termination of Service**
- 1) of an employee appointed on probation during or at the end of the period of probation, in accordance with the terms of his/her appointment;
 - 2) of an employee appointed in a temporary capacity otherwise than under a contract or agreement, on the expiry of the period for which he/she was appointed or earlier, in accordance with the terms of his/her appointment;
 - 3) of an employee appointed under a contract or agreement in accordance with the terms of such contract or agreement; or
 - 4) of any employee on reduction of establishment.

Rule 33. Disciplinary Authority

The Disciplinary Authority, as specified in the schedule or any authority higher than it may impose any of the penalties specified in Rule 32.

Rule 34. Procedure for imposing major penalties

- 34.1. No order imposing any of the major penalties specified in Clauses (1), (2), (3), (4) and (5) of Sub-Rule 32.2 shall be made except after an inquiry is held in accordance with this rule.
- 34.2. Whenever the disciplinary authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehavior against an employee, it may itself enquire into, or appoint any inquiring authority to inquire into the truth thereof. Provided that where there is a complaint of sexual harassment within the meaning of Sub-Rule 4.6 above, the complaints Committee for inquiring into such complaints, shall be deemed to be the inquiring authority appointed by the disciplinary authority for the purpose of these rules and the Complaints Committee shall hold, if separate procedure has not been prescribed for the complaints committee for holding the inquiry into the complaints of sexual harassments, the inquiry as far as practicable in accordance with the procedure laid down in these rules.

Explanation - Where the disciplinary authority itself holds the inquiry, the inquiring authority shall be construed as a reference to the disciplinary authority.



- 34.3. Where it is proposed to hold an inquiry, the disciplinary authority shall deliver or cause to be delivered to the employee a copy of the articles of charge, the statement of the imputations of misconduct or misbehavior and a list of documents and witnesses by which each article or charges is proposed to be sustained. On receipt of the articles of charge, the employee shall be required to submit his/her written statement of defence, if employee so desires, and also state whether employee desires to be heard in person, within a period of fifteen days, which may be further extended for a period not exceeding fifteen days at a time for reasons to be recorded in writing by the Disciplinary Authority or any other Authority authorized by the Disciplinary Authority on his/her behalf;

Provided that under no circumstances, the extension of time for filing written statement of defence shall exceed forty-five days from the date of receipt of articles of charge.

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

- 34.4. On receipt of the written statement of defence, the disciplinary authority may itself inquire into such of the articles of charge as are not admitted, or, if it considers it necessary so to do, appoint, under Sub-Rule 34.2, an inquiring authority for the purpose, and where all the articles of charge have been admitted by the charged sheeted Employee in his/her written statement of defence, the disciplinary authority shall record its findings on each charge after taking such evidence as it may think fit and shall act in the manner laid down in rule 35.

If no written statement of defence is submitted by the charged sheeted employee, the disciplinary authority may itself inquire into the articles of charge, or may, if it considers it necessary to do so, appoint, under Sub-Rule 34.2, an inquiring authority for the purpose.

- 34.5. Where the disciplinary authority itself inquires or appoints an inquiring authority for holding an inquiry, it may, by an order appoint an employee to be known as the "Presenting Officer" to present on its behalf the case in support of the articles of charge.
- 34.6. The employee may take the assistance of any other public servant but may not engage a legal Practitioner for the purpose *unless the Presenting Officer appointed by the disciplinary authority is a legal practitioner, or the disciplinary authority, having regard to the circumstances of the case, so permits.*
- 34.7. On the date fixed by the inquiring authority, the employee shall appear before the Inquiring Authority at the time, place and date specified in the notice. The inquiring authority shall ask the employee whether employee pleads guilty or



has any defence to make and if employee pleads guilty to any of the articles of charge, the inquiring authority shall record the plea, sign the record and obtain the signature of the employee concerned thereon. The Inquiring Authority shall return a finding of guilt in respect of those articles of charge to which the charged sheeted employee concerned pleads guilty.

- 34.8. If the employee does not plead guilty, the inquiring authority shall adjourn the case to a later date not exceeding thirty days after recording an order that the charged sheeted employee may, for the purpose of preparing his/her defence:
- a. inspect the documents listed with charge-sheet.
 - b. submit a list of additional documents and witnesses that employee wants to examine; and
 - c. be supplied with the copies of the statements of witnesses, if any, listed in the charge-sheet.

Note : Relevancy of the additional document and the witnesses referred to in sub-clause 34.8 (b) above will have to be given by the employee concerned and the documents and the witnesses shall be summoned if the inquiring authority is satisfied about their relevance to the charges under inquiry.

- 34.9. The inquiring authority shall ask the authority in whose custody or possession the documents are kept, for the production of the documents or issue a non-availability certificate before the Inquiring Authority within one month of the receipt of such requisition: Provided that if the authority having the custody or possession of the requisitioned documents is satisfied for reasons to be recorded by it in writing that the production of all or any of such documents would be against the public interest or security of the State, it shall inform the Inquiring Authority accordingly and the Inquiring Authority shall, on being so informed, communicate the information to the charged sheeted employee and withdraw the requisition made by it for the production or discovery of such documents.
- 34.10. The authority in whose custody or possession the requisitioned documents are, shall arrange to produce the same before the inquiring authority on the date, place and time specified in the requisition notice.

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

- 34.11. On the date fixed for the inquiry the oral and documentary evidence by which the articles of charge are proposed to be proved shall be produced by or on behalf of the disciplinary authority. The witnesses shall be examined by or on



behalf of the Presenting Officer and may be cross-examined by or on behalf of the charged sheeted employee. The Presenting Officer shall be entitled to re-examine the witness on any points on which they have been cross-examined, but not on a new matter, without the leave of the Inquiring Authority. The Inquiring Authority may also put such questions to the witnesses as it thinks fit.

- 34.12. Before the close of the prosecution case, the inquiring authority may, in its discretion allow the Presenting Officer to produce evidence not included in the charge sheet or may itself call for new evidence or recall or re-examine any witness. In such case the charged sheeted 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.
- 34.13. When the case for the disciplinary authority is closed, the charged sheeted employee may be required to state his/her defence, orally or in writing as employee may prefer. If the defence is made orally, it shall be recorded and the charged sheeted 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.
- 34.14. The evidence on behalf of the charged sheeted employee shall then be produced. The charged sheeted employee may examine himself in his/her own behalf if employee so prefers. The witnesses produced by the charged sheeted employee shall then be examined and shall be liable to cross-examination, re-examination and examination by the inquiring authority according to the provision applicable to the witnesses for the disciplinary authority.
- 34.15. The Inquiring Authority may, after the charged sheeted employee closes his/her case, and shall, if the employee has not examined himself/ herself, generally question the charged sheeted employee on the circumstances appearing against the charged sheeted employee in the evidence for the purpose of enabling the charged sheeted employee to explain any circumstances appearing in the evidence against employee.
- 34.16. After the completion of the production of the evidence, the charged sheeted employee and the Presenting Officer may file written briefs of their respective cases within 15 days of the date of completion of the production of evidence.
- 34.17. If charged sheeted employee does not submit the written statement of defence referred to in Sub-Rule 34.3 on or before the date specified for the purpose or does not appear in person, or through the assisting officer or otherwise fails or refuses to comply with any of the provisions of these rules, the inquiring authority may hold the enquiry ex parte.
- 34.18. Whenever any inquiring authority, after having heard and recorded the whole or any part of the evidence in an inquiry ceases to exercise jurisdiction therein,



and is succeeded by another inquiring authority which has, and which exercises, such jurisdiction, the inquiring authority so succeeding may act on the evidence so recorded by its predecessor, or partly recorded by its predecessor and partly recorded by itself.

Provided that if the succeeding inquiring authority is of the opinion that further examination of any of the witnesses whose evidence has already been recorded is necessary in the interest of justice, it may recall examine, cross-examine and reexamine any such witnesses as herein before provided.

34.19. (i) After the conclusion of the inquiry report shall be prepared and it shall contain:-

- a. a gist of the articles of charge and the statement of the imputations of misconduct or misbehavior;
- b. a gist of the defence of the charged sheeted employee in respect of each article of charge;
- c. and assessment of the evidence in respect of each article of charge;
- d. the findings on each article of charge and the reasons therefore.

Explanation-If in the opinion of the inquiring authority the proceedings of the inquiry establish any article of charge different from the original articles of the charge, it may record its findings on such article of charge.

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

(ii) The inquiring authority, where it is not itself the disciplinary authority, shall forward to the disciplinary authority the records of inquiry which shall include:-

- a. The report of the inquiry prepared by it under sub-clause (i) above;
- b. The written statement of defence if any submitted by the employee referred to in Sub-Rule 34.13.
- c. The oral and documentary evidence produced in the course of the inquiry;
- d. Written briefs referred to in Sub-Rule 34.16 if any; and
- e. The orders if any made by the disciplinary authority and the inquiring authority in regard to the inquiry.



