

1. General Chapter

In exercise of the powers conferred by the resolution passed in the extra-ordinary general meeting held on the 26th Aug. 1997 and in the eighth meeting of the Board of Directors of the Maharashtra State Road Development Corporation Limited (MSRDC) held on the 22nd Sept. 1997, the Vice-Chairman and Managing Director of the MSRDC, is hereby pleased to make the following rules for regulating the conditions of service of the employees of the MSRDC.

1.1 Short title and commencement

These Rules shall be called the Maharashtra State Road Development Corporation's Service rules. Except otherwise provided in the Rules, they shall come into force with effect from the date of issue.

Employees to whom the rules shall apply:

These rules shall apply to all probationary and regular employees of Maharashtra State Road Development Corporation.

These rules will also apply fully or partially, to the following categories of employees:

- (a) who are on deputation to M.S.R.D.C.
- (b) who are employed on contractual basis
- (c) who are designated as Consultants and Advisers and appointed on contract basis

1.2 Definitions

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

'Appointing Authority' means the Vice Chairman and Managing Director of the Corporation.

1.2.2. 'Board' means the Board of Directors of the Corporation.

1.2.3 'Government' means the Government of Maharashtra.

1.2.4 'Corporation' means Maharashtra State Road Development Corporation.

- 1.2.5** **‘Committee of the Board’** means the committee of the Board consisting of such number of Directors as the Board may from time to time decide.
- 1.2.6** **‘Vice Chairman and Managing Director’** or **VC&MD’** means the Vice Chairman and Managing Director of the Corporation and in his absence shall include a Director designated to discharge such functions of the Vice Chairman and Managing Director.
- 1.2.7** **‘Director’** means a member of the Board of Directors of the Corporation.
- 1.2.8** **‘Employee’** means a person who is appointed to do skilled, unskilled, manual, supervisory, technical, clerical, managerial work or any work on regular or contract basis by Maharashtra State Road Development Corporation and includes therein the Government servants appointed in the service of the Corporation on foreign service, barring the extent to which the terms and conditions governing foreign service with the Corporation provide them with protection.
- 1.2.9** **‘Competent Authority’** means Vice Chairman and Managing Director and such other officers in the Corporation to whom such powers are delegated by the Board from time to time in accordance with these Rules.
- 1.2.10** **‘Controlling Officer’** means an employee designated as such for the purposes of controlling and appraising the work of the employees reporting to him.
- 1.2.11** **‘Disciplinary Authority’** means an officer designated as such by the Vice Chairman and Managing Director by a general or special order for various purposes under these Rules.
- 1.2.12** **‘Appellate Authority’** is the authority which is higher than the Disciplinary Authority.
- 1.2.13** **‘Day’** means a calendar day beginning and ending at midnight.
- 1.2.14** **‘Duty’** a person is said to be on duty when he is
- Performing the duties of a post; or
 - Undergoing the probation instruction or training prescribed for a post; or
 - On joining time; or

- Absent from duty on authorised holidays or casual leave taken as per rules, having been on duty immediately before and after such absence; or
- On deputation; or
- Required to attend a departmental examination (obligatory/optional) including the time taken for proceeding to and returning from the station.

1.2.15 ‘Emoluments’ means the aggregate of pay and allowances, if any;

1.2.16 ‘Members of Family’ includes

- (i) The wife or husband, as the case may be of the employee, whether residing with the employee or not, but does not include a wife or husband as the case maybe, separated from the employee by a decree or order of a competent court
- (ii) Son or daughter or step son or step-daughter of the employee who is wholly dependent on him, but does not include a son or daughter or step-son or step daughter who is no longer in any way dependent on the employee or of whose custody the employee has been deprived by or under any law
- (iii) Any other person related, whether by blood or by marriage, to the employee or to the employee’s spouse and wholly dependent on the employee.

1.2.17 ‘Joining time’ means the time allowed to an employee of the Corporation to join a new post or to travel to a station to which he is posted.

1.2.18 ‘Month’ means a calendar month. In calculating a period expressed in terms of months and days, complete calendar months irrespective of the number of days in each should first be calculated and then the number of days should be added.

1.2.19 Pay means the amount drawn monthly by an employee as:

- i) Basic pay
- ii) Technical pay, Special pay and personal pay; and
- iii) Any other emoluments classed as pay by the Corporation.

1.2.20 'Personal Pay' means:-

- i) additional pay granted to an employee to compensate him for any loss of pay due to appointment to any other scale of pay otherwise than as a disciplinary measure.
- ii) in exceptional circumstances, on other personal considerations.

1.2.21 'Probationer' is an employee who is provisionally appointed to a post on probation and who has not completed the period of probation fixed for him.

1.2.22 'Promotion' means the appointment of an employee of any grade to a higher grade.

1.2.23 'Select List' is the list of employees of the Corporation prepared in accordance with these rules for consideration for promotion to a higher post.

1.2.24 'Special Pay' means additional pay granted to an employee in consideration of:

- i) Specially arduous nature of duties;
- ii) Specific addition to work or responsibility; and
- iii) Unhealthiness of the locality in which work is performed.

1.2.25 'Service' means Maharashtra State Road Development Corporation employees' service

1.2.26 'Temporary post' means definite rate of pay sanctioned for a limited time.

1.2.27 'Time scale Pay' means pay, which subject to any conditions prescribed in these Rules, rises by periodical increments from a minimum to a maximum.

1.2.28 'Working hours' means a period of 8 hours, in addition to a break of half an hour designated as working hours by the Board for the employees.

1.2.29 'Year' means a period of twelve months.

1.2.30 Any reference to the masculine pronoun will be deemed to include the female employee as well.

1.2.31 **‘Registered Medical Practitioner’** means a practitioner registered under the Indian Medical Council Act, 1965 or the Maharashtra Medical Practitioners’ Act, 1961.

1.2.32 **‘Premises’** means and includes the place of employment and all landed property, built or unbuilt, belonging to the Corporation together with the accessories, open spaces, gardens etc. thereto attached but does not include residential quarters and tenements occupied by employees on rent and their attached compounds.

1.2.33 **‘Regular Employee’** means an employee who has been appointed in the Corporation without specifying period of employment.

1.2.34 **‘Contract Employee’** means an employee whose services have been engaged for a limited period in connection with project related work or the work which is of an essentially temporary nature or who is appointed temporarily for a specific project or as an additional employee in connection with temporary increase in work of a regular or temporary nature and includes a substitute who is appointed in a post of a regular employee or in place of probationer who is temporarily absent. This will also include such of those persons who have been re-employed after their retirement from Central or State Government services or other Government organisations, irrespective of the nature of work for which they are appointed.

1.2.35 **‘Appointed date’** means the date on which the Recruitment Rules of various posts in the Corporation have been given effect.

1.2.36 **‘Initial Recruitment’** means recruitment made between the period from creation of the Corporation and the enforcement of Service Regulations and Recruitment Rules

1.3. Powers of the Board

- Delegate any of the power under these policies to the VC&MD, any other Director or officer of the Corporation.
- Change, modify or alter the Rules from time to time.
- Adopt its own classification, re-arrange grades, re-fix responsibilities, prescribe minimum educational, technical and other qualifications as

considered suitable for the purpose of selection and appointments to posts in each service.

- Create or abolish any post in connection with the affairs of the Company.
- Obtain and revert employees of any other organisation on such terms and conditions as mutually agreed between the Corporation and the lending organisation, provided that during the pendency of this arrangement / agreement if the lending organisation recalls or the Board reverts any officer, adequate notice would be given of recall or reversion, as the case may be.
- May appoint any person or persons on contract basis on such terms and conditions as may be considered necessary by the Corporation. The terms and conditions of such persons would be governed by their contracts.
- Absorb the persons appointed on contract basis as stated above on regular basis on such terms and conditions as may be considered necessary by the Board.
- Prescribe common hours of attendance for different categories of employees, which may be adjusted in the work by the competent authorities.
- In appropriate cases relax any of the Rules as deemed just, fair and equitable by them.

1.4. Delegation of Powers

The Vice Chairman and Managing Director may, by general or special order, direct that any power exercisable by him except the power under this rule, shall subject to such conditions, if any, as may be specified in the order, be exercisable also by such officers or authorities as may be specified in the order.

2. General Conditions of Service

2.1. Medical certificate of fitness

No person shall be appointed as a regular employee in the service of the Corporation unless he has produced a medical certificate of fitness from a Registered Medical Practitioner.

2.2. Employee to be a whole time servant

Unless provided otherwise in any case, the whole time of an employee shall be at the disposal of the Corporation and he shall be liable to be transferred to any of its offices including new locations/towns.

2.3. Appointment on probation and regularisation:

- An employee shall be liable to be appointed on probation for such period as may be fixed by the Vice Chairman and Managing Director and his services may be regularised on satisfactory completion of such probationary period.
- The probationary period of an employee may be extended by the Vice Chairman and Managing Director in case where he has reason to believe that the employee has not completed the period satisfactorily. An employee shall be deemed to have completed his probationary period unless extended by means of a written order.
- The services of a probationer whose services are not found satisfactory during his probationary period or extended probationary period may be terminated at the discretion of Vice Chairman & Managing Director.

2.4. Date of birth

- Every employee at the time of joining service, shall make a declaration as to his date of birth and submit the documentary proof i.e., school leaving certificate or such evidence in support thereof.
- The date of birth determined shall be entered in the service record of the officer concerned, duly attested by the authority maintaining the service records.

- Any subsequent variation / alteration of the date of birth in the school or other records shall not be a ground for correction if the date of birth has been determined under this clause.
- All the pending cases with reference to alteration of date of birth shall be decided under the rules applicable to MSRDC.

2.5 Age of retirement:

The date of retirement of an employee shall be last day of the month in which he completes the age of 58 years.

In case of an employee whose date of birth is the 1st of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of 58 years.

Time when pay and allowances begin and cease to be drawn.

An employee shall begin to draw the pay and allowances attached to his post with effect from the date of his assumption of the duties of such post if that event takes place in the forenoon of that day; otherwise from the following day.

2.7 Promotion from a lower to higher grade takes effect.

The promotion of an employee from a lower to a higher post, his duties remaining the same, shall take effect from the date specified by the Competent Authority.

Provided that when the promotion involves the assumption of a new post with higher responsibilities, the promotion shall take effect from the date on which the duties of the new post are assumed.

2.8 Abandonment of post

An employee who absents himself from work without permission for a continuous period of more than 30 days shall be deemed to have abandoned his post and shall cease to be in the employment of the Corporation.

2.9 Notice for termination of service with the Corporation.

The services with the Corporation may be terminated as follows:

- Services of a regular employee with the Corporation may be terminated by three months' written notice or payment of pay in lieu thereof by either side.
- Services of a probationer of contractual employee with the Corporation may be terminated by one month's written notice or payment of pay in lieu thereof by either side.
- An employee in any of the foregoing clauses shall not be entitled to so terminate his service with the Corporation by the notice or pay in lieu thereof as stated therein, if the departmental enquiry is pending or proposed to be held against him for an alleged act of misconduct.

2.10 Invalidation

If the Competent Authority is satisfied on the report of a medical practitioner nominated by the VC&MD that an employee is unfit or incapacitated by reason of his ill-health to discharge his duties, either permanently or for a considerable period, he may, after granting whatever leave is due or pay in lieu thereof, terminate the services of such employee by giving the appropriate notice.

