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Officers Service (General) Regulations, 1998**

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THE UTTAR PRADESH STATE ROAD TRANSPORT CORPORATION OFFICERS SERVICE REGULATIONS, 1998'

In exercise of the powers conferred by clause (c) of sub-section (2) of Section 45 of the Road Transport Corporation Act, 1950 (Act no. 64 of 1950) and in supersession of all existing regulations and orders, on the subject, the Uttar Pradesh State Road Transport Corporation with the previous sanction of the State Government makes the following regulations regulating the conditions of appointment and service and the scales of pay of the officers appointed to the Uttar Pradesh State Road Transport Corporation Officers Service.

THE UTTAR PRADESH STATE ROAD TRANSPORT CORPORATION OFFICERS SERVICE REGULATIONS, 1998

PART-I

GENERAL

1. Short title and commencement.—(1) These regulations may be called the Uttar Pradesh State Road Transport Corporation Officers' Service Regulations, 1998.

(2) They shall come into force at once.

2. Status of the Service. The Uttar Pradesh State Road Transport Corporation Officers' Service comprises Group "A" and Group "B" posts.

3. Definitions. (1) In these Regulations, unless there is anything repugnant in the subject or context:

- (a) "Act" means the Road Transport Corporation Act, 1950, as amended from *time to time*;
- (b) "Appointing Authority" means the Managing Director;
- (c) "Board" means the Board of Directors of the Corporation;
- (d) "Chairman" means the Chairman of the Board;
- (e) "Citizen of India" means a person who is or is deemed to be a citizen of India under Part II of the Constitution;
- (f) "Constitution" means the Constitution of India;
- (g) "Corporation" means the Uttar Pradesh State Road Transport Corporation established under Section 3 of the Act;
- (h) "Managing Director" means the Managing Director of the Corporation, and includes any person for the time being holding the charge of the post of the Managing Director;
- (i) "Member of Service" means a person appointed in a substantive capacity under these regulations or orders in force prior to the commencement of these regulations to a post in the cadre of the service;
- (j) "Other Backward Classes of Citizens" means the backward classes of citizens specified in Schedule I of the Uttar Pradesh Public Service (Reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes) Act, 1994;
- (k) "Service" means the Uttar Pradesh State Road Transport Corporation Officers' Service;
- (l) "Substantive appointment" means an appointment, not being an adhoc appointment on a post in the cadre of service, made after selection in

accordance with these regulations and if there were no regulations, in accordance with the procedure prescribed for the time being by orders issued by, or under authority of, the Board;
"Year of recruitment" means a period of twelve months commencing from the first day of July of a calendar year.

PART - II
CADRE

4. Cadre Of the Service. (1) Subject to such directions as may given by the State Government, from time to time, the strength of the service and of each category of posts therein shall be such as may be determined by the Board from time to time.
(2) The strength of the service and of each category of posts therein shall, until orders varying the same are passed under clause (1), be as follows:

Name of the Posts	Number of Posts	
	Permanent	Permanent
(A) Operation Cadre		
(i) Chief General Manager (Operations)	1	
(ii) General Manager (Operations)	15	
(iii) Regional Manager	21	
(iv) Assistant Regional Manager (Operations)	125	
(B) Technical Cadre		
(i) Chief General Manager (Technical)	1	
✓ ii) General Manager (Technical)	8	
(,;ii) Deputy Chief Mechanical Engineer	5	
(i v) Service Manager	31	
(It) Assistant Regional Manage! (Technical)	75	
(C) Finance Cadre		
(i) General Manager (Finance)		
(ii) Deputy Chief Accounts Officer (Audit)	1	
(iii) IDeputy Chief Accounts Officer (Commercial)		
(iv) Assistant Regional Manager (Finance)/ Audit Officer	46	
(ii) Assistant Regional Accounts Officer	30	
(D) La' w Cadre		
(1) Assistant Law Officer	20	
(E) Origineeri.ng Cadre		
(I) Executive Engineer	2	
Assistant Engineer	10	

Prdvided that the appointing authority may leave unfilled or the Board may hold in abey ance any vacant post without thereby entitling and person to compensation.

Provided further that the Board, subject to such directions as may be issued by the State Government, may create such additional permanant or temporary posts from time to time as it may consider proper.