- 34.20. (a) The Inquiring Authority should conclude the inquiry and submit his/her report within a period of six months from the date of receipt of order of his/her appointment as Inquiring Authority.
- (b) Where it is not possible to adhere to the time limit specified in clause (a), the Inquiring Authority may record the reasons and seek extension of time from the disciplinary authority in writing, who may allow an additional time not exceeding six months for completion of the Inquiry, at a time.
- (c) The extension for a period not exceeding six months at a time may be allowed for any good and sufficient reasons to be recorded in writing by the Disciplinary Authority or any other Authority authorized by the Disciplinary Authority on his/her behalf.

Rule 35. Action on the Inquiry Report

- 35.1. The disciplinary authority, if it is not itself the inquiring authority may, for reasons to be recorded by it in writing remit the case to the inquiring authority for fresh or further inquiry and report and the inquiry authority shall thereupon proceed to hold the further inquiry according to the provisions of Rule 34 as far as may be.
- 35.2. The disciplinary authority shall forward or cause to be forwarded a copy of the report of the inquiry, if any, held by the disciplinary authority or where the disciplinary authority is not the inquiring authority, a copy of the report of the inquiring authority, together with its own tentative reasons for disagreement, if any, with the findings of inquiring authority on any article of charge to the employee who shall be required to submit, if employee so desires, his/her written representation or submission to the disciplinary authority within fifteen days, irrespective of whether the report is favourable or not to the employee.
- 35.3. If the disciplinary authority having regard to its findings on all or any of the articles of charge is of the opinion that any of the penalties specified in Rule 32 should be imposed on the employee it shall, notwithstanding anything contained in Rule 36 make an order imposing such penalty.
- 35.4. 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.
- 35.5. Adherence to time-limits in processing of disciplinary cases

The Central Vigilance Commission is concerned that the schedule of time limits in conducting investigations and departmental inquiries laid down in its letter of even number dated 23rd May 2000 are not being strictly adhered to and more often than not, delays have been noticed on the part of the decision



making authorities leadings to disciplinary proceedings getting unduly prolonged. The commission would tend to view such delays seriously, if willful, on the part of administrative authorities and would be constrained to advice penal action against the administrative authorities concerned.

- 35.6. In the matter of promotion of employees against whom disciplinary / court proceedings are pending or whose conduct is under investigation, the procedure may be follow in accordance with the DoPT OM No. 22011/4/91-Estt.(A) dated 14.09.1992 and subsequent instructions of DOPT on sealed cover procedure.

(Inserted in reference to DPE OM dated 04.09.1992)

Rule 36. Procedure for Imposing Minor Penalties

- 36.1. Where it is proposed to impose any of the minor penalties specified in clauses (1) to (5) of Rule 32.1, the employee concerned shall be informed in writing of the imputations of misconduct or misbehaviour against the employee and be given an opportunity to submit this written statement of defence within a specified period not exceeding 15 days. The defence statement, if any, submitted by the employee shall be taken into consideration by the Disciplinary Authority before passing orders.
- 36.2. The record of the proceedings shall include:-
- i) A copy of the statement of imputations of misconduct or misbehavior delivered to the employee.
 - ii) His/her defence statement, if any; and
 - iii) The orders of the disciplinary authority together with the reason thereof.

Rule 37. Communication of orders

Orders made by the Disciplinary Authority under Rule 35 and 36 shall be communicated to the employee concerned, who shall also be supplied with a copy of the inquiry report, if any.

Copy of the order imposing any of the Penalties under Clause 32 of the CDA Rules shall be placed in the ACR Dossier and Personal file of the employee (Addition).

Rule 38. Common proceedings

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



Rule 39. Special Procedure in Certain Cases

Notwithstanding anything contained in Rule 34 or 35 or 36, the Disciplinary Authority may impose any of the penalties specified in Rule 32 in any of the following circumstances:

- (1) The employee has been convicted on a criminal charge, or on the strength of facts or conclusions arrived at by a judicial trial ; or
- 2) Where the Disciplinary Authority is satisfied for reasons to be recorded by it in writing that it is not reasonably practicable to hold an enquiry in the manner provided in these Rules; or
- 3) Where the Disciplinary Authority is satisfied that in the interest of the security of the Company, it is not expedient to hold an enquiry in the manner provided in these rules.
- 4) Where the Board is satisfied that in the interest of the security of the Company, it is not expedient to hold any inquiry in the manner provided in these rules.

Rule 40. Employees on deputation from the Central Government or the State Government, etc.

- 40.1. Where an order of suspension is made or disciplinary proceeding is taken against an employee, who is on deputation to the Company from the Central or State Government, or another public undertaking, or a local authority, the authority lending his/her services (hereinafter referred to as the "Lending Authority") shall forthwith be informed of the circumstances leading to the order of his/her suspension, or the commencement of the disciplinary proceeding, as the case may be.
- 40.2. In the light of the findings in the disciplinary proceeding taken against the employee:-
 - 1) If the Disciplinary Authority is of the opinion that any of the minor penalties should be imposed on the employee, 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.
 - 2) If the Disciplinary Authority is of the opinion that any of the major penalties should be imposed on the employee, it should replace his/her services at the disposal of the Lending Authority and transmit to it the proceedings of the enquiry for such action as it deems necessary.



- 40.3. If the employee submits an appeal against an order imposing a minor penalty on the employee under clause (1) of Sub-Rule 40.2, 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.

Rule 41. Past Misconduct

Action can be taken against an employee in respect of misconduct committed by employee in his/her previous or earlier employment if such misconduct was of such a nature as has a rational nexus with his/her present employment and renders employee unfit and unsuitable for continuing in service. When such action is taken, the charge should specifically state that the misconduct alleged is such that it renders employee unfit and unsuitable for continuance in service. The charge sheet will be issued with reference to the Conduct Discipline and Appeal Rules of Engineering Projects (India) Limited where the employee is working presently.

Rule 42. Disciplinary provision for Retired Employees

- 42.1. The disciplinary authority may impose penalty on delinquent employees on conclusion of such departmental proceedings which were initiated during their service time and have continued beyond the date of their superannuation.
- 42.2. Disciplinary Proceedings, if instituted while the employee was in service whether before his/her retirement or during his/her re-employment shall, after the final retirement of the employee, be deemed to be proceeding and shall be continued and concluded by the authority by which it was commenced in the same manner as if the employee had continued in service.
- 42.3. During the pendency of the disciplinary proceedings, the Disciplinary Authority may withhold payment of gratuity, for ordering the recovery from gratuity of the whole or part of any pecuniary loss caused to the Company if the employee is found in a disciplinary proceeding or judicial proceeding to have been guilty of offences/misconduct as mentioned in sub-section (6) of Section 4 of the Payment of Gratuity Act, 1972 or to have caused pecuniary loss to the company by misconduct or negligence during his/her service including service rendered on deputation or on re-employment after retirement. However the provisions of Section 7(3) and 7(3A) of the Payment of Gratuity Act, 1972 should be kept in view in the event of delayed payment, in case the employee is fully exonerated.
- 42.4. The Competent Authority has the right to withhold or withdraw retrial benefits, or any part of it, whether permanently or for a specific period or ordering recovery from the retired employee of whole or part of any pecuniary loss caused to the Company if the retired employee is found, in a departmental or



judicial proceeding, to have been guilty of grave misconduct or negligence during the period of his/her service, including his/her service under re-employment.

- 42.5.** It would be necessary to issue Show Cause Notice to the employee who is due to retire, giving employee an opportunity to represent against the proposed penalty (if no inquiry has been held in the manner provided in Rule 36) and take his/her representation into consideration before passing the final order. However, there is no need to issue a show cause notice where an oral inquiry in which the employee has had a reasonable opportunity to defend his/her case was held. In such cases a copy of the inquiry report may be sent to employee giving employee an opportunity to make any representation or submission as stated in Rule 37.
- 42.6.** If common inquiry had been ordered when all the co-accused were in service and if one of them retires before the completion of the inquiry, the proceedings can be continued. It is not necessary to split up the enquires the moment one of the employee retires.
- 42.7** Action in cases in which employee has taken voluntary retirement from service:
- i) If departmental proceedings had not been instituted while the employee was in service including the period of his/her re-employment, if any, proceedings can be instituted only with the sanction of the Appointing Authority, in respect of a cause of action which arose, or in respect of any event which took place not earlier than four years before the institution of the proceedings. The proceedings will be conducted by such authority and at such place as the Appointing Authority may direct and in accordance with the procedure applicable in departmental proceedings in which an order of dismissal from service could be made in relation to above employee during his/her service.
 - ii) A standard form of Memorandum of charges to be served on the retired employee. On receipt of his/her reply an inquiry will be held in accordance with the prescribed procedure. On receipt of the report of the inquiring Authority, if the Competent Authority decides action will be taken as stated in Paragraph 42.4.1 – above.

42.8 Judicial Proceedings:

If an employee is found guilty of a grave misconduct or negligence as a result of judicial proceedings instituted against employee before his/her retirement, including re-employment, action may be taken against employee. Such action cannot, however, be taken in the results of any proceedings instituted after his/her retirement unless the proceedings relate to a cause of action which arose or an event which took place not more than four years before the date of the institution of such proceedings.