2.11 Issue of Service Certificate and Testimonial

Every employee shall at the time of leaving service, dismissal, discharge or retirement be at his request entitled to receive a testimonial if he has completed six months' service or otherwise a service certificate. The testimonial or the Service Certificate shall be issued in the form prescribed by the VC&MD from time to time.

2.12 Search at gates

Every employee shall be liable to retain and display Identity Cards and to be searched at the gates if required, provided appropriate precautions as to decency shall be taken when an woman employee is searched.

3. Pay and allowances

3.1 When the pay and allowances become admissible

The pay and allowances attached to a post become admissible from the date when the employee assumes charge of the post, if the charge is assumed in the forenoon, otherwise with effect from the next day.

3.2 Payment of Gratuity

Gratuity shall be payable to an employee under the provisions of the payment of Gratuity Act, 1972 and shall be regulated as per the said Act.

The payment of Gratuity shall not be paid to the employees on deputation from Government or other Organisation or appointed on contract for a certain period.

3.3 Provident Fund

The Corporation and the Employee, except the employees on deputation are governed by the Employees Provident Fund and Misc. Provisions Act, 1952.

3.4 Fixation of pay in the promotional post

- a) The initial pay of an employee, who is promoted to a higher post may be fixed at the corresponding stage in the time scale applicable to the promotion post after his pay in the time scale of the lower post is enhanced by one increment.
- b) If the pay so enhanced is less than the minimum of the time scale of the higher post, the pay shall be fixed at the minimum of the time scale of the promotional post.
- c) When the pay so enhanced falls in between two stages of the time scale of the pay of the promotional post, the pay shall be fixed at the next higher stage.

3.5 Reversion of the post

On reversion to the original post from higher post, the pay of an employee shall be fixed in the time scale of the lower post at the stage he would have progressed had he not been promoted.

3.6 Grant of Increments

An employee carrying a time scale of pay, shall be entitled to an increment in that time scale only by continuous service and satisfactory performance.

It shall be lawful for the Competent Authority to stop or postpone his increment if in his opinion the employee's services have not been continuous or his performance satisfactory.

The Competent Authority may grant accelerated increments to an employee in recognition of meritorious service after due evaluation by a Committee.

An increment in a time scale of pay shall be paid to an employee after completion of his 12 months continuous service. The date of increment should be considered 1st day of every month. If an employee is sanctioned Leave without Pay for more than 30 days and less than 60 days during the year his date of increment shall be postponed by one month and similarly the date of increment may be changed for the L.W.P. sanction during the year for more than 60 days and less than 90 days then the date of increment shall be postponed by two months. Likewise other period of L.W.P. may be considered at the time of releasing the increment.

4. Conduct Rules

4.1 Short title & application.

These Rules may be called the Maharashtra State Road Development Corporation Employees (Conduct) Rules.

They shall come into force from the date of issue

They shall apply to all persons employed in connection with the affairs of the Maharashtra State Road Development Corporation, except those Government servants who are on foreign service to the Corporation and to whom separate sets of conduct rules, viz., the All India Services (Conduct) Rules, 1968 in respect of the All India Services Officers, and the Maharashtra Civil Services (Conduct) Rules, 1979, in respect of Maharashtra State Govt. Servants, as the case may be, apply.

4.2 Definition:-

In these rules unless the context otherwise requires---

- a) "Corporation" means the Maharashtra State Road Development Corporation.
- b) "Employee" means any person appointed to the posts in the Corporation and includes therein the Govt. Servants appointed in the service of the Corporation on foreign service, barring the extent to which the terms and conditions governing their foreign service with the Corporation provide them with protection.
- c) "Government" means the Government of Maharashtra.
- d) "Members of Family" includes
 - i) the wife or husband, as the case may be of the employee, whether residing with the 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.

- ii) son or daughter or step son or step-daughter of the employee, who is wholly dependant on him, but does include a son or daughter or step-son or step-daughter who is no longer in any way dependant on the employee or of whose custody the employee has been deprived by or under any law.
 - iii) any other person related, whether by blood or by marriage, to the employee or to the employee's spouse and wholly dependant on the employee.
- e) "Vice Chairman and Managing Director" means the Vice Chairman and Managing Director of the Corporation.

4.3 Duties of Employee.

- 1) Every employee shall at all times:-

Maintain absolute integrity

Maintain devotion to duty and do nothing which will bring disrepute to the Corporation or affect the interest of the Corporation adversely.

(An employee who habitually fails to perform the task assigned to him within prescribed time and who is habitually not punctual or frequently remains absent without permission shall be deemed to be not maintaining devotion to duty)

Every employee shall maintain confidentiality of information provided to him by the Corporation and shall not disclose it or make private use of it without prior consent of the Corporation.

Every employee shall endeavour to obey these rules and shall obey all the lawful orders of the persons under whose control or supervision the Corporation has deployed him from time to time.

the direction of the official superior shall ordinarily be in writing. Oral directions to subordinates shall be avoided, as far as possible. Where the issue of oral direction becomes unavoidable, the official superior

shall confirm it in writing immediately thereafter.

An employee who has received oral direction from his official superior shall seek confirmation of the same in writing as early as possible, whereupon it shall be the duty of the official superior to confirm the direction in writing.

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

No employee shall except with the previous sanction of the Corporation; engage directly or indirectly in any trade or business or undertake any employment.

No employee shall be a member of or be otherwise associated with any political party or any political organisation.

No employee without prior approval of the Corporation shall make any statement to media, electronic media or Press.

Except the cases where the publication is of a literary, technical or scientific character, previous approval of the Corporation is required for publication of books or articles by himself or through a publisher. This is applicable to radio broadcasts or articles or letters to newspapers or periodicals also.

xii) No employee shall except with the previous sanction of the Corporation have recourse to any court of law or to the press to the vindication of any official, which has been the subject matter of adverse criticism or an attack of defamatory character.

No employee shall, except with the previous permission of the Corporation, permit his son, daughter or dependant to accept employment with any company or firm having official/ business dealings with the Corporation.

No employee shall without previous permission of the Corporation give evidence in connection

with any enquiry conducted by any person or authority.

Employees of the Corporation will not accept gifts from clients/vendors/suppliers exceeding a nominal value which shall be decided by the Vice Chairman and Managing Director.

All employees of the Corporation are required to maintain the highest standards of professional ethics and behaviour.

The following guidelines are to be followed:

*Be efficient and show due diligence

*Be impartial and honest in the discharge of your duties

*Do not use any information obtained during the course of work for private use.

*Always treat others in a courteous and professional manner.

*Avoid and bring to notice of the superior any conflict of interest.

No employee shall bring or attempt to bring any political or outside influence to bear upon any superior authority in relation to any matter pertaining to his service under the Corporation.

(a) No employee shall indulge in any act of sexual harassment of any woman at her work place.

(b) Every employee who is in charge of a work place shall take appropriate steps to prevent sexual harassment to any woman at such work place.

5. Movable, immovable and valuable property:-

- (1) Every employee shall on his first appointment to any service or post and thereafter at such intervals as may be specified by the Corporation, submit a return of his assets and liabilities in such form as may be prescribed by the Corporation giving the full particulars regarding
- a) the immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other persons;
 - b) shares, debentures and cash including bank deposits inherited by him or similarly owned, acquired or held by him;
 - c) other movable property inherited by him or similarly owned, acquired or held by him;
 - d) debts and other liabilities incurred by him directly or indirectly.

6. Interpretation -

If any question arises relating to the interpretation of these rules, it shall be interpreted in accordance with the provision of the Maharashtra Civil Services Rules and related orders and decisions thereunder.

Maharashtra State Road Development Corporation, Ltd.,

PART - I

Discipline & Appeal Rules

In exercise of the powers conferred by the resolution passed in the extraordinary general meeting held on the 26th Aug. 1997 and in the eighth meeting of the Board of Director held on the 22nd Sept. 1997, the Managing Director of the MSRDC is hereby pleased to make the following rules, namely-

1 Short title and application :-

- i. These Rules may be called the Maharashtra State Road Development Corporation Employees Discipline and Appeal rules.
- ii. they shall come in to force from the date of issue.
- iii. they shall apply to all persons employed in connection with the affairs of the Maharashtra State Road Development Corporation except those Government servants who are on foreign service to the Corporation and for whom separate sets of Conduct rules viz. the All India Services offices (Conduct) Rules, 1968, in respect of the all India Services Officers and the Maharashtra Civil Services (Conduct) Rules, 1979 in respect of Maharashtra State Government servants, as the case may be, apply.

These rules shall no be applicable to -

- any person appointed with specific contractual arrangement that he could be discharged from service with a notice of a stipulated period.
- any person in casual appointment.

2 Definitions :-

In these rules unless the context otherwise requires __

- a) "Appointing authority" in relation to the Corporation means the authority competent to make appointment to the post or cadre of which the employee is for the time being a member or to the grade or post in which the employee is for the time being included.

- b) the "Corporation" means the Maharashtra State Road Development Corporation Ltd.
- c) "Competent Authority" means Appointing Authority
- d) "Disciplinary Authority" means the authority so notified by VC & MD and competent under these rules to impose on an employee any of the minor penalties specified in rule 7 and to Institute disciplinary proceeding against any employee for the major penalties specified in rule 7, not with standing the fact that he is not competent to impose the major penalties.
- e) "Government" means the Government of Maharashtra
- f) "Employee" means a person who is appointed to any post under the Maharashtra State Road Development Corporation and includes therein the Government servants appointed in the service of the Corporation on foreign service, barring the extent to which the terms and conditions governing their foreign service with the Corporation provide them with protection.
- g) "Legal Practitioner" means an advocate, vakil or attorney any high court.
- h) "Major Penalty" means any of the penalties specified in items (vi) to (ix) in sub rule (1) of Rule 7.
- i) "Minor penalty" means any of the penalties specified in items (i) to (v) of sub rule (1) of Rule 7.
- j) "Vice Chairman and Managing Director" means the Vice Chairman Managing Director of the MSRDC. Ltd.

PART II - SUSPENSION

3. Suspension __

- 1) the appointing authority or any authority to which the appointing authority is subordinate or the disciplinary authority may place an employee under suspension__

Where a disciplinary proceeding against him is contemplated or is pending or

Where in the opinion of the authority aforesaid, he has engaged himself in activities prejudicial to the interests of the corporation or of the State, or

Where a case against him in respect of any criminal offence is under investigation, inquiry or trial.

- 2) An employee shall be deemed to have been placed under suspension by an order of appointing authority -
 - a) with effect from the date of his detention, if he is detained in police or judicial custody, whether on a criminal charge or otherwise for a period exceeding forty-eight hours.
 - b) with effect from the date of his conviction for an offense, if he is sentenced to a term of imprisonment exceeding forty eight hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction
- 3) where a penalty of dismissal, removal or compulsory retirement from service imposed on an employee under suspension is set aside in appeal or on review under these rules and the case is remitted for further inquiry, or action or with any other directions, the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removed or compulsory retirement and shall remain in force until further orders.
- 4) where a penalty of dismissal removal or compulsory retirement from service imposed upon an employee is set aside or declared void by a court of law and the disciplinary authority, or a consideration of the circumstances of the case,

decides to hold a further inquiry against him on the allegation which led to imposition of the penalty of dismissal, removal or compulsory retirement **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, removal or compulsory retirement and shall continue to remain under suspension until further orders.