PART - III
RECRUITMENT

.,Source of recruitment.--Recruitment to the various categories of posts in the service shall be made from the. following sources:

(A) Operations Cadre:

- | | |
|--|--|
| (i) Chief General Manager (Operations) | By promotion* from amongst substantively appointed General Managers who have completed three years' continuous service as such on the first day of the year of recruitment. |
| (ii) General Manager (Operations) | (a) Twenty percent by direct recruitment.
(JO Eighty percent by promotion from amongst substantively appointed Regional Managers who have completed five years' continuous service as such on the first day of the year of recruitment. |
| (iii) Regional Manager | By promotion from amongst substantively appointed Assistant Regional Managers (Operations) who have worked as such for three years in depot and have completed five years' continuous service as such on the first day of the year of recruitment. |
| (iv) Assistant Regional Manager (Operations) | (a) Fifty percent by direct recruitment.
(b) Fifty percent by promotion from amongst substantively appointed Station Superintendents, Traffic Superintendents, Assistant Statistical Officers, Section Officers (Non Accounts) and Private Secretaries, who have completed three years' continuous service as such on the first day of the year of recruitment. |

(B) Technical Cadre:

- | | |
|---------------------------------------|--|
| (i) Chief General Manager (Technical) | By promotion from amongst substantively appointed General Managers (Technical) who have completed three years' continuous service as such on the first day of the year of recruitment. |
| (ii) General Manager (Technical) | (a) Twenty percent by direct recruitment.
(b) Eighty percent by promotion from amongst substantively appointed Deputy Chief Mechanical Engineer and Service Managers who have completed five years' continuous service as such on the first day of the year of recruitment. |

- | | |
|--|---|
| <p>(iii) Deputy Chief Mechanical Engineer</p> | <p>By promotion from amongst substantively appointed Service Managers who have completed two years' continuous service as such on the first day of the year of recruitment.</p> |
| <p>(iv) Service Manager</p> | <p>By promotion from amongst substantively appointed Assistant Regional Managers (Technical) who have completed three years' continuous service as such on the first day of the year of recruitment.</p> |
| <p>(v) Assistant Regional Manager (Technical)</p> | <p>(a) Fifty percent by direct recruitment.</p> <p>(b) Fifty percent by promotion from amongst substantively appointed Senior Foremen Grade-I who have completed three years' continuous service as such on the first day of the year of recruitment.</p> |

(C) Finance Cadre:

- | | |
|---|---|
| <p>(i) General Manager (Finance)</p> | <p>By direct recruitment.</p> |
| <p>(ii) Deputy Chief Accounts Officer (Audit)</p> | <p>By promotion from amongst substantively appointed Deputy Chief Accounts Officer (Commercial) who have completed five years' continuous service as such on the first day of the year of recruitment.</p> |
| <p>(iii) Deputy Chief Accounts Officer (Commercial)</p> | <p>By promotion from amongst substantively appointed Assistant Regional Managers (Finance) and Audit Officers, who have completed five years' continuous service as such on the first day of the year of recruitment.</p> |
| <p>(iv) Assistant Regional Manager (Finance)/Audit Officer</p> | <p>(a) Fifty percent by direct recruitment.</p> <p>(b) Fifty percent by promotion from amongst substantively appointed Regional Accounts Officers and Assistant Regional Accounts Officers, who have completed three years' continuous service as such on the first day of the year of recruitment.</p> |
| <p>(v) Assistant Regional Accounts Officer</p> | <p>By promotion from amongst substantively appointed Section Officers (Accounts), Senior Accountants (Commercial) and Senior Accountants who have completed three years' continuous service as such on the first day of the year of recruitment.</p> |

(D) Law Cadre:

- | | |
|---|--|
| <p>(i) Assistant Law Officer</p> | <p>(a) Seventy percent by direct recruitment.</p> <p>(b) Thirty percent by promotion from amongst substantively appointed Legal Assistants, who have completed five years' continuous service as such on the first day of the year of recruitment.</p> |
|---|--|

(E) Engineering Cadre:

- | | |
|-------------------------|--|
| (i) Executive Engineer | By promotion from amongst substantively appointed Assistant Engineers who have completed five years' continuous service as such on the first day of the year of recruitment. |
| (ii) Assistant Engineer | (a) Fifty percent by direct recruitment.
(b) Fifty percent by promotion from amongst substantively appointed Junior Engineers who have completed ten years' continuous service as such on the first day of the year of recruitment. |

6. Reservations. Reservations for the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories shall be in accordance with the provisions of the Uttar Pradesh Public Services (Reservations of Scheduled Castes, Scheduled Tribes and Other Backward Classes) Act, 1994, Uttar Pradesh Public Services (Reservation for Physically Handicapped, Dependents of Freedom Fighters and Ex-Servicemen) Act, 1993 and orders of the Government in force at the time of recruitment.