42.9 Determination of the date of institution of proceedings

- i) Departmental proceedings will be deemed to have been instituted on the date on which the Memorandum of charge is issued to the employee concerned or if he had been placed under suspension from an earlier date, from the date of suspension.
- ii) A judicial proceedings will be deemed to have been instituted:
 - a) In the case of criminal proceedings on the date on which the complaint or report of police officer, of which the Magistrate takes cognizance, is made and
 - b) In the case of the civil proceedings on the date of presentation of the plaint in the court.

42.10 Possession of disproportionate assets:

The term “grave misconduct” is wide enough to include corrupt practices. If the disciplinary proceedings are initiated after the retirement of employee, the property of pecuniary resources in respect of which the proceedings are to be instituted, should have been in possession of the retired employee or be any other person on his/her behalf at any time within a period of four years before the institution of such proceedings.

42.11 Travelling Allowances to the retired employee to attend departmental inquiry instituted against employee:

42.12 A retired employee who is required to attend departmental inquiry instituted against employee, may be allowed traveling allowance as on tour by the shortest route for the journey in connection with the enquiry from his/her home town (declared as such for the purpose of leave travel concession) to the place of inquiry and back or in case the employee concerned has taken up residence in a place other than home town for journey from such place of residence to the place of the inquiry and back. However, if at the time of receipt of summons, the retired employee is at a place different from his/her home town or his/her place of residence, the travelling allowance should be restricted to the shortest of the route between the place and the place of inquiry and between the home town/place of residence and the place of inquiry. The travelling allowance shall be allowed on the basis of the pay of the post held by the employee immediately prior to retirement. No advance of travelling allowance should be paid in connection with such journeys.



Rule 43. Appeals

- 43.1. An employee may appeal against an order imposing upon employee any of the penalties specified in Rule 32 or against the order of suspension referred to in Rule 29. The appeal shall lie to the authority specified in the schedule.
- 43.2. 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 imposed the penalty or to any other authority with such direction as it may deem fit in the circumstances of the case.

Provided that if the enhanced penalty which the Appellate Authority proposes to impose is a major penalty specified in clauses (1) to (5) of Sub-Rule 32.2 and an inquiry as provided in Rule 34 has not already been held in the case, the Reviewing Authority shall direct that such an enquiry be held in accordance with the provisions of Rule 34 and thereafter consider the record of the inquiry and pass such orders as it may deem proper. If the Appellate Authority decides to enhance the punishment but an enquiry has already been held as provided in Rule 34, the Reviewing Authority shall give a show cause notice to the employee as to why the enhanced penalty should not be imposed upon the employee. The Appellate Authority shall pass final order after taking into account the representation, if any, submitted by the employee.

Rule 44. Review

Notwithstanding anything contained in these rules, 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 purposes to impose, is a major penalty specified in clauses (1) to (5) of Sub-Rule 32.2 and an enquiry as provided under Rule 34 has not already been held in these case, the Reviewing Authority shall direct such an enquiry be held in accordance with the provisions of Rule 34 and thereafter consider the record of the enquiry and pass such order 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 provisions of Rule 34, the Reviewing Authority shall give show cause notice to the employee as to why the enhanced penalty should not be imposed upon the employee. The Reviewing Authority shall pass final order after taking into account the representation, if any, submitted by the employee.



Rule 45. Service of orders, notices, etc.

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

Rule 46. Power to relax time-limit and to condone delay

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

Rule 47. Savings

- 47.1. Nothing in these rules shall be construed as depriving any person to whom these apply, of any right of appeal which had accrued to employee under the rules, which have been superseded by these rules.
- 47.2. An appeal pending at the commencement of these rules against an order made before the commencement of these rules shall be considered and orders thereon shall be made, in accordance with these rules.
- 47.3. The proceedings pending at the commencement of these rules shall be continued and disposed as far as may be, in accordance with the provisions of these rules, as if such proceedings were proceedings under these rules.
- 47.4. Any misconduct, etc., committed prior to the issue of these rules shall be deemed to be a misconduct under these rules.

Notwithstanding anything contained in these rules for the purpose of disciplinary proceedings under Rules 29 to 35 (both inclusive) wherever the terms Disciplinary Authority and Competent Authority have been used either interchangeably or otherwise, they shall mean the authorities as specified in the schedule appended to the CDA Rules for exercising various powers as detailed in **Annexure-I**.

Rule 48. Removal of doubts

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

Rule 49. Amendments

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

Handwritten signature in blue ink.

**ANNEXURE – I****SCHEDULE OF DELEGATION OF POWERS IN RESPECT OF DISCIPLINARY MATTERS UNDER EPI CONDUCT, DISCIPLINE AND APPEAL RULES (CDA)**

Sl. No.	Subject Matter	Extent of powers Delegated	Authorities to exercise Powers
1.	Authority Competent to issue charge-sheet	Full powers in respect of all employees in E-8 level and below	Chairman-cum-Managing Director
		Full powers in respect of all employees in E-8 level and below under their control	Functional Directors
		Full powers in respect of all employees in E-6 level and below under their control	Executive Directors
		Full powers in respect of all employees in E-5 level and below under their control	Head of the Department or Incharge RO or Project Incharge not below the rank of Group General Manager
		Full powers in respect of all employees in E-4 level and below under their control.	Head of the Department or Incharge RO or Project Incharge not below the rank of General Manager
		Full powers in respect of all employees in E-3 level and below under their control	Project Incharge not below the rank of Addl. General Manager
		Full powers in respect of all employees in E-2 level and below under their control	Project Incharge not below the rank of Dy. General Manager
		Full powers in respect of all employees in E-1 level and below under their control	Project Incharge not below the rank of Senior Manager
		Full powers in respect of all employees in S-4 level and below under their control	Project Incharge not below the rank of Manager



Sl. No.	Subject Matter	Extent of powers Delegated	Authorities to exercise Powers
2.	Authority Competent to appoint Inquiring Authority	Full Powers in respect of all employees in E-8 level and below	Chairman-cum-Managing Director
		Full Powers in respect of all employees in E-8 level and below under their control	Functional Directors
		Full Powers in respect of all employees in E-6 level and below under their control	Executive Directors
		Full Powers in respect of all employees in E-5 level and below under their control	Head of the Department or Incharge RO or Project Incharge not below the rank of Group General Manager
		Full Powers in respect of all employees in E-4 level and below under their control	Head of the Department or Incharge RO or Project Incharge not below the rank of General Manager
3.	Authority Competent to pass order of suspension pending enquiry / investigation	Full Powers in respect of all employees in E-8 level and below	Chairman-cum-Managing Director
		Full Powers in respect of all employees in E-8 level and below under their control	Functional Directors
		Full Powers in respect of all employees in E-6 level and below under their control	Executive Directors
		Full Powers in respect of all employees in E-5 level and below under their control	Head of the Department or Incharge RO or Project Incharge not below the rank of Group General Manager
		Full Powers in respect of all employees in E-4 level and below under their control	Head of the Department or Incharge RO or Project Incharge not below the rank of General Manager
		Full powers in respect of all employees in E-3 level and below under their control	Project Incharge not below the rank of Addl. General Manager

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Sl. No.	Subject Matter	Extent of powers Delegated	Authorities to exercise Powers
		Full powers in respect of all employees in E-2 level and below under their control	Project Incharge not below the rank of Dy. General Manager
		Full powers in respect of all employees in E-1 level and below under their control	Project Incharge not below the rank of Senior Manager
		Full powers in respect of all the employees in S-4 level and below under their control	Project Incharge not below the rank of Manager
4.	<p>Authority Competent to impose minor penalties under clause 1,2,3, 4 and 5 of sub rule 32.1</p> <ol style="list-style-type: none"> 1. Censure 2. Withholding of increment 3. Withholding of promotion 4. Recovery from pay.... 5. Reduction to a lower..... 	Full Powers in respect of all the employees in E-8 level and below	Chairman-cum-Managing Director
		Full Powers in respect of all the employees in E-7 level and below under their control	Functional Directors
		Full Powers in respect of all the employees in E-6 level and below under their control	Executive Directors
		Full Powers in respect of all the employees in E-5 level and below under their control	Head of the Department or Incharge RO or Project Incharge not below the rank of Group General Manager
		Full Powers in respect of all the employees in E-4 level and below under their control	Head of the Department or Incharge RO or Project Incharge not below the rank of General Manager
		Full powers in respect of all the employees in E-3 level and below under their control	Project Incharge not below the rank of Addl. General Manager
		Full powers in respect of all the employees in E-2 level and below under their control	Project Incharge not below the rank of Dy. General Manager
		Full powers in respect of all the employees in E-1 level and below under their control	Project Incharge not below the rank of Senior Manager