- 5) a) An order of suspension made or deemed to have been made under this rule shall continue to remain in force until it is modified or revoked by the Authority competent to do so.
- b) Where an employee is suspended or is deemed to have been suspended and any other disciplinary proceeding is commenced against him during the continuance of that suspension, the authority competent to place him under suspension may, for the reasons to be recorded in writing direct that the employee shall continue to be under suspension until the termination of all or any of such proceedings .
- c) An order of suspension made or deemed to have been made under this rule may at any time be modified or revoked by the authority which made or deemed to have made the order.

4. Subsistence allowance : -

Employees placed under suspension under rule 3 shall be entitled to subsistence allowance during the period of suspension at the following rates.

For the initial period of ninety days the subsistence shall be fixed at 50 percent of the pay drawn at the time of suspension plus dearness allowance appropriate to that rate plus house rent allowance and compensatory local allowance;

at 75 percent of the pay drawn at the time of suspension plus dearness allowance H.R.A. and C.L.A. if the inquiring is delayed and the employee remained on suspension beyond 90 days.

The employee shall be paid subsistence allowance equal to his grade pay at the time of suspension plus Dearness Allowance and other allowances at full rate if the inquiry is not completed within a period of 180 days.

Provided that the subsistence allowance shall be restricted to 50% of the pay, dearness and other allowances even if the enquiry is continued beyond 90 days or the 180 days, in cases where the enquiry officer has reason to believe that the delinquent employee himself was responsible for non completion of the enquiry within 90 days or 180 days as the case may be.

If it is decided not to take any action against the employee after making the inquiry or as a result of the explanation by the employee he shall be deemed it be on duty during the period of his suspension and shall be entitled to full pay and allowance minus the subsistence allowance already paid.

Payment of subsistence allowance is subject to the condition that the delinquent employee has not accepted any employment during the period of suspension and M,has not left the headquarters during he period specified by the competent authority.

5. Retirement during suspension :-

An employee attaining the age of superannuation while on suspension shall not be permitted to retire. He shall be retained in service until such time as the departmental inquiry against him is completed and final order thereon are issued.

6. Tendering of resignation while on suspension :-

An employee who is under suspension or against whom a departmental inquiry is pending shall not be permitted to resign his appointment in the Corporation until such time as the departmental inquiry against him is completed and final orders thereon are issued.

PART III
Penalties and disciplinary authorities.

7 Penalties

- (1) without prejudice to the provisions of any law for the time being in force, the following penalties may, for good and sufficient reasons and as hereinafter provided be imposed on an employee, Viz.

Minor penalties

censure,

Withholding of his promotion;

Recovery from his pay of the whole or part of any pecuniary loss caused by him to the Corporation, by negligence or breach of orders;

Withholding of increments of pay;

reduction to a lower stage in the time scale of pay for a specified period with further stipulation as to whether or not the employee will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay;

Major Penalties

Reduction to a lower time scale of pay grade or post which shall ordinarily be a bar to the promotion of the employee to the timescale of pay grade or post from which he was reduced with or without further directions regarding conditions of restoration to the time scale of pay grade or post from which the employee was reduced and his seniority and pay on such restoration to that time scale of pay grade or post.

Compulsory retirement .

Removed from service.

Dismissed from service.

Explanation - The following shall not amount to a penalty within the meaning of this rule, namely;

withholding of increment of pay for failure to pass any departmental or language examination in accordance with the rules of such examination.

Stoppage at the efficiency bar in the time scale of pay on the ground of his unfitness to cross the bar.

Non promotion of an employee, after consideration of his case, to a grade, or post for promotion to which he is eligible or administrative grounds unconnected with his conduct.

Reversion of if an employee officiating in a higher grade or post to a lower grade or post on the ground that he is considered to be unsuitable for such higher grade or post or on any administrative ground unconnected with his conduct.

Reversion of an employee appointed on probation to any other grade or post to his permanent post or grade, during or at the end of the period of the probation in accordance with the terms of his appointment or the rules governing such probation.

Replacement of the services of an employee whose services had been borrowed from any Government in India or any authority under its control at the disposal of such Government or authority.

Compulsory retirement of an employee in accordance with the provisions relating to his superannuation or retirement.

Termination of the services __

of an employee appointed on probation during or of the end of the period of his probation, in accordance with the terms of his appointment or the rules and orders governing such probation; or
of a temporary employee on grounds unconnected with his conduct; or

of an employee employed under an agreement in accordance with the term of such agreement.

2 Where a penalty mentioned in item (v) or (vi) in sub rule (1) is imposed on an employee, the authority imposing the penalty shall expressly state in the order imposing the penalty that the period for which the reduction is to be effective will be exclusive of any interval spent on leave before the period is completed.

8. Authority who may impose punishment

The VC & MD may impose any of the penalties specified in Rule 7 on an employee

The Appointing Authority may impose any of the penalties specified in Rule 7.

The Disciplinary Authority may impose any of the minor penalties and initiate, but not impose any of the major penalties.

Part IV
Procedure for imposing penalties.

Procedure for imposing major penalties _

No order imposing any of the major penalty shall be made except after an inquiry is held in the manner provided in this rule and rule 11.

Wherever the disciplinary authority is of the opinion that there are grounds for inquiring in to the truth of any imputation or misconduct or misbehaviour against an employee it may itself inquire into or, appoint under this rule an authority to inquire into the truth thereof.

Where it is proposed to hold an inquiry against an employee under this rule the disciplinary authority shall draw up

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the substance of imputations of misconduct or misbehavior into definite and distinct articles of charge;

a statement of the imputations of misconduct or misbehaviour in support of each article of charge, which shall contain__

a statement of all relevant facts including any admission or confession made by the employee; and

A list of documents by which and a list of witnesses by whom, the articles of charge are proposed to be sustained.

The disciplinary authority shall supply to the employee a copy of the articles of charge the statement of the imputations of misconduct or misbehaviour, and a list of documents and of the witnesses by which each of article of charge is proposed to be sustained and shall by a written notice, require the employee to submit within such time as may by specified in the notice, a written statement of his defence and to state whether he desires to be heard in person.

a) On receipt of written statement of defence the disciplinary authority may it self inquire in to such of the articles of charges as are not admitted, or if it considers it necessary as to appoint under sub rule (2) an inquiry Authority for the purpose and where all the articles of charge have been admitted by the

employee in his 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 11 of these rules.

- b) If no written statement of defence is submitted by the employee the disciplinary authority may itself inquire into the articles of charge, or may, if it considers necessary to do so, appoint under sub rule (2) of this rule an Inquiring Authority for the purpose;
- c) Where the disciplinary authority appoints an Inquiring Authority, it may, by an order, appoint a government Servant, an employee of the Corporation or a Legal practitioner, to be known as the “presenting officer” to present the case in support of the articles of charges before the inquiring authority.

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

A copy of each of the articles of charge and the statement of imputations and misconduct or misbehaviour;

A copy of the written statement of defence, if any, submitted by the employee.

Copies of statements of witnesses if any, referred to in sub rule (3) of this rule;

evidence proving the delivery of the documents referred to in sub rule (3) to the employee; and

A copy of the order appointing the presenting officer.

The employee shall appear in person before the inquiry Authority on such day and at such time within ten working days from the date of receipt by him of the articles of charge and the statement of the imputations of misconduct or misbehavior , as the inquiring authority may by a notice in writing, specify in this behalf, or within such further time not exceeding ten days, as the inquiring authority may allow.

The employee may take the assistance of any other employee to present the case on his behalf posted in any office

either at his head quarter or at the place where enquiry is held , 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.

If the employee who has not admitted any of the articles of charge in his written statement of defence or has not submitted any written statement of defence appears before the inquiring authority, such authority shall ask him whether he is guilty or has any defence to make and if he pleads guilty to any of the articles of charge, the inquiring authority shall record the pleas, sign the record and obtain in signature of the employee thereon.

The inquiring authority shall record a finding of guilt in respect of those articles of charge to which the employee pleads guilty.

the inquiring authority shall, if the employee fails to appear within the specified time or refuses, omits to plead, require the presenting officer to produce the evidence by which he proposes to prove article of charge and shall adjourn the case to a later date not exceeding thirty days, after recording an order that the employee may, for the purpose of proposing his defence__

Inspect within five days of the order or within such further time not exceeding five days as the inquiring authority may allow, the documents specified in the list referred it in sub rule (3) of this rule.

Submit a list of witnesses to be examined on his behalf.

Give a notice within ten days of the order or within such further time not exceeding ten days as the inquiring authority may allow, for the discovery or production of any documents which are in the possession of the Corporation but not mentioned in the list referred to in sub rule (3) of this rule indicating the relevance of such documents.

Where the employee applies orally or in writing for supply of copies of the statements of witnesses mentioned in the list referred to in sub-rule (3) of this rule, the Inquiring Authority shall furnish him with such copies as early as possible and in any case not later than three days before

the commencement of the examination of the witnesses on behalf of the disciplinary authority.

where the Inquiring Authority receives a notice from the employee for the discovery or production of documents the Inquiring Authority shall forward the same or copies thereof to the authority in whose custody or possession the document are kept with a requisition for production of the document by such date as may be specified in such requisition.

Provided that the inquiring authority may for the reasons to be recorded by it in writing, refuse to requisition such of the document as are, in its opinion, not relevant to the case.

On receipt of the requisition referred to in sub-rule (13) every authority having the custody or possession of the requisitioned document shall produce the same before the inquiring authority.

The inquiry shall be commenced on the date fixed in that behalf by the inquiring authority and shall be continued thereafter on such date or dates as may be fixed from time to time by that authority.

On the date fixed for the inquiry the oral and the documentary evidence by which the articles of charges are proposed to be proved, shall be produced by or on behalf of the disciplinary authority. The witnesses shall be examined on behalf of the presenting officer and may be cross examined by or on behalf of the employee. The presenting officer shall be entitled to re-examine, the witnesses on any points on which they have been cross examined, but not on any new matter, without the leave of the Inquiring Authority. The Inquiring Authority may also put such questions to the witness as it thinks fit.

If it shall appear necessary before the close of the case on behalf of the disciplinary authority the inquiring authority may, in its discretion, allow the presenting officer to produce evidence not included in the list given to the employee or may itself call for new evidence or recall and re-examine any witness and in such case the employee shall be entitled to have if he demands it, a copy of the list of further evidence proposed, to be produced and an adjournment of the inquiry for three clear days before the production of such new evidence, exclusive of the day of adjournment and the day to which the inquiry

is adjourned. The inquiring authority shall give the employee an opportunity of inspecting such documents before they are taken on the record. The Inquiring Authority may also allow the employee to produce new evidence if it is of the opinion that the production of such evidence is necessary in the interest of justice

Provided that no new evidence shall be permitted or called for or any witness shall be recalled to fill up any gap in the evidence unless there is an inherent lacuna or defect in the evidence which has been produced originally.

When the case for the disciplinary authority is closed, the employee shall be required to state his defence, orally or in writing as he may prefer. If the defiance is made orally, it shall be recorded and the employee shall be required to sign the record. In any case a copy of the statement of defence shall be given to the presenting officer appointed if any.

The evidence on behalf of the employee shall then be produced. The employee may examine himself in his own behalf if he so prefers. The witnesses produced by the employee shall then be examined and shall be liable to cross - examination, re-examination, and examination by the inquiring authority according to the provisions applicable to the witness for the disciplinary authority.

The Inquiring Authority may, after the employee closes his case and shall, if the employee has not examined himself, generally question him on the circumstances appearing against him in the evidence for the purpose of enabling the employee to explain any circumstances appearing in the evidence against him.