**PART-IV
QUALIFICATIONS**

7. Nationality. —A candidate for direct recruitment to a post in the service must be:—

- (a) a citizen of India, or
- (b) a Tibetan refugee who came over to India before the first January, 1962, with the intention of permanently settling in India, or
- (c) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, or any of the East African countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanganyika and Zanzibar) with the intention of permanently settling in India:

Provided that a candidate belonging to category (b) or (c) above must be a person in whose favour a certificate of eligibility has been issued by the State Government;

Provided further that a candidate belonging to category (b) will also be required to obtain a certificate of eligibility granted by the Deputy Inspector-General of Police; Intelligence Branch, Uttar Pradesh;

Provided also that if a candidate belongs to category (c) above, no certificate of eligibility will be issued. for a period of more than one year and the retention of such a candidate in service beyond a period of one year shall be subject to his acquiring Indian citizenship.

Note.—A candidate in whose case a certificate of eligibility is necessary, but the same has neither been issued nor refused, may be admitted to an examination or interview and he may also be provisionally appointed subject to the necessary certificate being obtained by him issued in his favour.

8. Academic Qualifications.—A candidate for direct recruitment to the various categories of posts in the service must possess the following qualifications:

(A) Operations Cadre:—**Name of the Post****Qualifications**

- (i) General
Manager
(Operations)

A post graduate degree, or a bachelor's degree in Engineering, or a post graduate degree, in business Management from a University established by the State Government as equivalent thereto with fifteen years experience of working in a similar management position in State Transport and ability to read and write Hindi in Devnagri script.

- (ii) Assistant
Regional
Manager
(Operations)

A post graduate degree in Business Administration or Business Management or a post-graduate diploma in Business Administration from a University established by law in India or a degree or diploma recognised by the State Government as equivalent thereto and knowledge of Hindi in Devnagri script.

(B) Technical Cadre: —

- (v) General
Manager
(Technical)

A degree in Mechanical or Automobiles Engineering from a University established by law in India or a degree or diploma recognised by the State Government as equivalent thereto with fifteen years experience of working in a senior management position in a State Transport and an ability to read and write Hindi in Devnagri, script.

- (iii) Assistant
Regional
Manager
(Technical)

A degree in Mechanical or Automobile or Production or Electrical or Traffic or Road Engineering from a University established by law in India or a degree recognised by the State Government as equivalent thereto and knowledge of Hindi in Devnagri script.

(C) Finance Cadre: —

- (vi) General
Manager
(Finance)

Must have passed Chartered Accountants' or Costs and Works Accountants' examination from an Institute established by law in India with seven years experience of commercial accounting and must have knowledge of Hindi in Devnagri script.

- (iv) Assistant
Regional
Manager
(Finance)/
Audit Officer

Must have passed Chartered Accountants' or Costs and Works Accountants' examination from an Institute, or a post-graduate degree in Commerce from a University established by law in India or a degree recognised by the State Government as equivalent thereto and must have working knowledge of Hindi in Devnagri script.

(D) Law Cadre: —

- (vii) Assistant Law
Officer

A degree in Law from a University established by law in India or a degree recognised by the State Government as equivalent thereto and working knowledge of Hindi in Devnagri script.

E) Engineering Cadre:

(yiii) Assistant Engineer

A degree in civil engineering from a University established by law in India or a degree recognised by the State Government as equivalent thereto and working knowledge of Hindi in Devnagri script.

9 Preferential Qualifications.—A candidate who has

- (i) obtained a post graduate degree or diploma in Business Administration or Business Management, from an Institute or a University established by law in India, or
- (ii) obtained a 'B' certificate of National Cadet Corps, shall, other thing being equal, be given preference in the matter of direct recruitment.