Sl. No.	Subject Matter	Extent of powers Delegated	Authorities to exercise Powers
		Full powers in respect of all the employees in S-4 level and below under their control	Project Incharge not below the rank of Manager
5.	Authority competent to impose major penalties (a) other than removal from service and dismissal	Full powers in respect of all the employees in E-8 level and below	Chairman-cum-Managing Director
		Full powers in respect of all the employees in E-8 level and below under their control	Functional Directors
		Full powers in respect of all the employees in E-6 level and below under their control	Executive Directors
		Full powers in respect of all the employees in E-5 level and below under their control	Head of the Department or Incharge RO or Project Incharge not below the rank of Group General Manager
	(b) removal from service and dismissal	Full powers in respect of all the employees in the level of E-8 and below	Appointing Authority
6.	Appellate Authority in the matter of disciplinary cases (minor and major penalties other than removal from service)	Full powers in respect of all the employees under their control	Authority next higher to the one which imposed the penalty
7.	Reviewing Authority in the matter of disciplinary cases (minor and major penalties other than removal from service)	Full powers in respect of all the employees under their control	Authority next higher to the Appellate Authority
8.	Appellate Authority in the matter of removal from service/ dismissal	Full powers in respect of all the employees under their control	Authority next higher to the Appointing Authority
9.	Reviewing Authority in the matter of removal from service / dismissal	Full powers in respect of all the employees in the level of E-1 and below levels	Chairman-cum-Managing Director



Sl. No.	Subject Matter	Extent of powers Delegated	Authorities to exercise Powers
		Full powers in respect of all the employees excluding Functional Directors in the level of E-8 and below	Board of Directors
10.	Additions Authority competent to sign orders passed by the Disciplinary Authority :		
	(a) in respect of all the matters of other than imposition of Major and Minor penalties under the CDA Rules the Company	Full powers in respect of all the employees at E-8 level and below	Disciplinary Authority/ Officer of HR division not below the rank of DGM (HR) posted at Corporate / Regional Office
		Full powers in respect of all the employees at E-4 level and below	Disciplinary Authority/ Officer of HR division not below the rank of Manager (P&A) posted at Corporate / Regional/Sites Office
	(b) imposing Major and Minor penalties under the CDA Rules of the Company	Full powers in respect of all the employees at E-8 level and below levels	Disciplinary Authority/ HOD, HR at Corporate
		Full powers in respect of all the employees at E-4 level and below	Disciplinary Authority/ Officer of HR division not below the rank of DGM (HR) posted at Corporate / Regional /Site Office
11.	Authority Competent to strike off the name from the rolls of the Company under Clause 22.	Full powers in respect of all the employees at E-8 level and below levels	Chairman-cum-Managing Director
		Full powers in respect of all the employees at E-8 and below under their control	Functional Directors
		Full powers in respect of all the employees at E-6 and below levels under their control	Executive Directors

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Sl. No.	Subject Matter	Extent of powers Delegated	Authorities to exercise Powers
		Full powers in respect of all the employees at E-5 and below levels under their control	Head of the Department or Incharge RO or Project Incharge not below the rank of Group General Manager
12.	ED/GGM(HR)	General or special power regarding "Sexual Harassment of Women in work place" (I.D. Note No. DLI/HR/PRP/001. Dated 4 th February,2008)	Chairman-cum-Managing Director

Note:

- (1) For the purpose of definitions at Sl. Nos. 6,7 and 8 the authority next higher to the Chairman -cum-Managing Director means the Company's Board of Directors.
- (2) Functional Directors means all the full time Directors on the Company's Board appointed by the President of India.
- (3) Where the Authority specified in this Schedule does not exist, the powers may be exercised by a higher authority.
- (4) Where the suspension is made by an authority other than the Appointing Authority, such authority shall forthwith report to the Appointing Authority the circumstances in which the order was made.
- (5) The authority specified in the Schedule shall exercise the powers conferred on them irrespective of whether such authority is the appointing authority or not under any Rule.
- (6) The levels shown above are the existing levels. On revision, corresponding revised levels will replace the above levels.
- (7) The Disciplinary Authority at Regional/ Site Offices shall report to the Corporate Office all the disciplinary cases against the employees under their control Irrespective of the act whether or not disciplinary proceeding result in imposition of "Minor/Major Penalty" under the CDA Rules of the Company. (Addition)
- (8) Administrative control in respect of employees relieved from their Headquarter till the time they join at their new place of posting will remain with authority to whom the employees will report at his new place of posting.



Annexure-II

SCHEDULE 1-A- LIST OF RELATIVES

[See Sub-Section (77) of Section 2 of Companies Act 2013 & Rule 4 of the Companies (Specification of Definitions Details) Rules 2014]

1. Member of Hindu Undivided Family (HUF)
2. Husband
3. Wife
4. Father
5. Step Father.
6. Mother
7. Step Mother
8. Son
9. Step Son
10. Son's Wife.
11. Daughter.
12. Daughter's Husband
13. Brother
14. Step Brother
15. Sister
16. Step Sister

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Annexure III

COMPETENT AUTHORITIES

Under CDA Rules (Other than Minor & Major Penalties)

Sl. No.	Subject Matter	Extent of Power Delegated	Authorities to Exercise Power
1	Competent Authority / Management to give permission under rules 5.16, 5.19, 5.26, 5.31, 5.40, 23.1 and 24 sanction under rules 8.1, 8.2, 10.1, 11, 12.1, 12.3, 12.4, 14.1, 15.2, 16.6, 21.1 (b) and approval under rules 5.32, 6.1 and 6.4.**	<p>Full powers in respect of all the employees in Group I and below</p> <p>Full powers in respect of all the employees in Group II and below</p> <p>Full powers in respect of all the employees in Group IV and V</p>	<p>Chairman-cum-Managing Director</p> <p>Functional Directors</p> <p>HOD of HR Division at CO, New Delhi</p>
2	Competent Authority to receive report under rules 12.2, 14.2, 16.8, 21.1(a), 25.2 & returns under rules 16.1, and statement under 16.9.	Full powers in respect of all the employees in the Company	HOD of HR Division at CO, New Delhi

** All employees shall forward their application through proper channel to HR Division, CO, New Delhi.

1. Competent authority to sanction permission to leave the station of posting to visit a place within India under rule 5.8 shall be the authority having delegated powers to sanction leave to the employees working under his/her control.
2. Competent authority to receive information under rules 5.14 and 17.4 shall be the HOD of HR Division at CO, New Delhi.
3. Previous knowledge of the competent authority under rule 16.7 means prior permission of the competent authority (HOD of HR Division at CO, New Delhi)
4. Competent authority under rule 42 shall be the CMD.

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Annexure IV

ADMINISTRATIVE & FINANCIAL IMPLICATIONS OF PENALTIES

MINOR PENALTIES

Penalties	Affect on Career	Financial Implications	Nature of Penalty	Remarks
Censure	-May have adverse affect on promotion -May have adverse effect on probation clearance	-No direct financial implication	-No Currency period -No bar in giving effect to promotion every immediately after penalty is imposed	-Censure' is an adverse judgment -It is formal penalty and therefore, different from 'Warning' 'reprimand' etc. which are administrative actions
Withholding of promotion	-The employee remains entitled to be considered for promotion but promotion cannot be released during the currency of punishment	-Since promotion is given effect to only after the penalty is over there is financial loss due to delayed promotion	- Have a currency period -The penalty can be imposed for a specified period only which has to be reasonable	-There is no point in imposing this penalty where the employee is not within the zone of active consideration for promotion during the currency of this punishment.
Withholding of increments -with Cumulative effect	-The employee remains entitled to be considered for promotion but promotion cannot be released during the currency of punishment	-The period of penalty is excluded permanently from counting towards further increments and hence financial loss to the employee is recurring and severe. - The pay of the employee in the time scale remains depressed by the number of increments withheld - The pay of the employee is fixed at a lower stage when he gets promotion -Pension may also be fixed at a lower stage at the time of his retirement	-Has a currency period	-The penalty can be imposed for a pacified period only - There is no point in imposing this penalty where the employee is drawing maximum basic pay.
Without Cumulative Effect	-Promotion is not allowed during currency of the punishment	-Specific and ascertainable	-Has a currency period	-The penalty can be imposed for a specific period only.



Penalties	Affect on Career	Financial Implications	Nature of Penalty	Remarks
Recovery of loss	-May have adverse effect on promotion, probation clearance	-apart from the loss of pay due to recovery the penalty has no other direct financial effect.	-No currency period	-The penalty can be imposed only if some pecuniary loss has been caused to the employer due to negligence or breach of order by the employee.
	-Promotion to higher post can be given effect to even during the period of recovery of the loss from the employee in installments.	-The amount of recovery cannot be more than the actual loss though the employer may decide to recover only a part of it		-The recovery can be effected in installments.