The inquiring authority may, after the completion of the production of the evidence hear the presenting officer, appointed if any, and the employee or permit them to file written brief of their respective case if they so desire.

If the employee to whom a copy of the articles of charge has been delivered, does not submit a written statement of defence on or before the date specified for the purpose or does not appear in person before the Inquiring Authority or otherwise fails or refuses to comply with the provisions of this rule, the inquiring authority may hold to inquiry ex-parte.

a) where a disciplinary authority competent to impose any of the minor penalties but not competent to impose any

of the major penalties may itself enquire or caused to be enquired in to any of the articles of charge and that authority having regard to decision on any of the findings of any inquiring authority appointed by it, is of the opinion that any of the major penalties shall be imposed on the employee, that authority shall forward the records of the inquiry to such disciplinary authority as is competent to impose such major penalty.

The disciplinary authority to which the records are so forwarded may act on the evidence on the record or may if it is of the opinion that further examination of any of the witnesses is necessary in the interest of justice, recall the witness and examine, cross examine and re-examine the witness and may impose on the employee such penalty as it may deem fit in accordance with these rules

Provided that if any witnesses are recalled, they may be cross-examined by or on behalf of the employee.

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 evidence so recorded by the predecessor or partly recorded by the predecessor and partly recorded by itself.

Provided that if the succeeding Inquiring Authority is of the of opinion that further examination of any of the witnesses whose evidence has already been recorded is necessary in the interest of justice, it may recall, examine, cross-examine and re-examine any such witness as here in before provided.

Provide that if any witnesses are recalled, they may be cross examined by or on behalf of the employee.

After the completion of the enquiry a report shall be prepared by the enquiring authority such report shall contain

- a) the article of the charge and the charge and the statement of imputation misconduct or misbehaviour.
- b) The defence of the employee in respect of each article of charge.

- c) An assessment of the evidence in respect of each article of charge.
- d) the findings on each articles of charge and the reasons therefor.
- e) Recommendation regarding the quantum of punishment.

Where, in the opinion of the Inquiring Authority the proceedings of the inquiry establish any article of charge it may record its finding on such article of charge.

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

The inquiring authority, where it is not itself the disciplinary authority, shall forward to the disciplinary authority the records of the inquiry which shall include__

The report prepared by it under sub rule (25),

The written statement of defence, if any, submitted by the employee.

The oral and documentary evidence produced in the course of the inquiry.

Written briefs if any filed by the presenting officer or the employee or both during the course of the inquiry;
and

The orders, if any , made by the disciplinary authority and the inquiring authority in regard to the inquiry.

Action on the inquiry report__

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 further inquiry and report and the inquiring authority shall thereupon proceed to hold further inquiry according to the provision of rule 8 of these rules as far as may be.

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 the Inquiring Authority on any article of charge to the employee who shall be required to submit, if he so desires, his written representation or submission to the Disciplinary Authority, within 15 days, irrespective of whether the report is favourable or not to the employee.

The disciplinary authority, shall, if it is not the inquiring authority, consider the record of the inquiry and representation of employee and record its findings on each charge. If it disagrees with the findings of the inquiring authority on any article of charge, it shall record the reasons to such disagreement.

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 minor penalties should be imposed on the employee, it shall, notwithstanding anything contained in rule 12 of these rules on the basis of the evidence adduced during the inquiry held under rule 10 determine what penalty, if any, should be imposed on the employee and make an order imposing such penalty.

If the disciplinary authority, having regard to its findings on all or any of the articles of charge and on the basis of the evidence adduced during the inquiry, is of the opinion that any of the penalties specified in clauses (vi) to (ix) of sub-rule(1) of rule 7, should be imposed on the employee, it shall make an order imposing such penalty and it shall not be necessary to give the employee any opportunity of making representation on the penalty proposed to be imposed.

Procedure for imposing minor penalties ___

Save as provided in sub-rule (3) of rule 11 no order imposing on an employee any of the minor penalties shall be made except after___

Informing the employee in writing of the proposal to take action against him and of the imputations of misconduct or misbehaviour on which it is proposed to be taken and giving him a reasonable opportunity of making such representation as he may wish to make against the proposal;

Holding an inquiry in the manner laid down in rule 10 in every case in which the disciplinary authority is of the opinion that such inquiry is necessary.

Taking into consideration the representation, if any, submitted by the employee under clause (a) of this rule and the record of inquiry, if any, held under clause (b) of this rule;

Recording a finding on each imputation of misconduct or misbehavior.

Notwithstanding any thing contained in clause (b) of sub-rule (1) in case it is proposed after considering the representation if any made by the employee under clause (a) of that sub-rule, to withhold increment of pay for a period exceeding three years or to withhold increments of pay with cumulative effect for any period, an inquiry shall be held in the manner laid down in sub-rule (3) to (27) of rule 10, before making any order of imposing on the employee any such penalty.

The record of the proceedings in such cases shall include_

a copy of the intimation to the employee of the proposal to take action against him.

a copy of statement of imputations of misconduct or misbehavior delivered to him.

his representations, if any;

the evidence produced during the inquiry,

the findings on each imputation of misconduct or misbehavior; and

the order on the case together with the reasons there for.

Communication of orders -

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

Common proceedings -

Where two or more employees are concerned in an case, the Managing Director or any other authority competent to impose the penalty of dismissal from service on all such employees may make an order directing that disciplinary action against all of them may be taken in common proceeding.

Where the authorities competent to impose the penalty of dismissal on such employees are different, an order for taking disciplinary action in a common proceeding may be made by the highest of such authorities with the consent of the others.

Every order for taking disciplinary action in a common proceeding shall specify.

The authority which may function as the disciplinary authority for the purposes of such common proceedings.

The penalties specified in rule 7 which such disciplinary authority shall be competent to impose and;

Whether the procedure laid down in rule 10 and rule 11 or rule 12 shall be followed in the proceedings.

Special procedure in certain cases.

Notwithstanding any thing contained in rule 10 to rule 14 of the rules

Where any penalty is imposable on an employee on the ground of conduct which has led to his conviction on a criminal charge, or

Where the disciplinary authority is satisfied that for the reasons to be recorded in writing that it is not reasonably practicable to hold an inquiry in the manner provided in these rules, it shall be open to the disciplinary authority to pass order after considering the circumstances of the case.

Provisions regarding officers lent to any government in India, local authority etc.

Where the services of an employee are lent to any Government in India or to an authority subordinate thereto or to a local or other authority including any company or corporation owned or controlled by Government (hereinafter in this rule referred to as the borrowing authority) the borrowing authority shall have the powers of the appointing authority for the purpose of placing such employee under suspension and of the disciplinary authority for the purpose of conducting a disciplinary proceeding against him.

Provided that the borrowing authority shall forthwith inform the (Corporation, herein after in this rule referred to as the lending authority) of the circumstances leading to the order of suspension of such employee or the commencement of the disciplinary proceeding as the case may be.

In the light of the findings in the disciplinary proceeding conducted against the employee.

If the borrowing authority is on the opinion in that any of the minor penalties should be imposed on the employee, it may, after consultation with the lending authority make such orders on the case as it deems necessary;

Provided that in the event of a difference of opinion between the borrowing authority and the lending authority, the services of the employee shall be replaced at the disposal of the lending authority;

If the borrowing authority is of the opinion that any of the major penalties should be imposed on the employee, it shall replace his services at the disposal of the lending authority and transmit to it the proceedings of the inquiry and thereupon the lending authority may if it is the disciplinary authority, pass such orders thereon as it may deem necessary, or if it is not the disciplinary authority submit the case to the disciplinary authority which shall pass such orders on the case as it may deem necessary;

The orders under clause (ii) of subrule (2) of this rule may be passed by the disciplinary authority either on the basis of the record of the inquiry transmitted to it by the

borrowing authority or after holding such further inquiry as it may deem necessary as for as may be, in accordance with the provisions of rule 10 of these rules.

Provision regarding officer borrowed from any government in India local authority etc __

Where an order of suspension is made or a disciplinary proceeding is conducted against a government servant or an employee from a local or other authority including a company or corporation owned or controlled by a government (the authority lending his services herein after in this rule referred to as the lending authority) shall forthwith be informed of the circumstances leading to the order of the suspension, or of the commencement of the disciplinary proceedings against the Govt. Servant or the employee of the company or the corporation , as the case may be

In the light of the findings in the disciplinary proceeding conducted against the borrowed employee.

if the disciplinary authority is of the opinion that any of the minor penalties should be imposed on him it may after consultation with the lending authority, issue the necessary orders as it may deem necessary.

Provided that in the event of a difference opinion between the borrowing authority and the lending authority the services of the borrowed employee shall be replaced at the disposal of the lending authority.

if the disciplinary authority is of the opinion that any of the major penalties should be imposed on the borrowed employee, it shall replace the services of such employee at the disposal of the lending authority and transmit to it the proceeding of the inquiry for such action, as it may deem necessary

**PART - V
APPEALS**

Orders against which no appeal lies;

Notwithstanding anything contained in this part, no appeal shall lie against .

- (i) any order made by the Board.
- (ii) any order made by the Vice Chairman and Managing Director in appeal.
- (iii) any order of an interlocutory nature or of the nature of a step-in-aid or the final disposal of a disciplinary proceedings other than an order of suspension.

Orders against which appeal lies;

Subject to the provision of rule 18, an employee may prefer an appeal against all or any of the following orders, namely :-

- i) an order of suspension made or deemed to have been made under rule 3 of these rules;
- ii) an order imposing any of the penalties specified in rule 7 of these rules, whether made by disciplinary authority or any appellate authority.
- iii) an order enhancing any penalty, imposed under rule 7 of these rules;
- iv) an order which:-
 - a) denies or varies to the disadvantage of his pay, allowances pension or other conditions of service as regulated by rules or agreement or.
 - b) denies promotion to which he is otherwise eligible according to the recruitment rule and which is due to him according to his seniority;
 - c) interprets to his disadvantage the provision of any such rule or agreement;
- v) An Order

- a) reverting him while officiating in a higher grade or post to a lower grade or post otherwise than as a penalty;
- b) determining the subsistence and other allowances to be paid to him for the period of suspensions for the period during which he is deemed to be under suspension or for any portion there of.
- c) Determining his pay and allowances .
 - i) for the period of suspension, or
 - ii) for the period from the date of his dismissal, removal or compulsory retirement from service or from the date of his reduction to a lower grade or post time scale or stage in a time scale of pay to the date of his reinstatement or restoration to his grade or post; or
- d) determining whether or not the period from the date of his suspension or from the date of his dismissal, removal, compulsory retirement or reduction to a lower grade, post time scale of pay or stage in time scale of pay to the date of his reinstatement or restoration to his service, grade or post shall be treated as period spent on duty for any purpose.

Explanation – In this rule

The expression “employee” includes a person who has ceased to be in the service of the Corporation.

Appellate authorities :-

Subject to the provisions of any law “appellate authority” means the authority immediately superior to the authority which imposed the penalty.

Period of Intimation

No appeal preferred under this part shall be entertained unless such appeal is preferred within a period of sixty days from the date on which a copy of the order appealed against is delivered to the appellant.

Provided that the appellate authority may entertain the appeal after the expiry of the said period, it is satisfied that the appellant has sufficient cause for not preferring the appeal in time.