10. Age.—(1) A candidate for a direct recruitment must have attained the age of twenty one years and must not have attained the age of more than thirty two years on the first day of July of the year in which vacancies are advertised:

Provided that the upper age limit in the case of candidates belonging to the Scheduled Castes, Scheduled Tribes and such other categories as may be notified by the government from time to time shall be greater by such number of years as may be specified:

Provided further that the upper age limit for the post of General Manager (Operations) and General Manager (Technical) shall be forty two years:

Provided also that the Board may relax the upper age limit in exceptional cases if it considers it necessary for dealing with the matter in a just and equitable manner or in the interest of the Corporation:

(2) The date of birth of a member of service recorded in the certificate of High School examination or equivalent examination shall be treated to be final and Conclusive and no request for correction of the date of birth recorded in the said certificate shall be entertained in any circumstances.

11. Character. (1) The character of a candidate for direct recruitment to a post in the service must be such as to render him suitable in all respects for employment in the service. The appointing authority shall satisfy itself on this point.

(2) Such candidate shall produce a certificate of good character from the proctor of the University or the Principal of the college, school or other institution, in which he has last studied, and from a gazetted officer of the State Government or an officer of the Corporation not being a relative of the candidate, who is well acquainted with him.

Provided that the appointing authority may make further inquiries regarding the character and antecedents of a candidate in such manner and from such authorities as he may consider necessary.

(3) Persons dismissed by the Union Government or by a State Government or a Local authority; or by a Corporation or body owned or controlled by the Union Government or a State Government, shall be ineligible for appointment to any post in the service. A person convicted of an offence involving moral turpitude shall also be ineligible.

12. Marital Status. A male candidate who has more than one wife living or a female candidate who had married a man already having a wife living shall not be eligible for appointment to a post in the service:

Provided that the Board may, if satisfied that there exist special grounds for doing so exempt any person from the operation of this regulation.

13. Physical Fitness.—No candidate shall be appointed to a post in the service unless he be in good mental and bodily health and free from any physical defect likely to interfere with the efficient performance of his duties. Before a candidate is

finally approved for appointment he shall be required to appear before the State Medical Board and to be declared fit by it:

Provided that the Board may prescribe standards of physical fitness:

Provided further that no such medical certificate shall be required from a candidate recruited by promotion.

PART - V

PROCEDURE FOR RECRUITMENT

14. Determination of Vacancies.—The appointing authority shall determine the number of vacancies to be filled during the course of the *year* of recruitment as also the number of vacancies to be reserved for candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories under Regulation 6.

15., Procedure of Direct Recruitment. 1) For the purpose of direct recruitment to a post in the service, there shall be constituted a selection committee comprising:

- (a) Appointing Authority or an officer Chairman nominated by him;
- (b) Director General Public Enterprises Member Bureau or an officer nominated by him;
- (c) Chief General Manager (Operation Member/Technical) as may be nominated by the appointing authority;
- (d) Chief General Manager (Personnel and Member Planning) or an officer nominated by appointing authority;
- (e) An officer belonging to Scheduled Castes Member or Scheduled Tribes not below the rank of the post for which the recruitment is made, nominated by appointing authority;
- (f) An officer belonging to Other Backward Member Classes of citizens, not below the rank of the post for which the recruitment is made, nominated by appointing authority;

(2) Application for permission to appear in the competitive examination shall be invited on prescribed form by advertising the vacancies in not less than two widely circulated news papers, one of which shall be in Hindi.

(3) The selection committee shall scrutinise the applications and require the eligible candidates to appear in a competitive examination and in an interview.

(4) The syllabus and procedure for such competitive examination shall be such as may be prescribed by the appointing authority after approval of the Board.

(5) No candidate shall be admitted to the competitive examination unless he holds a certificate of admission issued by the selection committee.

(6) After the marks obtained by the candidates in the written test have been tabulated, the selection committee shall, having regard to the need for securing due representation to the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories in accordance with Regulation 6, call for interview such number of candidates as on the result of the written examination, have come upto the standard fixed by the committee in this respect. The marks awarded to each candidates in the interview shall be added to the marks obtained by him in the written test.