MAJOR PENALTIES

Penalties	Affect on Career	Financial Implications	Nature of Penalty	Remarks
Reduction in The lower Stage in the Time Scale.	-The employee is entitled to be considered for promotion but promotion cannot be given during the currency of the punishment.	-When the penalty is in form (i), there is not much financial loss to the employee Quantum of loss increases in form (ii) and the penalty is most severe in form (iii)	-Has a currency period	-The penalty can be imposed for specified period only. The period must be a reasonable one.
The penalty can take any of the following three forms: (i) The employee draws his normal increments during the currency of punishment and the period of penalty does not operate to postpone his future increments.				-The reduction in pay can be ordered to any lower stage in the time scale but cannot be fixed at an amount below the minimum of the scale. -It is obligatory for the disciplinary authority to make orders : -(a) whether the employee will draw his normal increment during the currency of punishment and

Hoo



Penalties	Affect on Career	Financial Implications	Nature of Penalty	Remarks
<p>(ii) The employee does not draw his normal increment of punishment but penalty has not the effect of postponing his/her future increment.</p>				<p>-(b) whether the reduction will have an effect of postponing his future increments.</p>
<p>(iii) The employee does not draw his normal increment during the currency of penalty and the penalty has also the effect of postponing his future increments to that extent.</p>				<p>-Every order issued by the competent authority imposing the punishment must indicate the date from which it will take effect and the period for which the penalty shall be operative; the stage in the time scale to which the employee is reduced and the extent to which the period for which the penalty is imposed shall operate to postpone the future increments</p>



Reduction in Rank (Reduction to a lower time scale of pay, grade, Post of Service)

Penalties	Affect on Career	Financial Implications	Nature of Penalty	Remarks
For unspecified period	-The employee is entitled to be considered for promotion to the original post or any other post in the normal course, in accordance with his/ her eligibility for such promotion and subject to other extant instructions	-The financial loss depends on whether the penalty is imposed for specified period or unspecified period and the stage where the basic pay is fixed on reduction	-This penalty cannot have a currency period if imposed for unspecified period	-Power of reduction in rank is not unlimited or unfettered. -The authority which orders such a penalty may allow the employee to draw any pay, not exceeding the maximum of the pay grade or post, which it may think proper.
For specified period.	-The employee is not entitled to be considered for promotion during the currency of punishment	<p>-(a) If The order of reduction lays down that the period shall not operate to postpone future increments, The employee shall be allowed the pay which he would have drawn in the normal course but for his reduction to the lower.</p> <p>-(b) If the order lays down that the period of reduction shall operate to postpone his future increment for any post specified period which shall not exceed period of reduction to the lower post or grade, the pay of the employee on restoration shall be fixed in accordance with (a) above but after during The period for which increments are to be postponed as not counting for increments.</p>	-The penalty has currency if imposed for a specified period	-The order of reduction to a lower grade, post, time scale of pay or service must specify the date from which it will take effect; if for a specified period the period in years and months for which the penalty shall be operative; if for a specified period, the conditions for restoration to the grade, post, time scale of pay or service from which reduced; his/her seniority and pay on such restoration i.e. extent in terms of years and months, if any, to which the period of reduction shall operate to postpone future increment or restoration after the specified period.



Penalties	Affect on Career	Financial Implications	Nature of Penalty	Remarks
Removal from service	<p>-The employee loses his job.</p> <p>-The penalty does not impose bar on his future employment under the State.</p>	<p>-Entails forfeiture of retirement benefits</p> <p>-In deserving cases, compassionate allowance not exceeding 2/3 of the compassionate pension is allowed.</p> <p>-Gratuity otherwise inadmissible may be sanctioned.</p> <p>-Family pension can be granted where compassionate allowance was granted</p>	-No currency period	-Can be imposed by the Appointing Authority or an Official superior to him.
Dismissal	<p>-The employee loses his job</p> <p>"The penalty imposed bar on his future employment</p>	<p>-Entails forfeiture of retirement benefits.</p> <p>"In deserving cases, compassionate allowance not</p>	-No currency period	<p>-Extreme penalty which can be imposed by Appointing Authority.</p> <p>-The order of dismissal takes effect from the date of its issue of receipt by the Officer concerned or any future date specified in the order itself it does not take retrospective effect</p>



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MODEL FORMS AND DRAFTS

Sl. No.	Description of Forms / Drafts	Form No.
1.	Order of Suspension	1
2.	Order of Deemed Suspension	2
3.	Certificate to be Furnished by the Suspended Employee	3
4.	Form of Order for Revocation of Suspension Order	4
5.	Form of Charge Sheet	5
6.	Appointment of Inquiry Officer	6
7.	Appointment of Presenting Officer	7
8.	Notice of Preliminary Hearing	8
9.	Daily Order Sheet for Preliminary Hearing	9
10.	Daily Order Sheet for Other Hearings	10
11.	Requisition for Documents	11
12.	Notice of Regular Hearing	12
13.	Intimation to the Controlling Authority of the Defence Assistant	13
14.	Notice to Witnesses	14
15.	Notice to Witness through Controlling Authority	15
16.	Form of Certificate to the Witness for Drawal of T.A	16
17.	Order of Imposition of Penalty	17
18.	Show Cause Notice	18
19.	Order of Censure	19
20.	Property Return	20
	Form of details of Immovable Property as on 31 st December, 20...	
	Form of details of Movable Property as on 31 st December, 20....	
21.	Form of Bond-cum-Undertaking	21
22.	Form of Application for Permission to Company Executives to Accept Commercial Employment within a period one year after Retirement	22
23.	Proforma Seeking Prior Approval for Private Visit Abroad	23
24.	Form of Immovable Property on 1 st Appointment as on 31 st December, 20.....	24



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Form: 1

Ref.....

Dated

ORDER OF SUSPENSION

ShriDesignation Emp. Code.....
posted at, is hereby placed under suspension with immediate
effect until further order for certain alleged acts of omission and commission constituting
misconduct on his part under the Conduct, Discipline and Appeal Rules 1999 of the Company.

During the period of suspension, his HQ shall be and he shall be
under the administrative control of (name of office)

He is entitled to subsistence allowance during the period of suspension as admissible to his
category of employees under the CDA Rules of the Company.

During the period of suspension, he shall not leave his HQ without the prior permission of the
Disciplinary Authority.

Name:

Designation:

Name:

Designation:

Emp. Code No

EPI, (name of office)

C.C.:



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Form: 2

FORM OF ORDER FOR DEEMED SUSPENSION

Ref

Dated.....

ORDER

WHEREAS a case against Shri/Smt./Km.....(Name/Designation/ place of posting of the employee), in respect of a criminal offence is under investigation.

AND WHEREAS the said Shri/Smt./Km.....was detained in custody onfor a period exceeding forty-eight (48) hours.

NOW, THEREFORE, the said Shri/Smt./Km.....is deemed to have been suspended with effect from the date of detention i.e..... (Date) in terms of Rule 29.2 of the EPIL (Conduct, Discipline and Appeal) Rules 1999, and shall remain under suspension until further orders.

Signature.....

(Name).....

(Designation of the Suspending Authority)

Copy to:

1. Shri/Smt./Km..... (Name and designation of the suspended EPIL's employee). Orders regarding subsistence allowance admissible to him during the period of suspension will be issued separately.
2. Personal File.



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Form: 3

CERTIFICATE TO BE FURNISHED BY THE SUSPENDED EMPLOYEE

I,.....(Name of the suspended employee) having been placed under suspension by Order No.....dated....., while holding the post of..... do hereby certify that I have not been engaged in any business, profession or vocation for profit /remuneration/ salary.

Signature:

Name of the employee:

Designation:

Head Quarter:

Address:



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Form: 4

FORM OF ORDER FOR REVOCATION OF SUSPENSION ORDER

Ref

Dated.....

ORDER

WHEREAS the order placing Shri/Smt./Km. (Name and designation of the employee) under suspension was made / was deemed to have been made by.....on.....

NOW, THEREFORE, the undersigned (the authority which made or is deemed to have made the order of suspension or any authority to which that authority is subordinate) in exercise of powers conferred by Rule 29 of EPIL (Conduct, Discipline and Appeal) Rules 1999, hereby revokes the said order of suspension with immediate effect/ with effect from.....

Signature.....

Name.....

(Designation of the Authority making this order)

Copy to:

1. Shri/Smt./Km.....Name and designation of the suspended employee).
2. Personal File.
3. Officer-in-Charge-Payroll



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Form: 5

FORM OF CHARGE SHEET

Ref

Dated.....

MEMORANDUM

- 1 . Shri/Smt./Km.....working under.....is hereby informed that the undersigned has proposed to take action against him under Rule 34 or 36 of EPIL (Conduct, Discipline and Appeal) Rules 1999. A statement of the imputations of misconduct or misbehaviour, on which action is proposed to be taken as mentioned above, is enclosed.
2. Shri/Smt./Kmis hereby given an opportunity to make such representation as he may wish to make against the proposal. The representation, if any, should be submitted to the undersigned (through proper channel) so as to reach the undersigned within fifteen (15) days of receipt of this Memorandum.
3. If Shri/Smt./Kmfails to submit his representation within the period specified in para 2, it will be presumed that he has no representation to submit and orders will be liable to be passed against Shri/Smt./Kmex-parte.
4. The receipt of this Memorandum should be acknowledged by Shri/Smt./Km.....

Encl. : - Statement of imputations of misconduct.

Signature.....
Name.....
Designation.....

(Disciplinary Authority)

To,

.....

.....



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STATEMENT OF IMPUTATIONS OF MISCONDUCT ON WHICH ACTION IS PROPOSED AGAINST Shri/Smt./Km

That Shri/Smt./Km.....while working under.....has committed irregularities as much as “.....”.