21 Mode, form and contents of appeal-

- (1) Every person preferring an appeal shall do so separately and in his own name and shall address it to the authority to which the appeal, lies.
- (2) The appeal shall be complete in itself and shall contain all material statements and arguments on which the appellant relies, but shall not contain any disrespectful or improper language.

22 Submission of appeals ____

Every appeal shall be submitted to the authority which made the order appealed against;
A copy of appeal shall also be submitted direct to the appellate authority.

23 Transmission of appeals ____

The authority which made the order appealed against , without any avoidable delay and without waiting for any direction form the appellate authority, transmit to the appellate authority, every appeal together with its comments thereon and the relevant records.

24 Consideration of appeal____

In the case of an appeal against an order of suspension the appellate authority shall consider whether in the light of the provision of rule 3 of these rules and having regard to the circumstances of the case, the order of suspension is justified or not and confirm or revoke the order, accordingly

In the case of an appeal against an order imposing any of the penalties specified in rule 7 of these rules or enhancing any penalty imposed under that rule, the appellate authority shall consider____

whether the procedure laid down in these rules has been followed and if not, whether such non-compliance has resulted in the violation of any provisions of the constitution of India or in the failure of justice.

whether the findings of the disciplinary authority are warranted by the evidence on the record; and

whether the penalty or the enhanced penalty imposed is adequate/inadequate or severe; and pass orders__

confirming, enhancing, reducing or setting aside the penalty; or

remitting the case to the authority which had passed the order appealed against with such directions as it may deem fit in the circumstances of the case;

Provided that___

the appellate authority shall not impose any enhanced penalty which neither such authority nor the authority, which made the order appealed against is competent in the case to impose.

If the enhanced penalty which the appellate authority proposes to impose is one of major penalties and an inquiry under rule 10 of these rules has not already been held in the case, the appellate authority shall, subject to the provision of rule 14 of these rules, it self hold such inquiry or direct that such inquiry be held in accordance with the provisions of rule 10.

25. Implementation of orders of the Appellate Authority-

The authority whose orders were appealed against shall implement the orders of the Appellate Authority.

PART - VI

REVIEW

26 The Board may at any time either on its own motion or otherwise review any, order passed under these rules in respect of all employees when any new material or evidence which could not be produced or was not available at the time of passing the order under review and which has the effect of changing the nature of the case, has come or has been brought to its notice.

Provided that, no order imposing or enhancing any penalty shall be made by the Board or the Vice Chairman and Managing Director unless the employee concerned has been given a reasonable opportunity of making a representation against the penalty proposed, or where it is proposed to impose any of the major penalties specified in rule 7 or to enhance the minor penalty imposed by the order sought to be reviewed to any of the major penalties and if an inquiry under rule 9 has not already been held in the case, no such penalty shall be imposed except after an inquiry in the manner laid down in rule 12 subject to the provision of rule 17.

27. Interpretation.

If any question arises relating to the interpretation of these rules, it shall be interpreted in accordance with the provision of the Maharashtra Civil Services Rules and related orders and decisions thereunder.

In exercise of the powers conferred on him by the resolution passed in the extra-ordinary general meeting held on the 26th Aug. 1997 and in the eighth meeting of the Board of Directors of the Maharashtra State Road Development Corporation Ltd., held on the 22nd Sept. 1997, the Vice Chairman and Managing Director of the Maharashtra State Road Development Corporation Ltd., is hereby pleased to make the following rules namely --

1 Short title and commencement -

These Rules may be called the Maharashtra State Road Development Corporation's Leave Rules.

Except otherwise provided in the Rules, they shall come into force with effect from date of issue.

2 Extent of application -

These rules shall apply to all the employees of the Corporation except those employed on daily wages or whose terms of contract exclude them from the Rules.

3 Definitions

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

‘Administrative officer’ means officer entrusted with the maintenance of leave and other individual accounts.

‘Date of first appointment’ means the date an employee assumes the duties of his first post in the service of the Corporation.

‘Holiday means’ in relation to any particular office a day on which such office is ordered by Government or by an authority constituted by Government, to be closed.

‘Leave’ means permission to remain absent from duty, granted by a competent authority.

‘Leave salary’ means the amount paid by Corporation to its employee while on leave.

‘Pay’ means the amount drawn monthly by an employee as
-

the pay which has been sanctioned for a post held by him; and

personal pay and special pay; and

any other emoluments which may be specially classed as pay by the Corporation.

‘Presumptive pay’ of a post, when used with reference to any particular employee, means the pay to which he would be entitled if he would have held the said post and was

performing duties, but does not include special pay, unless the employee performs or discharges the work or responsibility, in consideration of which special pay was sanctioned.

Transfer' means the movement of an employee from one headquarter station in which he is employed to another such station, either –

to take up the duties of a new post; or

(b) in consequence of a change of his headquarters.

Transit time' means the actual time required to reach the destination from the headquarters or from one outstation to another outstation by the ordinary mode of travel.

Right to leave

Leave cannot be claimed as of right.

It shall not be open to the authorities competent to sanction leave to alter the kind of leave due and applied for except at the written request of the employee.

5 General conditions for grant of leave

1. Applications for all types of leave shall be submitted through proper channel to the authorities empowered to grant the leave. It shall be necessary to apply at least fifteen days in advance from the date of commencement of leave while making application for grant of earned leave. Authorities delegated with the powers to sanction leave, shall have discretion to refuse, postpone, reduce or to cancel the leave applied for, depending upon the exigencies of services before employee proceeds on leave.
2. The employee concerned shall be intimated before commencement of leave applied for after recording the reasons therefor if the leave is refused, postponed, reduced or cancelled.
3. Sunday and / or holidays can be suffixed and / or prefixed to any type of leave if requested for. In that case, such Sundays or holidays shall not form part of the leave.
4. All leave standing at the credit of the employee shall lapse on the date on which his service comes to an end. However –

- i) The employee can be granted leave from the date on which he retires from service or resigns his appointment in case the earned leave admissible to him which was applied for by way of a written application much in advance of the date of his retirement or the date of resignation, but which was refused by the competent authority by a written order. Then he could be granted leave salary in lieu of this earned leave to the extent admissible.
- ii) In case of employee retiring or resigning on superannuation he shall be entitled to encash the unutilised earned leave standing to his credit subject to the maximum of 300 days.
- iii) The employee who has been re-employed after the date of his retirement or an employee who is appointed on contract basis is entitled for encashment of unutilized earned leave standing to his credit at the end of his contractual appointment provided that it is provided in the terms and conditions of his appointment.
- iv) In the event of death of an employee while in service after rendering at least one year's uninterrupted service his heir(s) can be granted cash equivalent of leave salary in respect of the earned leave standing to his credit at the time of his death, subject to the maximum of 300 days.

Commutation of one kind of leave into another

At the request of an employee the authority which granted him leave may commute it retrospectively into leave of a different kind which was due and admissible to him at the time the leave was granted. However the employee cannot claim such commutation as a matter of right.

The commutation of one kind of leave into another shall be subject to adjustment of leave salary on the basis of leave finally granted to the employee, that is to say, any amount paid to him in excess shall be recovered or any arrears due to him shall be paid.

7 Combination of different kinds of leave

Except as otherwise provided in these rules, any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave.

Explanation :- Casual leave is not recognized as leave under these rules, hence shall not be combined with any other kind of leave admissible under these rules

8 Maximum amount of continuous leave :-

Unless the Vice Chairman and the Managing Director, in view of the exceptional circumstances of the case otherwise determine, no employee shall be granted leave of any kind for a continuous period exceeding four months.

9 Acceptance of service or employment while on leave.

An employee while on leave shall not take up any service or employment elsewhere, including the setting up of a private professional practice without obtaining the previous sanction of the authority empowered to appoint him.

No employee while on leave, shall ordinarily be permitted to take up any other service or employment

(A) In case an employee who has proceeded on leave preparatory to retirement, is required to be recalled before the date of his retirement for duty during such leave and is agreeable to return to duty, the unexpired portion of the leave from the date of rejoining shall be cancelled.

The leave so cancelled under clause (a) shall be treated as leave refused and subject to the provisions of rule 29 it may be granted from the date of retirement of the employee.

(c) Such recall to duty before expiry of leave shall be treated as optional for the purpose of rule 19.

(d) No leave shall be earned in respect of any period of employment during leave preparatory to retirement .

10 Leave at the credit to cease on removal or resignation.

Any claim of leave to the credit of an employee, who is dismissed or terminated from service, ceases from the date of such dismissal or removal, as the case may be.

An employee, who is dismissed or terminated from service but is reinstated on appeal or revision, shall be entitled to count his service for leave period of dismissal or termination as the case may be.

11 An application for leave or for extension of leave shall be made in Form-1 in Appendix I, to the authority competent to grant leave.

12 A leave account in Form-2 in Appendix I shall be maintained in respect of the employees by the Administrative Officer.

13 Verification of title to leave.

No leave shall be granted to an employee before verifying its admissibility with reference to his leave account.

14 Leave not to be granted in certain circumstances.

Leave shall not be granted to an employee whom a competent authority has decided to dismiss, remove or compulsorily retire from service.

15 Grant of leave on medical grounds.

Where leave of any kind together with extension of leave, if any is asked for on medical grounds, the competent authority may, if it considers necessary to have a medical opinion, refer the case to the recognised Registered Practitioner or Government / Municipal Hospital.

16 Leave to an employee who is unlikely to be fit to return to duty.

(1) (a) When Authorized medical attendant has reported that there is no reasonable prospect that the employee will ever be fit to return to duty, leave shall not necessarily be sanctioned in such cases.

The competent authority may grant leave if due, on the following conditions -

If the Authorized medical attendant is unable to say with certainty that the employee will never again be fit for service, leave not exceeding twelve months in all may be granted and such leave shall not be extended without further reference to the Authorized Medical Attendant.

If the employee is declared by the Authorized Medical Attendant to be completely and permanently incapacitated for further service, leave or an extension of leave may be granted to him after the report of the Authorized Medical Attendant is received, provided the amount of leave as debited to the leave account together with any period of duty beyond the date of report of the authorized Medical Attendant does not exceed six months.

- (2) An employee who is declared by the Authorized Medical Attendant to be completely and permanently incapacitated for further service shall –

if he is on duty, be invalidated from service from the date of relief of his duties without delay; if however he is granted leave under sub-rule (1) he shall be invalidated from service on the expiry of such leave.

If he is already on leave, be invalidated from service on the expiry of that leave or extension of leave, if any, granted to him under sub-rule (1)

17 Commencement and termination of leave.

Leave ordinarily begins on the day on which the transfer of charge is effected and ends on the day preceding that on which the charge is resumed.

18 Combination of holidays with leave.

When the day, immediately preceding the day on which an employee's leave begins or immediately following the day on which his leave expires, is a holiday or one of a series of holidays, the employee may be permitted to leave his station at the close of the day before or return to it on the day following such holiday or series of holidays.

unless the authority competent to grant leave in any case otherwise directs__

if holidays are prefixed to leave the leave and any consequent rearrangement of pay and allowances take effect from the day after the holidays; and

if holidays are suffixed to leave, the leave is treated as having terminated and any consequent rearrangement of pay and allowances takes effect from the day on which the leave would have ended if holidays had not been suffixed.

19 Recall to duty before expiry of leave

Employee on leave shall not ordinarily be recalled to duty before expiry of his leave. In cases where it is considered expedient to recall the employee to duty before expiry of his leave, the orders recalling him shall state whether the return to duty is optional or compulsory.