By this above act of omission & commission, Shri/Smt./Km.....failed to maintain absolute integrity/devotion to duty/ acted in a manner unbecoming of a EPIL employee and thereby contravened Rule..... of EPIL (Conduct, Discipline and Appeal) Rules 1999.

Signature.....

Name.....

Designation.....

(Disciplinary Authority)

Note: Strike out, whichever is not applicable. Specific provision of Rule..... to be indicated.



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Form: 6

Ref

Dated.....

ORDER OF APPOINTMENT OF INQUIRING AUTHORITY

Whereas, an inquiry under Conduct, Discipline and Appeal Rules 1999 of EPI, is being held against Shri / SmtDesignation..... Emp. Code.....

And whereas, the undersigned considers that an Inquiring Authority should be appointed to inquire into the charges framed against the said Shri / Smt

Now, therefore, the undersigned, in exercise of the power sub delegated, I, hereby, appoint Shri (Name & Designation of the Inquiry Officer) as the Inquiring Authority to inquire into the charges framed against the said Shri / Smt

Signature.....

Name.....

Designation.....

(Disciplinary Authority)

i) Copy to: Charged Employee through Controlling Officer.

ii) Copy to: the Inquiring Authority

iii) Copy to : Presenting Officer



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Form: 7

Ref

Dated.....

ORDER FOR APPOINTMENT OF PRESENTING OFFICER

Whereas an inquiry under Rule..... of the EPIL (Conduct, Discipline and Appeal) Rules 1999, is being held against Shri/Smt./Km.....

And whereas the undersigned considers it necessary to appoint a person to present the case in support of charges before the Inquiring Authority.

Now, therefore, the undersigned, in exercise of the power conferred by Rule....., hereby appoints Shri/Smt./Km.....(Name & Designation) as the Presenting Officer to present the case in support of the Article of charges before the Inquiring Authority.

Signature.....

Name.....

Designation.....

(Disciplinary Authority)

Copy for information to:

1. Shri.....the Charged Employee through Controlling Officer.
2. Shri.....the Presenting Officer.
3. Shri.....the Inquiring Authority.



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Form: 8

Ref

Dated.....

NOTICE OF PRELIMINARY HEARING

To,

.....
.....

Subject: Departmental Inquiry into the charges framed against Shri

Sir,

I have been appointed as Inquiring Authority to conduct inquiry in the case above cited, vide. Order No. dated theissued by a copy of which has been endorsed to you.

2. Accordingly, a preliminary hearing of the case will be held by me on.....(date and time) at..... (place). You are required to attend the hearing along with you defence assistant, if any, and wait until further directions. In case you fail to appear at the appointed date and time, proceedings will be taken ex-prate.

3. It may be noted that no witnesses will be examined on the said date. The purpose of the preliminary hearing is to sort out the preliminaries and to lay down a time schedule for inspection of the listed documents and submission of the lists of additional documents and defence witnesses.

4. Receipt of this notice may please be acknowledged.

Yours faithfully,
(Inquiring Authority)

Copy to Shri (name and address of Presenting Officer) he is also requested to attend the Preliminary Hearing at the appointed date and time along with all listed documents, in original.

(Inquiring Authority)



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Form: 9

Ref

Dated.....

DAILY ORDER SHEET FOR PRELIMINARY HEARING

Disciplinary Proceedings against Shri

Present :

- 1.....
- 2.....
- 3.....

The Charged Employee has received the Charge Sheet. He pleads not guilty.

1. The Presenting Employee is directed to offer inspection of documents listed in annexure III to the Charge Sheet, to the Charged Employee (with his defence assistant, if any) in his office at 10 a.m. on and on the subsequent day, if necessary. He should also supply to the Charged Employee the copies of the earlier statements, if any, made by the witnesses during the preliminary inquiry.

2. The Charged Employee should thereafter, by ... ** ... submit a list of additional documents he wishes to inspect and a list of witnesses, he would like to examine, in his defence. Full particulars of the documents showing the custody and relevance to the charges must be furnished. In the case of witnesses, the complete postal addresses, the name and designation of their controlling authorities, if they are in public employment, and their relevance to the charges has to be furnished.

3. The Charged Employee should also intimate name, designation and address of he employee, if any, who will assist him during the inquiry. In case, he has been allowed the assistance of a legal practitioner by the Disciplinary Authority, the name and address of such legal practitioner should be intimated together with a copy of the letter of permission.

4. The next date of hearing will be intimated in due course.

(Sign with date)
Presenting Officer

(Sign with date)
Charged Employee

(Sign with date)
Inquiry Officer

* Within 5 to 10 days form the date of preliminary hearing.

** Within 10 days after inspection of listed documents.



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Form: 10

Ref

Dated.....

DAILY ORDER SHEET
FOR OTHER HEARINGS

Disciplinary Proceedings against Shri

Present:

- 1.....
- 2.....
- 3.....
- 4.....

1. The hearing began at 10 am. Three prosecution witnesses, namely, Shri/ Smtand.....were examined, and cross-examined by the Charged Employee/his defence assistant. Copies of their depositions have been supplied to the Presenting Officer and the Charged Employee.

2. The Presenting Officer has requested for an adjournment for three days, as the list Prosecution witness, Shricould not reach in time due to a train accident. His request is granted. Next hearing will be held on..... atNo change in venue.

(Sign with date)
Presenting Officer

(Sign with date)
Charged Employee

(Sign with date)
Inquiry Officer

Note: A copy of the Daily Order Sheet may be supplied to the Presenting Officer and the Charged Employee.



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Form: 11

Ref

Dated.....

REQUISITION FOR DOCUMENTS

To,

.....

.....

Subject: Departmental inquiry into the charges framed against Shri

Sir,

1. I have been appointed as Inquiring Authority to conduct inquiry in the case above cited, vide. Order Nodated the issued by

2. I am enclosing a copy of an extract from notice of discovery or production of documents received from the Charged Employee, above named, for the purpose of preparing his defence. It is certified that I have scrutinised the list and I am satisfied that the documents mentioned there in are relevant to the case.

3. It is requested that arrangements may please be made to produce the same before the undersigned on (date and time) at (place).

Yours faithfully,

(Inquiring Authority)



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Form: 12

Ref

Dated.....

NOTICE OF REGULAR HEARING

To,

.....

.....

Subject: Departmental inquiry into the charges framed against Shri

Sir,

1. I have been appointed as Inquiring Authority to conduct inquiry in the case above cited, vide. Order No..... dated theissued by..... a copy of which has been endorsed to you.
2. Accordingly hearing of the case was held on.....at by me.
3. Notice is hereby given to you that the regular hearings in the case shall commence on(date and time).....at (place). In these hearings, full opportunity will be given to you to examine the evidence in support of the charges and to adduce evidence in your defense.
4. You should present yourself in time to attend the aforesaid oral inquiry on the dates specified above and on the date/dates as may hereinafter be fixed and intimated to you. In case you fail to appear on the appointed date and time, the proceedings will be taken ex-prate.
5. Receipt of this notice may please be acknowledged.

Yours faithfully,

(Inquiring Authority)

Copy to Shri(name and address of Presenting Officer).
He is also requested to attend the regular hearing at the appointed date and time.

(Inquiring Authority)



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Form: 13

Ref

Dated.....

**INTIMATION TO THE CONTROLLING AUTHORITY
OF THE DEFENCE ASSISTANT**

To,

.....

.....

Subject: Departmental inquiry into the charges framed against Shri.....

Sir,

1. I have been appointed as Inquiring Authority to conduct inquiry in the case above cited, vide. Order No dated the..... Issued by.....
2. The Charged Employee in the said case has nominated Shriwho is working as under your control, to assist him to present the case on his behalf, in terms of Rule.....(here quote the enabling rule).
3. The oral inquiry in the case shall commence on..... (date and time) at (place) and shall continue, from time to time, on the dates and time to be fixed later, till completion.
4. It is requested that Shrimay please be directed to attend the inquiry proceedings on the date and time as mentioned above and also as may be fixed hereinafter.

Yours faithfully,

(Inquiring Authority)

Copy to:

1. Shri..... (Name and address of the Defence Assistant).
2. Shri..... (Name and address of the Charged Officer).

(Inquiring Authority)



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Form: 14

Ref

Dated.....

NOTICE TO WITNESSES

To,

.....
.....

Subject: Departmental inquiry into the charges framed against Shri.....

Sir,

1. I have been appointed as Inquiring Authority to conduct inquiry in the case above cited, vide. Order No dated the.....issued by.....
.

2. You have been cited as a witness in the said case. Since I consider your evidence to be relevant and material to the matter under inquiry, you are requested to appear before me on..... (Date and time) at..... (place) to give evidence.

3. You are also requested to produce the documents mentioned below, before me, on the said date and time.

1

2

3

4. Receipt of this letter may please be acknowledged.

Yours faithfully,

(Inquiring Authority)



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Form: 15

Ref

Dated.....

**NOTICE TO WITNESS THROUGH
CONTROLLING AUTHORITY**

To,

.....

.....

Subject: Departmental inquiry into the charges framed against Shri

Sir,

1. I have been appointed as Inquiring Authority to conduct inquiry in the case above cited, vide. Order Nodated theissued by

2. Shri who is working in the capacity ofunder your control, has been cited as a witness in the said case. Since I consider his/her evidence to be relevant and material to the matter under inquiry, I am to request that the said Shrimay be directed to appear before me ondate and time) at (place) to tender his/her evidence.

3. Kindly acknowledge the receipt.

Yours faithfully,

(Inquiring Authority)

Copy for information to Shri(witness).

(Inquiring Authority)



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Form: 16

Ref

Dated.....

**FORM OF CERTIFICATE TO THE
WITNESS FOR DRAWAL OF T.A**

This is to certify that Shri(name and designation)
appeared before me as witness on(date) at(place) in the
departmental inquiry against Shriand was discharged on
.....(date) at(time).

Nothing has been paid to him on account of his travelling and other expenses.

(Signature)

(Inquiring Authority)

Place and Date:

Copy forwarded to Finance Division



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Form: 17

FORM OF ORDER OF IMPOSITION OF PENALTY

Ref

Dated.....

ORDER

1. I have carefully considered your representation dated..... in reply to the Memorandum of Chargesheet No.....dated..... I do not find your representation to be satisfactory due to the following reasons :-

.....
.....
.....
.....(Speaking Orders)

2. I, therefore, hold you guilty of the charge(s) viz.....leveled against you and have decided to impose upon you the penalty of

.....
.....
.....

3. The penalty will be recorded in your Service Record, please note.

4. Under Rule 43 of EPIL (Conduct, Discipline & Appeal) Rules, 1999 against these orders lies to.....provided:

- (i) the appeal is submitted through proper channel within 30 days from the date you receive the orders; and
- (ii) the appeal does not contain improper or disrespectful language.

5. Please acknowledge the receipt.

Signature.....

Name.....

Designation:.....

Shri/Smt./Km.....

Designation.....

Unit.....

Through.....

Copy to: Shri/Smt./Km..... for information, necessary action & record.



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Form: 18

Ref

Dated

SHOW CAUSE NOTICE

Shri / Smt Project has forwarded a note
No. dated (copy enclosed), wherein
certain acts of omission and commission are alleged to have been committed by you
constituting misconduct on your part under the Conduct, Discipline and Appeal Rules,
1999 of the Company.

You are hereby directed to show cause why disciplinary action should not be initiated against
you for the alleged acts of grave misconduct committed by you.

Your explanation should reach within seven days from the receipt of this Notice failing which it
will be presumed that you have no explanation to offer and disciplinary action as per
Rules deemed necessary shall be initiated against you.

This issues with the approval of Competent Authority.

Name:

Designation:

Name

Designation

Emp. Code No



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(भारत सरकार का उद्यम)

Form: 19

Ref

Dated

CENSURE

Whereas, Shri Designation.....
Emp. Code was issued show Cause Notice No
dated by the undersigned to show cause within seven days for not complying
with the transfer order, unauthorized absence from duty etc.(Please mention the act of
misconduct)

Whereas, Shri submitted his reply dated..... to the show cause.

And whereas the undersigned after careful consideration of the aforementioned reply of
Shri / Smt in the above matter found that non-compliance of
transfer order, unauthorized absence from duty and overstay of joining time constitutes
misconduct under the CDA Rules 1999 and Service Rules of the Company.

Now, therefore, the undersigned after taking into consideration Shri / Smt
non compliance with the transfer order, unauthorized absence from duty and overstay of joining
time, all facts and circumstances of the case, is satisfied that good and sufficient reasons exist for
imposing the minor penalty of CENSURE on Shri /Smt

In exercise of powers conferred by the Board of Directors, I hereby impose minor penalty of
CENSURE.

Name:

Designation:

Name:

Designation:

Emp. Code No



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Form 20

अनुलग्नक- I/Annexure-I

31 दिसम्बर, 20.....को कैलेंडर वर्ष 20..... की अचल संपत्ति का ब्यौरा दर्शाने वाला इन्डैक्स कार्ड
INDEX CARD SHOWING DETAILS OF IMMOVABLE PROPERTY AS ON .31st December,20----- FOR THE CALANDER YEAR 20.....

नाम/Name _____ पदनाम/Designation _____ कोड सं./Code No. _____

वर्तमान तैनाती स्थान (प्रभाग/परियोजना का नाम) मूल वेतन/Basic Pay _____

Present Placement (Name of Division/Project) _____ वेतनमान/Pay Scale _____

क्रमांक Sl.No.	अचल संपत्ति का विवरण Details of Immoveable Property	खरीदने की तारीख Date of Purchase	वित्त स्रोत Source of Finance		किससे खरीदी, क्या संबंधी से अथवा कार्यालयीन संबंध रखने वाले व्यक्ति से (नाम व पूरा पता) From whom purchased whether relative, having official dealings, Name & full address	प्राप्त करने का साधन क्रय/पट्टा/बंधक/उपहार/ विरासत,इत्यादि How acquired Purchase/lease/ mortgage/gift/ inheritance, etc.	प्रबंधनकीरिपोर्ट केलिएविशेष मंजूरी।Particul ar of the sanction report to mmanagemen t	संपत्ति से वार्षिक आय Annual income from the property	अभ्युक्तियां Remarks
			राशि (रू.) Amount(Rs.)	सभी ब्यौरों सहित स्रोत Source with all break-ups					

स्थान/Station _____

तारीख/Date _____

हस्ताक्षर/Signature _____

पदनाम/Designation _____



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अनुलग्नक-1/Annexure-II

31 दिसम्बर, 20.....को कैलेंडर वर्ष 20..... की चल संपत्ति का ब्यौरा दर्शाने वाला इन्डैक्स कार्ड
INDEX CARD SHOWING DETAILS OF MOVABLE PROPERTY AS ON .31st December,20----- FOR THE CALANDER YEAR 20.....

नाम/Name _____ पदनाम/Designation _____ कोड सं./Code No. _____

वर्तमान तैनाती स्थान (प्रभाग/परियोजना का नाम) मूल वेतन/Basic Pay _____

Present Placement (Name of Division/Project) _____ वेतनमान/Pay Scale _____

क्रमांक Sl.No.	चल संपत्ति का विवरण (कर्मचारियों के दो महीने के मूल वेतन से अधिक रुपए) Details of Moveable Property (more than Rs. two months basic pay of employees)	खरीदने की तारीख Date of Purchase	वित्त स्रोत <u>Source of Finance</u>	किससे खरीदी, क्या संबंधी से अथवा कार्यालयीन संबंध रखने वाले व्यक्ति से (नाम व पूरा पता) From whom purchased whether relative, having official dealings, Name & full address	प्राप्त करने का साधन क्रय/पट्टा/बंधक/उपहार/ विरासत, इत्यादि How acquired Purchase/lease/ mortgage/gift/ inheritance, etc.	प्रबंधनकीरिपोर्ट केलिएविशेष मंजूरी Particula r of the sanction report to mmanagement	संपत्ति से वार्षिक आय Annual income from the property	अभ्युक्तियां Remarks
-------------------	--	---	---	---	---	--	--	-------------------------

स्थान/Station _____

तारीख/Date _____

हस्ताक्षर/Signature _____

पदनाम/Designation _____



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अनुलग्नक - III /Annexure-III

शेयरों, प्रतिभूतियों (सिक्योरिटीज़), डिबेंचरों में संव्यवहार (ट्रांजेक्शन) तथा पारस्परिक निधि योजना इत्यादि में निवेश के लिए वर्ष 1964 के सीसीएस (आचरण) नियमों के नियम 18(4) के अंतर्गत दी जाने वाली सूचना के लिए फार्म
Form for giving intimation under rule 18(4) of CCS (Conduct) Rules, 1964 for transactions in shares, securities, debentures and investment in mutual fund scheme etc.

1. नाम और पदनाम/Name & Designation
2. वेतनमान और वर्तमान वेतन/Scale of pay and present pay
3. कैलेंडर वर्ष में शेयरों, प्रतिभूतियों, डिबेंचरों, पारस्परिक निधि योजना इत्यादि में किए गए संव्यवहार का ब्यौरा।
Details of each transaction made in shares, securities, debentures, mutual fund scheme etc. during the calendar year.
4. उस पार्टी, फर्म का विवरण जिसके साथ संव्यवहार किया गया है:
Particulars of the party firm with whom transaction is made:

क. क्या पार्टी प्रार्थी की संबंधी है?

Is party related in the applicant?

ख. क्या प्रार्थी का पार्टी के साथ किसी समय कार्यालयीन रूप से व्यवहार रहा है अथवा क्या भविष्य में प्रार्थी का पार्टी के साथ कार्यालयीन रूप से व्यवहार होने की संभावना है।
Did the applicant have any dealings with the party in his official capacity at any time or is the applicant likely to any dealings with him in the near future.

5. स्रोत जिनसे वित्तीय सहायता मिली:
Source or sources from which financed :

क. निजी बचत/Personal savings

ख. अन्य स्रोत, विवरण दें/Other sources giving details.