Where the return is optional the employee shall not be entitled to any concession.

Where the return is compulsory, the employee shall be entitled to –

to treat the un-expired portion of his leave as duty, and

to draw traveling allowance under the rules made in this behalf for the journey to the station of his duty.

20 Return from leave

An employee on leave shall not return to duty before the expiry of leave granted to him unless he is permitted to do so by the authority which granted him leave.

Notwithstanding anything contained in sub-rule (1) an employee on leave preparatory to retirement shall be precluded from returning to duty, save with the consent of the authority competent to appoint him to the post from which he proceeded on leave preparatory to retirement.

An employee who has been granted leave on medical grounds may not return to duty until he has produced a certificate of fitness from the Registered Medical Practitioner.

21 Absence after expiry of leave.

Unless the authority competent to grant leave extends the leave, an employee who remains absent after the end of his leave is not entitled to any leave salary for the period of such absence. Such period shall be treated as extraordinary leave.

Willful absence from duty after expiry of leave renders an employee liable to disciplinary action.

22 Earned leave.

(1) (a) An employee shall be entitled to earned leave after completion of 6 months in service as indicated in rule 23.

The employee shall cease to earn leave when the earned leave to his credit reaches to 300 days.

A period spent in foreign service shall count as duty for purposes of this rule, if contribution towards leave salary is paid on account of such period.

(2) Subject to the provisions of rule 4 and sub-rule (1) of this rule, the maximum earned leave that may be granted at a time shall be 120 days.

Explanation — When earned leave admissible under these rules is combined with special types of leave, such as T.B. leave or hospital leave, the whole spell of such leave terminating in superannuation or invalidation shall not be treated as leave preparatory to retirement for the application of the limits of earned leave admissible under this rule.

23 Calculation of earned leave.

An employee, who is regularly appointed in the service of the Corporation shall be entitled for 15 days earned leave to his credit after six months of service. Such leave shall be calculated every six months and credited to his account on 1st January and 1st July of each calendar year.

Provided that an employee appointed in the intermittent period of the calendar year shall be entitled for proportionate leave.

b) The leave at the credit of every employee at the close of previous half year shall be carried forward to the next half year, subject to the condition that the leave so carried forward plus the credit for the half year does not exceed the maximum limit of 300 days.

24 Half pay leave.

(1) (a) An employee shall be entitled to half pay leave of 20 days in respect of each completed year of service.

(b) The leave due under clause (a) above may be granted on medical certificate or on private affairs.

(2) If an employee is on leave on the day on which he completes a year of service, he shall be entitled to half pay leave without having to return to duty. The period of suspension when treated as of suspension, should be excluded for counting completed years of service for the purpose of half pay leave.

25 Commuted leave

Commutated leave not exceeding half the amount of half pay leave due may be granted on medical certificate to an employee subject to the following conditions :-

The authority competent to grant leave is satisfied that there is reasonable prospect of the employee returning to duty on its expiry.

When commuted leave is granted, twice the amount of such leave is debited against the half pay leave due;

Commutated leave up to maximum of 90 days may be allowed during the entire service (without production of a medical certificate) where such leave is utilized for an approved course of study and also for preparation of the final examination.

26 Extra ordinary leave.

1. Extraordinary leave may be granted to an employee in special circumstances _
 - a) When no other leave is admissible;
 - b) When other leave is admissible but the employee applies for the grant of extraordinary leave.
2. An employee shall not ordinarily be granted extraordinary leave on any one occasion in excess of the following limits :-
 - a) three months;
 - b) six months, where the employee has completed three years continuous service on the date of expiry of leave of the kind due and admissible under these rules, including three months extra ordinary leave under clause (a) and his request for such leave is supported by a medical certificate.
 - c) twelve months, in the case of an employee who has completed five years 'continuous service on the date of expiry of leave due and admissible under the rules including extra ordinary leave under clause (a) and clause (b) of sub-rule (2) above, if the extraordinary leave is required on account of illness of the employee as certified by the Authorized Medical Attendant.
 - d) twelve months, where the employee who has completed one year's continuous service is undergoing treatment for cancer, or for mental illness, in an institution recognized for the treatment of such disease, or in a govt. hospital or under a specialist in such disease;
 - e) eighteen months, where the employee has completed one year's continuous service is undergoing treatment for

- i) pulmonary tuberculosis or pleurisy of tubercular origin, in a recognized sanatorium;
 - ii) tuberculosis of any other part of the body by a qualified tuberculosis specialist, or in a govt. hospital, or
 - iii) leprosy in a recognized leprosy institution or in a Govt. hospital.
3. The authority competent to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.

27 Leave to a probationer.

A probationer shall be entitled to leave under these rules as applicable to a regular employee.

If for any reason, it is decided to terminate the services of a probationer any leave which may be granted to him shall not extend:-

beyond the date on which his probationary period as already sanctioned or extended expires, or

beyond any earlier date on which his services are terminated by the orders of an authority competent to appoint him.

28 Person re-employed after retirement .

In the case of a person re-employed after retirement, the provision of these rules shall apply as if he had entered service under the Corporation for the first time on the date of his re-employment. provided that it is provided in the terms and conditions of his appointment.

29 Leave preparatory to retirement.

An employee may be permitted to avail himself of leave preparatory to retirement to the extent of earned leave due, not exceeding 300 days together with half pay leave due, subject to the condition that the total period of leave should not exceed 10 months or such leave does not extend beyond the date of retirement.

30 Leave beyond the date of retirement or quitting of service.

No leave shall be granted to an employee beyond the date of his compulsory retirement or the date of his

final cessation of duties or the date of his resignation from service.

Not with standing the provisions at sub rule (1) above an employee who is given extension of service beyond the date of retirement may be granted earned leave, subject to a maximum of 300 days.

31 Maternity leave

A competent authority subject to the provisions of this rule, grant to a female employee in employment, who does not have two or more living children on the date of the application, maternity leave for a period of 90 days from the date of its commencement. During such period she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave. Such leave shall not be debited to the leave account.

A female employee who has put in at least one year of continuous service shall also subject to the provisions of this rule, be eligible for maternity leave referred to in sub rule (1) subject to the condition that the leave salary admissible during the period of maternity leave shall be regulated as follows __

the employee who has put in two or more years continuous service, the leave salary admissible shall be as provided in sub rule (1).

the employee who has put in continuous service for a period exceeding one year, but less than two years, the leave salary admissible shall be equal to half of the pay drawn immediately before proceeding on Leave.

the application for maternity leave should invariably be supported by medical opinion as to the probable date of confinement and an undertaking to the effect that the employee shall report the date of confinement supported by medical certificate.

A female employee may be allowed leave of the kind due, including commuted leave, if she so desires, in continuation of the maternity leave, up to a maximum of 60 days without production of medical certificate.

Leave under this rule shall be admissible in case of miscarriage or abortion, including abortion induced under the Medical Termination of Pregnancy Act, 1971 subject to the following conditions-

the leave does not exceed six weeks, and

the application for the leave is supported by a medical certificate.

32 Leave salary

An employee who is granted earned leave is entitled to leave salary equal to the pay drawn immediately before proceeding on earned leave.

An employee on half pay leave is entitled to leave salary equal to half the amount specified in sub rule (1) above.

An employee on commuted leave is entitled to leave salary equal to the amount admissible under sub rule (1) above.

An employee on extra ordinary leave is not entitled to any leave salary.

An employee who is granted leave beyond the date of compulsory retirement shall be entitled during such leave to leave salary as admissible under this rule.

33 Advance of leave Salary

An employee proceeding on leave for a period of not less than 30 days, may be allowed an advance in lieu of leave salary up to a month's pay and allowances admissible on that leave salary subject to the deductions on account of income tax, provident fund subscriptions, house rent, recovery of advance etc.

34 Interpretation -

If any question arises relating to the interpretation of these rules, it shall be interpreted in accordance with the provision of the Maharashtra Civil Services Rules and related orders and decisions thereunder.

APPENDIX - I

Form 1

Application for leave or for extension of leave.

- 1 Name of the applicant :
- 2 Post held and Basic Pay :
- 3 Office / Branch :
- 4 Nature and period of leave applied for
and the date from which leave is required :
- 5 Sundays and holidays if any,
proposed to be prefixed/ suffixed to leave :
- 6 Purpose on which leave is applied for :
- 7 Date of return from last leave, and the
nature and duration of that leave :
- 8 Address during leave period and
Tel No., if any :
- 9 I certify that I do not have or more living
children on the date of this application. (Applicable only in
case of maternity leave)

Date

Signature of the applicant

(Score out whatever is not applicable)

- 10 Remarks and / or recommendations of the controlling
officer.

Signature (with date)
Designation

CERTIFICATE REGARDING ADMISSIBILITY OF LEAVE

11 Certified that earned leave days / half pay leave Days/ days is to the credit of the applicant on the

**Signature (with date)
Designation**

12 Orders of the authority competent to grant leave.

**Signature (with date)
Designation**

Maharashtra State Road Development Corporation Ltd

Administrative, Technical, Non-Technical Core Posts Recruitment Rules

In exercise of the powers conferred on him by the Board of Directors, the Vice Chairman and Managing Director of the Maharashtra State Road Development Corporation is hereby pleased to make the following rules regulating recruitment to various core posts in the Corporation.

1. These rules may be called the Maharashtra State Road Development Corporation Ltd, Administrative, Technical, Non-Technical Core Posts Recruitment Rules. They shall come into force from the date of issue. They shall be applicable for filling up Core posts in the Corporation.

Definitions:

2. In these rules unless the context otherwise requires -
 - a) "Corporation" or "MSRDC" means the Maharashtra State Road Development Corporation Limited
 - b) 'Core Posts' are posts which have been sanctioned by MSRDC Board in the meeting dt. 24-1-2006 and as modified from time to time.
 - c) "Government" means the State Government of Maharashtra
 - d) "Government Commercial Certificate" means a certificate issued by the Bureau of Government Examination, Directorate of Technical Education, Maharashtra and includes a certificate issued by any other institution as may be specifically declared by the Government to be equivalent thereto.
 - e) "Secondary School Certificate Examination" means the Secondary School Certificate Examination conducted by a Divisional Board under the Maharashtra Secondary and Higher Secondary Education Board Act 1965 and includes any other examination declared by the Government as equivalent thereto.
 - f) Vice Chairman and Managing Director means the Vice Chairman and Managing Director of the Maharashtra State Road Development Corporation Limited.

A) Finance and Accounts Division

1) Secretary & Financial Advisor

Appointment to the post of Secretary and Financial Advisor shall be made by direct recruitment from amongst the candidates who:

- i. are not more than 50 years of age (relaxable by five years in the case of candidates belonging to the backward class).
- ii. are qualified as and have passed the examination of Chartered Accountant, conducted by the Institute of Chartered Accountants of India.
- iii. have post qualification experience of not less than 20 years in reputed companies registered under the Indian Companies Act, 1956 of which minimum five years experience should be of having worked as Financial Advisor and / or head of Finance and Accounts Department.

2) Deputy General Manager

Appointment to the post of Deputy General Manager shall be made by direct recruitment from amongst the candidates who –

- i) are not more than 45 years of age (relaxable by five years in the case of candidates belonging to backward class)
- ii) are qualified as and have passed the examination of Chartered Accountant conducted by the Institute of Chartered Accountants of India.
- iii) have post qualification experience of not less than 15 years in reputed company registered under the Indian Companies Act 1956 of which minimum 5 years experience should be of having worked as Deputy General Manager (Finance) / Accounts or equivalent post.