6. अन्य कोई ऐसा संबंधित यथार्थ जिसका उल्लेख प्रार्थी करना चाहे।
Any other relevant fact which applicant may like to mention.

घोषणा/Declaration

मैं घोषणा करता/करती हूँ कि ऊपर दी गई घोषणा सही है।

I hereby declare that the particulars given are true.

स्थान/Station_____ हस्ताक्षर/Signature_____

तारीख/Date_____ पदनाम/Designation_____



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Form 21

BOND cum UNDERTAKING
(To be executed on a non judicial stamp paper of the appropriate value)

To be obtained from the concerned Functional Directors(s)/CMD alongwith NON DUES CERTIFICATE prior to release of terminal benefits

KNOW ALL MEN BY THESE PRESENTS THAT WEs/d/o
..... resident of presently working as in
(Name of Company) (hereinafter called “the Obligor”) and (i) Shri.....
s/d/o.....r/o..... (ii) Shri..... s/d/o.....
r/o..... (hereinafter called “the Sureties”) do hereby jointly and severally bind
ourselves and respective heirs, executors and administrators to pay to the
.....(Name of the Company) on demand the sum of Rs.....
(Rupees.....) equivalent to the basic pay drawn by the Obligor during the last
six months of his/her tenure in (Name of Company) or Rs.10 (Ten) lakhs, whichever is more,
together with interest thereon from the date of demand at Government rates, for the time being in
force, on Government loans or, if payment is made in a country other than India, the equivalent
of the said amount in the currency of that country converted at the then prevailing official rate of
exchange between that country and India AND TOGETHER with all costs between attorney and
client and all charges and expenses that shall or may have been incurred by the Company.

1. AND WHEREAS the Obligor has been appointed to the position of Director/CMD in (Name of the Company) (hereinafter called ‘the Company’), in terms of Offer of Appointment ref. No..... Dated..... The aforesaid terms of the offer were accepted by him/her and the Obligor assumed office on
2. AND WHEREAS in terms of the aforesaid Offer of Appointment it is required that in the event of Obligor’s retirement/resignation from the Company, the Obligor will not accept any appointment or post, whether advisory or administrative, in any firm or Company whether Indian or Foreign, with which the Company has or had business relations, within one year from the date of Obligor’s retirement/ resignation, without prior approval of the Government.



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3. AND WHEREAS it was also required, in terms of the aforesaid Offer of Appointment, that terminal benefits due to Obligor, in the event of his/her retirement/resignation from the services of Company, would not be released unless a bond regarding aforesaid restriction on the post retirement is executed by him/her.
4. AND WHEREAS for the better protection of the Company, the Obligor has agreed to execute this bond with such condition as herein under contained.
5. AND WHEREAS the said Sureties have agreed to execute this bond as sureties on behalf of the above Obligor.
6. NOW THE CONDITIONS OF THE ABOVE WRITTEN OBLIGATION IS THAT in the event of Obligor's failure to abide by the restriction pertaining to acceptance of employment or post, whether advisory or administrative, in any firm or Company whether Indian or Foreign, with which the Company has or had business relations, within one year from the date of Obligor's retirement/resignation, without prior approval of the Government, Obligor shall become liable for payment of the sum equivalent to the bond amount to (Name of Company). In the event of the aforesaid failure and upon the Obligor failing to pay the sum equivalent to the bond amount to (Name of Company), the Company will be at liberty to initiate appropriate civil action for recovery of the aforesaid bond amount from the Obligor. This will be without prejudice to the rights of the Company to initiate any other action as deemed fit in the circumstances of the case.

AND upon the Obligor Shri..... and, or Shri..... and, or Shri..... and Shri....., the Sureties aforesaid making such payment, the above written obligation shall be void and of no effect otherwise it shall be and remain in full force and virtue.

PROVIDED ALWAYS that the liability of the Sureties hereunder shall not be impaired or discharged by reason of time being granted or by any forbearance act or omission of the Company or any person authorised by it (whether with or without the consent or knowledge of the Sureties) nor shall it be necessary for the Company to sue the Obligor before suing the Sureties Shri..... and Shri..... or any of them for amounts due hereunder.



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THE bond shall in all respects be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall where necessary be accordingly determined by the appropriate Courts in India.

In witness whereof, these present have been signed by a duly authorised officer on behalf of the Company and by the other person(s) party thereto.

Signed and delivered by the above Obligor along with his Sureties on this..... Day of
..... Month 20....

Signature of Obligor

..... 1. Sign of Surety :
Name :
Designation :
Office to which attached :

In the presence of _____
For and on behalf of the Company

2. Sign of Surety :
Name :
Designation :
Office to which attached :

This bond should be executed accordingly & accepted by the accepting authority*

Signature of the Accepting Authority

* The Accepting Authority for Directors / MD and CMD of Company would be as under

Directors	CMD/MD of the concerned Company
MD	Chairman of the concerned Company
CMD	Secretary of the concerned administrative Ministry / Department



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Form: 22

Form of application for permission to Company Executives to accept commercial employment within a period of ONE year after retirement.

- 1 Name of the Executive
(in BLOCK letters)
- 2 Date of Retirement
- 3 Particulars of the Ministry/Department/Office/PSE in which the executive served during the last 5 years preceding retirement (with duration):

Name of Ministry/ Dep't./Office/Company.	Post held	From	To

4. Post held at the time of retirement and period for which held
5. Pay scale of the post and pay drawn by the Executive at the time of retirement

- 6 Pensionary benefits

Pension expected/sanctioned, if any (communication if any, should be mentioned)	Gratuity, if any

7. Details regarding commercial employment proposed to be taken up-
 - (a) Name of the firm/company/co-operative society, etc.
 - (b) Products being manufactured by the firm/type of business carried out by the firm, etc.
 - (c) Whether the executive had during his official career, any dealings with the firm, etc.
 - (d) Duration and nature of the official dealings with the firm



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- (e) Whether the Company in which the executive was working had any dealings with the firm, etc. if so, give details
- (f) Name of the job/post offered
- (g) Whether post was advertised, if not, how was offer made (attach newspaper cutting of the advertisement, and a copy of the offer of appointment, if any)
- (h) Description of the duties of the job/post
- (I) Remuneration offered for post/job
8. Any information which the applicant desires to furnish in support of his request

9. Declaration:-

I hereby declare that -

- I) I had no official dealings with the prospective employer in the preceding 5 years. The proposed employment will not involve conflict of interest with the policies of the office held by me during the last 5 years and the interest represented or work undertaken by the organization;
- ii) The employment which I propose to take up will not bring me into conflict with Government/Company;
- iii) My commercial duties will not be such that my previous official position or knowledge or experience under Government/Company could be used to give my proposed employer an unfair advantage;
- vi) My commercial duties will not involve liaison or contact with the Government departments/Company;
- v) I have not been privy to sensitive or strategic information in the last 5 years of service which is directly related to the areas of interest of work of the firm that I propose to join or to the areas in which I propose to practice or consult.

Signature of the applicant

Dated:

Address:



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Form: 23

Proforma seeking prior approval for private visit abroad.

1. Name :
2. Designation :
3. Pay Scale :
4. Passport No. :
5. Details of private foreign travel to be undertaken

Period of stay abroad		Names of Countries to be visited	Purpose	Estimated Expenditure (Travel; board/ lodging, visa, misc. etc.)	Source of Funds	Remarks
From	To					

6. Details of previous private foreign travel, if any, undertaken during the last four years (to be given in the above format).

Signature with Date

Controlling Officer

HR/Corporate Office



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Form: 24

Statement of immovable property on first appointment
as on the 31st December, 20--.
(e.g. Lands, House, Shops, Other Buildings, etc.)

Sl. No.	Description of property	Precise location (Name of District, Division, Taluk and Village in which the property is situated and also its distinctive number, etc.)	Area of land (in case of land and buildings)	Nature of land in case of landed property	Extent of interest	If not in own name, state in whose name held and his/her relationship, if any to the Government servant
1	2	3	4	5	6	7
Date of acquisition	How acquired (whether by purchase, mortgage, lease inheritance, gift or otherwise) and name with details of person/persons from whom acquired (address and connection of the employee, if any, with the person/persons concerned) Please see Note 1 below)		Value of the property (see Note 2 below)	Particulars of sanction of prescribed authority if any	Total annual income from the property	Remarks
8	9		10	11	12	13

Date.....

Signature.....

Note:

- For purpose of Column 9, the term "lease" would mean a lease of immovable property from year to year or for any term exceeding one year or reserving a yearly rent. Where, however, the lease of immovable property is obtained from a person having official dealings with the employee, such a lease should be shown in this Column irrespective of the term of the lease, whether it is short term or long term, and the periodicity of the payment of rent.
- In Column 10 should be shown -
 - where the property has been acquired by purchase, mortgage or lease, the price or premium paid for such acquisition;
 - where it has been acquired by lease, the total annual rent thereof also; and
 - where the acquisition is by inheritance, gift or exchange, the approximate value of the property so acquired.