OR

by promotion from Manager (Accounts) who have put in minimum of five years regular services in this post in the Corporation.

3) Manager (Accounts)

Appointment to the post of Manager (Accounts) shall be made either by direct recruitment from amongst the candidates who –

- i) are not more than 40 years of age, (relaxable by five years in the case of candidates belonging to backward class)
- ii) are qualified as or have passed the examination of Chartered Accountant conducted by the Institute of Chartered Accountants of India.
- iii) Possess a post-qualification experience of ten years in reputed companies registered under the Indian Companies Act 1956, of which minimum 5 years experience should be of having worked as Manager (Accounts).

OR

by promotion from the Deputy Managers who have put in minimum of five years regular service in the Corporation.

4) Deputy Manager (Accounts)

Appointment to the post of Dy. Manger (Accounts) shall be made either by direct recruitment from amongst the candidates who –

- i) are not more than 35 years of age (relaxable by five years in the case of candidates belonging to backward class).
- ii) are qualified as and have passed the examination of Chartered Accountant, conducted by the Institute of Chartered Accountants of India.
- iii) Possess a post qualification experience of five years in reputed organizations.

OR

by promotion from the Accounts Officer who have put in a minimum of eight years regular service in this post in the Corporation.

5) Assistant Manager (Finance)

Appointment to the post of Assistant Manager (Finance) shall be made by direct recruitment from amongst the candidates who –

- i) are not more than 30 years of age (relaxable by five years in the case of candidates belonging to the backward class)
 - ii) possess atleast bachelor's degree in Commerce of a recognized university with 55% marks.
 - iii) in addition possess any of the following qualification:
 - a. passed the examination of Chartered Accountants conducted by the Institute of Chartered Accountant or Cost Accountants or Chartered Financial Analysts conducted by appropriate institution.
- OR
- b. possess a MBA (Finance) or equivalent as post-graduate qualification from a good management institution.
- iv) possess a post qualification experience of three years in reputed organization.

OR

by promotion from Accounts Officer who have put in minimum of five years regular service in this post in the Corporation.

6) Accounts Officer

Appointment to the post of Accounts Officer shall be made either by direct recruitment from amongst the candidates who –

- i. are not more than 35 years of age (relaxable by five years in the case of candidates belonging to backward class) .
- ii. possess atleast degree in Commerce with atleast 55% marks (second class for other than general candidate) and have ten years experience of handling accounts.

OR

have passed the Intermediate Exam of Institute of Chartered Accountants or Cost Accountants and have five years experience of handling accounts.

OR

have completed the final exam of the Institute of Chartered Accountant or Cost Accountants.

OR

by promotion of Accounts Assistants who have put in a minimum of seven years regular service in this post in the Corporation.

7) Assistant Company Secretary

Appointment to the post of Assistant Company Secretary shall be made by direct recruitment from amongst the candidates who –

- i) are not more than 30 years of age (relaxable by five years in the case of candidates belonging to the backward class)
- ii) are qualified as and have passed the examination of Chartered Secretary conducted by the Institute of Chartered Secretaries and Administrators and are members of the said institution.
- iii) have post qualification experience of not less than three years as Assistant Company Secretary in reputed companies registered under the Indian Companies Act, 1956.

Accounts Assistant

Appointment to the post of Accounts Assistant shall be made by direct recruitment from amongst the candidates who –

- i) are not more than 30 years of age (relaxable by five years in the case of candidates belonging to the backward class).
- ii) possess a degree of a recognized university in Commerce in first class (second class for other than general candidates).
OR
possess a post graduate degree in Commerce.
OR
have passed Intermediate level of examination conducted by the Institute of Chartered Accountants / Cost Accountants / Company Secretary / Chartered Financial Analysts.
- iii) possess at least 2 years experience in handling Accounts/ Finance in a good organization.
OR
by promotion of Accounts Clerks from within Corporation who have put in a minimum of 5 years regular service in the post and who also possess a graduate degree.

9) Accounts Clerk cum Computer Operator

Appointment to the post of Accounts Clerk cum Computer Operator shall be made either:

- i) by direct recruitment from amongst candidates who –
 - a. are not less than eighteen years and not more than thirty years of age (relaxable by five years in case of candidates belonging to backward class)
 - b. have passed the B.com examination from any recognized university.

AND

- c. possess a certificate of having passed any of the following examination viz CCC or Level O or Level A or Level B or Level C or a certificate regarding passing of the MS-CIT examination conducted by the Maharashtra State Higher and Technical Education Board

OR

- ii) by promotion on the basis of seniority-cum-suitability amongst the persons holding the post of peon, having not less than five years regular service in the Corporation and possess the educational qualifications prescribed for appointment by nomination in sub rule (i) (b) & (c) of this rule.

TECHNICAL DIVISION:

10) Additional Chief Engineer / Superintending Engineer (selection grade)

Appointment to the post of Additional Chief Engineer / Superintending Engineers (selection grade) shall be made either by direct recruitment from amongst the candidates who

–

- i) are not more than 45 years of age (relaxable by five years in the case of candidates belonging to backward class).
- ii) possess a graduate degree of a recognized University in Civil Engineering.
- iii) and possess a post graduate specialization degree in Transportation / Structural / Bridges / Highways or in a subject relevant to the Corporation. and have a post-qualification experience of 15 years in a reputed organization.

OR

by promotion from amongst the officers in the cadre of Superintending Engineer having not less than seven years regular service in that post in the Corporation.

11) **Superintending Engineer**

Appointment to the post of Superintending Engineer shall be made either by direct recruitment from amongst the candidates who –

- i) are not more than forty years of age (relaxable by five years in the case of candidates belonging to backward class), and
- ii) possess a graduate degree of a recognized University in Civil Engineering.
- iii) and possess a post graduate specialization degree in Transportation / Structural / Bridges / Highways or in a subject relevant to the Corporation
- iv) and have a post-qualification experience of 12 years in a reputed organization.

OR

by promotion on the basis of selection from amongst the persons who –

- A. possess a degree of a recognized university in Civil Engineering or a qualification which is recognized as equivalent thereto by the Government and
- B. have been holding the post of Executive Engineer for not less than eight years in the Corporation on a regular basis.

12) **Executive Engineer**

Appointment to the post of Executive Engineer shall be made either by direct recruitment from amongst the candidates who –

- i. are not more than thirty five years of age (relaxable by five years in the case of candidates belonging to backward class)
- ii. possess a graduate degree of a recognized University in Civil Engineering.
- iii. and possess a post graduate specialization degree in Transportation / Structural / Bridges / Highways or in a subject relevant to the Corporation
- iv. and have a post-qualification experience of 7 years in a reputed organization.

OR

by promotion on the basis of selection from amongst the Dy. Engineers (Transportation) / Dy. Engineers working in the Corporation who have put in minimum eight years continuous service.

13) Dy. Engineer

Appointment to the post of Dy. Engineer shall be made by direct recruitment from amongst the candidates who –

- i) are not more than thirty years of age (relaxable by five years in the case of a candidates belonging to backward class), and
- ii) possess a graduate degree of a recognized University in Civil Engineering with atleast 55% marks (50% for other than general candidate).
- iii) and have a post-qualification experience of atleast five years in a reputed organization.

14) Dy. Engineer (Transportation)

Appointment to the post of Dy. Engineer (Transportation) shall be made by direct recruitment from amongst the candidates who –

- i) are not more than thirty years of age (relaxable by five years in the case of a candidates belonging to backward class), and
- ii) possess degree of recognized university in Civil Engineering with atleast 55% marks (50% for other than general candidates) and have additional qualification of a Master's degree in Transportation Planning and System or Transportation Engineering
- iii) possess atleast three years relevant experience from a reputed organization

15) Senior Town Planner

Appointment to the post of Senior Town Planner shall be made either by direct recruitment from amongst the candidates who –

- i) are not more than 40 years of age (relaxable by five years in the case of candidates belonging to the backward class)
- ii) possess a degree of a recognized university in Civil Engineering
- iii) possess additional qualification of a Master's degree in Town Planning.
- iv) have post-graduate experience of not less than ten years and adequate knowledge of Municipal laws, relevant rules and land matters

OR

by promotion from the persons holding the post of Town Planner with minimum seven years regular service as Town Planner in the Corporation.

16) Town Planner

Appointment to the post of Town Planner shall be made either by direct recruitment from amongst the candidates who –

- i) are not more than 35 years of age (relaxable by five years in the case of candidates belonging to the backward class)
- ii) possess a degree of a recognized University in Civil Engineering
- iii) possess additional qualification of a Master's degree in Town Planning
- iv) have a minimum experience of five years and adequate knowledge of Municipal Laws, relevant rules and land matters.

ADMINISTRATION

17) Assistant Manager (HRD)

Appointment to the post of Assistant Manager (HRD) shall be made either by direct recruitment from amongst the candidates who –

- i) are not more than 35 years of age (relaxable by five years in the case of candidates belonging to the backward classes)
- ii) possess atleast a second class bachelor's degree of a recognized university and have completed a two year post-graduate course in HRD from a good Business Management institution.
- iii) has minimum five years experience of working in HRD capacity in a Government or semi Government organization or reputed company registered under Companies Act.

OR

by promotion from amongst the Junior Managers (HRD) or Junior Managers (Administration) who have put in minimum 5 years continous regular service in that post in the Corporation.

18) Junior Manager (HRD)

Appointment to the post of Junior Manager (HRD) shall be made either by direct recruitment from amongst the candidates who –

- i) are not more than 30 years of age (relaxable by five years in the case of candidates belonging to the backward classes)
- ii) possess atleast a second class bachelor's degree of a recognized university and have completed a two years post-graduate course in HRD from a good institution.
- iii) has minimum three years experience of working in a supervisory capacity in a Government or semi Government organization or reputed company registered under Companies Act.

OR

by promotion from amongst the Assistants who have put in minimum 7 years continuous regular service in that post in the Corporation and possess a diploma or equivalent in HRD.

19) Junior Manager (Administration)

Appointment to the post of Junior Manager (Administration) shall be made by promotion from amongst the Assistants who have put in minimum 7 years continuous regular service in that post in the Corporation

20) Documentation Officer

The qualification and experience for this post are under preparation. VC&MD may be authorized to fianlise the same.

21) Librarian

Appointment to the post of Librarian shall be made by direct recruitment from amongst the candidate who:

- i) unless already in the service of Government of Maharashtra is not more than 30 years of age (relaxable by 5 years in the case of candidates belonging to the backward class)
- ii) Possess a Bachelor's degree in Arts, Science, Commerce or Law of a recognized University
- iii) Possess, in addition, a post graduate degree or diploma in Library Science of recognized University.
- iv) Conversant with modern library practices including use of computer aided library management systems.

- v) Possess, practical experience of working in library for not less than 2 years.

22) Assistant Systems Administrator:

Appointment to the post of Assistant Systems Administrator shall be made either by direct recruitment from amongst candidates who

are not more than 30 years of age (relaxable by 5 years in the case of candidates belonging to backward class)
are a graduate from a recognized University
have completed a Degree / Diploma in Computer Applications with a minimum of eighteen months course duration of a recognized institution.
have a minimum work experience of five years in the relevant field managing the Computer System, LAN, basic IT support, etc

OR

by promotion of employees who have acquired above qualification and experience.

23) Public Relations Assistant

Appointment to the post of Public Relations Assistant shall be made by direct recruitment from amongst candidates who –

are not more than 30 years of age (relaxable by 5 years in the case of candidates belonging to the backward class)
possess a degree form a recognized university.
Possess at least two years experience in public relations / liaison work in Government / reputed organization
has strong communication skills and aptitude in liason work

OR

by promotion from cadre of Junior Assistants with three years experience and on basis of suitability.

24) Assistant Law Officer

Appointment to the post of Assistant Law Officer shall be made by direct recruitment from amongst candidates who --

- i) are not more than 35 years of age (relaxable by five years in the case of candidates belonging to the backward class)
- ii) possess a degree in Commerce from a recognized university with at least 55% marks (50% in case of other than general candidates)

- iii) possess a post-graduation in Law from a recognized university.
- iv) possess a post-qualification experience of at least five years in the field of commercial law matters in an organization of repute.

25) Legal Assistant

Appointment to the post of Legal Assistant shall be made by nomination from amongst the candidates who –

- i) are not more than 30 years of age (relaxable by 5 years in the case of candidates belonging to the backward class)
- ii) possess a degree or diploma in Law of a recognised University or any other qualification declared by Government to be equivalent thereto
- iii) shall have practical experience of legal procedures and court matters for at least three years.

OR

by promotion from amongst Junior Assistants on basis of suitability and qualification required.

26) Manager (Commercial)

Appointment to the post of Manager (Commercial) shall be made by direct recruitment from amongst candidates who

- i) are not more than 35 years of age (relaxable by 5 years in the case of candidates belonging to the backward class)
- ii) possess a degree from a recognized university with at least 55% marks (50% in case of backward class candidates)
- iii) possess, in addition, any of the following:

a degree in Law from a Statutory University

OR

A post graduate management degree in Finance / Marketing or have passed intermediate Exam of Institute of Chartered Accountants / Cost Accounts or equivalent like CAIIB, CFA.

- iv) have at least five years relevant and good experience in management of contract administration in a financial or property management organization

- v) have held position as head of unit / section for at least two years.

OR

by promotion from employees who have held the post of Assistant Manager (Commercial) / Assistant Manager (Law) for at least five years.

27) Assistant Manager (Commercial)

Appointment to the post of Assistant Manager (Commercial) shall be made either by direct recruitment from amongst candidates who –

- i) are not more than 30 years of age (relaxable by 5 years in the case of candidates belonging to backward class)
ii) possess a degree from a recognized university with atleast 55 marks(50% in the case of backward class candidates)
iii) possess, in addition to (ii) above, any of the following:

A degree in Law from a Statutory University

OR

Completed the intermediate Exam conducted by the Institute of Chartered Accountants/Cost and Works Accountants/ Institute of Company Secretaryship / Institute of Chartered Financial Analysts

OR

MBA (Finance) – a two years course from a reputed management institution.

- iv) have at least two years in handling commercial law matters in a Law /Financial Institution / organization of repute.
v) should possess good drafting skills

OR

by promotion of an employee who has worked as Legal Assistant for not less than five years and is found suitable for said post

28) Personal Secretary

Appointment to the post of Personal Secretary shall be made either --

by direct recruitment from amongst persons who –

- i) are not more than thirty five years of age (relaxable by five years in cases of candidates belonging to backward class)
- ii) possess a degree of a recognized University or any other qualification declared to be equivalent thereto by Government
- iii) possess Government commercial certificate with the speed of not less than 120 words per minute in shorthand and not less than 50 words per minute in English typewriting or not less than 120 words per minute in Marathi shorthand and 40 words per minutes in Marathi typewriting, and
- iv) possess a certificate of having passed any of the following examination viz CCC or level O or level A or level B or level C or a certificate regarding passing of the MS-CIT examination conducted by the Maharashtra State Higher and Technical Education Board

OR

- v) by promotion of a suitable person on the basis of seniority-cum-suitability from amongst persons holding the post of higher grade stenographer or Personal Assistant (Higher Grade) and having not less than seven years regular service in that post in the Corporation.

29) Personal Assistant (Higher Grade)

Appointment to the post of Personal Assistant (higher grade) shall be made either –

- a) by direct recruitment from amongst persons who –
 - i) are not less than eighteen years and not more than thirty years of age (relaxable by five years in case of candidates belonging to backward class)
 - ii) have a degree of a recognized University.
 - iii) possess Government Commercial Certificate with the speed of not less than 120 words per minute in shorthand and not less than 50 words per minute in English typewriting. For Personal Assistant (Higher Grade) Marathi, candidate

should possess Government Commercial Certificate of not less than 120 words per minute in shorthand and not less than 40 words per minute in Marathi typewriting.

- iv) possess a certificate of having passed any of the following examination, viz, CCC or level O or level A or level B or level C or a certificate regarding passing of the MS-CIT examination conducted by the Maharashtra State Higher and Technical Education Board.

OR

- b) by promotion of a suitable person on the basis of seniority-cum-suitability from amongst persons holding the post of lower grade stenographer or Personal Assistant (Lower Grade) and having not less than five years regular service in that post and possessing government commercial certificate with the speed in short hand and typewriting prescribed for appointment by nomination in (iii) under (a) of this rule.

30) Personal Assistant (Lower Grade)

Appointment to the posts of Personal Assistant (Lower Grade) shall be made either –

- a) by direct recruitment from amongst persons who –
 - i. are not less than eighteen years and not more than thirty years of age (relaxable by five years in case of candidates belonging to backward class).
 - ii. a degree of a recognized university or any other qualification declared to be equivalent thereto by Government.
 - iii. possess Government Commercial Certificate with the speed of not less than 100 words per minute in shorthand and not less than 40 words per minute in English typewriting. For Personal Assistant (Lower Grade) Marathi, candidate should possess Government Commercial Certificate of not less than 100 words per minute in shorthand and not less than 30 words per minute in Marathi typewriting.
 - iv. possess a certificate of having passed any of the following examination viz CCC or level O or level A or level B or level C or a certificate regarding passing of the MS-CIT examination conducted by the

Maharashtra State Higher and Technical Education
Board

31) Assistant

Appointment to the post of Assistant shall be made either by direct recruitment from amongst the candidates who –

- i) are not more than 30 years of age, (relaxable by five years in the case of candidates belonging to the backward class)
- ii) possess a higher second class degree (55%) (for candidates other than general category 50%)
- iii) possess a post graduate degree of a recognized University or any other qualification declared to be equivalent thereto by Government, and
- iv) possess three years experience in a Commercial Organization of repute
- v) possess a certificate of having passed any of the following examination CCC or level O or level A or level B or level C or a certificate regarding passing of the MS-CIT examination conducted by the Maharashtra State Higher and Technical Education Board

OR

by promotion from amongst the Junior Assistants who have put in minimum five years service and who fulfill the condition of sub rule (ii) and (v) of this rule.

32) Junior Assistant

Appointment to the post of senior clerk shall be made either –

- a) by direct recruitment from amongst the persons who -
 - i) are not less than eighteen years and not more than thirty years of age (relaxable by five years in case of candidates belonging to backward class)
 - ii) possess a degree of a recognized University with higher second class (second class for other than general candidates)

- iii) possess a certificate of having passed any of the following examination viz CCC or Level O or Level A or Level B or Level C or a certificate regarding passing of the MS-CIT examination conducted by the Maharashtra State Higher and Technical Education Board

OR

- b) by promotion of a suitable person on the basis of seniority-cum-suitability, from amongst persons holding the post of clerk, clerk cum computer operator having not less than five years regular service in that post.

33) Clerk cum Computer Operator / Clerk / Audio-Visual System Operator/ Cashier/Computer-data Entry Operator (All these posts will be designated as Clerk cum Computer Operator)

Appointment to the post of Clerk cum Computer Operator shall be made either

- a) by direct recruitment from amongst candidates who –
 - i) are not less than eighteen years and not more than thirty years of age (relaxable by five years in case of candidates belonging to backward class)
 - ii) possess a degree of a recognized university

AND

- iii) possess a certificate of having passed any of the following examination viz CCC or Level O or Level A or Level B or Level C or a certificate regarding passing of the MS-CIT examination conducted by the Maharashtra State Higher and Technical Education Board
- b) by promotion on the basis of seniority-cum-suitability amongst the persons holding the post of peon, having not less than five years regular service and has passed the Higher Secondary Examination and fulfill the condition at (iii) above.

34) Driver

Appointment to the post of driver of motor cars / jeeps / bus in the Corporation shall be made either –

- a) by direct recruitment from amongst candidates who –

- i. unless already in the service of the Corporation, are not more than thirty years of age ((relaxable by five years in case of candidates belonging to backward class)
- ii. possess valid driving licence to drive a heavy and light vehicle under the Motor Vehicles Act 1939
- iii. have passed at least 9^h standard examination of any government recognized school and can speak in Marathi and Hindi.
- iv. possess not less than three years experience of driving motor vehicles other than a motor cycle
- v. have a clean driving record and working knowledge of repairs of a motor car / jeep / bus as the case may be
- vi. possess a good physique and knowledge of geography of the concerned area

OR

- b) by promotion from amongst the peons and watchmen in the service of the Corporation who possess qualification and experience mentioned in sub rule (ii), (iii), (iv), (v) and (vi) under (a) of this rule;

34.) provided that if candidates with the prescribed period of experience are not available, the period of experience may be relaxed by one year by the Vice Chairman and Managing Director.

35) **Naik**

Appointment to the post of Naik cum Xerox Operator will be made by promotion from amongst the peon and chowkidar in the service of the Corporation who has put in atleast seven years as peon / chowkidar and on the basis of suitability for the post.

36) **Peon and Chowkidar**

Appointment to the post of peon and chowkidar shall be made either by direct recruitment from amongst candidates—

1. who have completed 18 years of age and are not more than thirty years of age (relaxable by five years in case of candidates belonging to backward class), and
2. who have passed 9^h standard examination of a Government recognized school.

GENERAL

Provisions for reservation in posts will be made as per prevailing policy of Government of Maharashtra.

Appointment to Class III and IV posts (i.e., Group C & D) may also be made on compassionate ground by VC&MD in accordance with the policy of Government subject to the condition that person-seeking job on this account should fulfil the criteria of educational qualification and other conditions prescribed for the respective post. The upper age limit prescribed for appointment to these posts shall not apply to persons appointed on compassionate ground.

The candidate shall have good knowledge of Marathi-Hindi-English.

The candidate shall possess required Computer Application Skills.

For direct recruitment, the post(s) will be advertised in leading newspapers of the area in English and Marathi. The applicants will be recruited on basis of written exam including trade tests and / or interview, as felt appropriate.

Vice Chairman and Managing Director may appoint a Selection Committee for shortlisting and/or identifying suitable candidate for a post. The recommendations of the Selection Committee shall be submitted to Vice Chairman and Managing Director for consideration.

The candidate appointed to a post by direct recruitment shall be on probation for a period of at least one year.

In case of posts that are to be filled up by promotion, appropriate weightage will be given to those employees who acquire relevant higher qualification, skills and specialization while in the service of Corporation.

Suitable minor modifications in designation of posts and pay scale can be made by VC&MD, if required, on the basis of qualification and experience and merit of candidate.

Appropriate relaxations in experience or qualifications be given by VC&MD, in case of candidates from reserved categories only, if suitable candidates satisfying prescribed norms are not available