(7) The selection committee shall prepare a list of candidates in order of merit as disclosed by aggregate of marks obtained by them in the written test and interview. If two or more candidates obtain equal marks, the candidates obtaining higher marks in the written examination shall be placed higher in the list. The number of the names in the lists shall be larger (but not larger by more than twenty five percent) than the number of the vacancies.

16: Procedure for Recruitment by Promotion. (1) Recruitment by plot: notion to the posts of General Manager (Operation) and General Manager (Technical) shall be made on the basis of merit and to the other posts on the basis of seniority subject to the rejection of the unfit through the selection committee comprising:—

- | | |
|---|----------|
| (a) Appointing Authority; | Chairman |
| (b) Director General, Public Enterprises Bureau or an officer not below the rank of Special Secretary nominated by him; | Member |
| (c) An officer not below the rank of Chief General Manager nominated by appointing authority; | Member |
| (d) An officer belonging to Scheduled Castes or Scheduled Tribes not below the rank of Special Secretary nominated by appointing authority; | Member |
| (e) An officer belonging to Other Backward Classes of citizens not below the rank of Special Secretary, nominated by appointing authority; | Member |

(2) The appointing authority shall prepare an eligibility list of the candidates arranged in order of seniority, and place it before the selection committee along with their character rolls and such other records, pertaining to them, as may be considered proper:

Provided that where there are two or more feeding cadres:

- (a) bearing different pay scales the candidates belonging to the cadre bearing higher pay scales shall be placed higher in the eligibility list;
- (b) bearing same pay scale the name of the candidates shall be arranged in the eligibility list in order of their date of substantive appointment in their respective cadres. But if the date of substantive appointment of two or more candidates is the same, then, in such situation, the candidate who is older in age shall be placed higher in the eligibility list.

Provided further that the list of eligible candidates form each of the category namely, General, Scheduled Castes and Scheduled Tribes, shall be prepared separately and such list, as far as possible, shall contain the names of candidates twice the number of vacancies.

(3) The selection committee shall consider the cases of candidates on the basis of records referred to in sub-regulation (2), and, if it considers necessary, it may interview the candidates also.

(4) The selection committee shall prepare a list of selected candidates arranged in order of seniority as it stood in the cadre from which they are to be promoted and forward the same to the appointing authority.

17. Combined Select List. If in any year of recruitment appointments are made both by direct recruitment and by promotion, a combined select list shall be prepared by taking the names of candidates from the relevant list, in such manner that the prescribed percentage is maintained, the first name in the list being of the person appointed by promotion.

PART-VI

APPOINTMENT, PROBATION AND SENIORITY

18. Appointment.—(1) Subject to the provisions of clause (2), the appointing authority shall make appointments by taking the names of candidates in order in which they stand in the lists prepared under Rule 15, 16, 17, as the case may be.

(2) Where in any year of recruitment, appointments are to be made both by direct recruitment and by promotion, regular appointments shall not be made unless

selections are made from both the sources and a combined list is prepared in accordance with Regulation 17.

(3) If more than one order of appointments are issued in respect of any one selection, a combined order shall also be issued, mentioning the names of persons in order of seniority as determined in the selection or, as the case may be, as it stood in the cadre from which they are promoted. If the appointments are made both by direct recruitment and by promotion, names shall be arranged in accordance with the order referred to in Regulation 17.

19. Probation.—(1) A person substantively appointed to a post in the service, shall be placed on probation for a period of two years.

(2) The appointing authority may, for reasons to be recorded, extend the period of probation in individual cases specifying the date upto which the extension is granted;

Provided that, save in exceptional circumstances, the period of probation shall not be extended beyond one year and in no circumstance beyond two years.

(3) If appears to the appointing authority at any time during or at the end of the period of probation or extended period of probation that a probationer has not made sufficient use of his opportunities or has otherwise failed to give satisfaction, he may be reverted to his substantive post, if any, and if he does not hold a lien on any post, his services may be dispensed with.

(4) A probationer who is reverted or whose services are dispensed with under sub-regulation (3) shall not entitled to a compensation.

(5) The appointing authority may allow continuous service rendered in temporary or officiating capacity in a post included in the cadre or any other equivalent or higher post to be taken into account for the purpose of computing the period of probation.

20. Confirmation. —A probationer shall be confirmed in his appointment at the end of the period of probation or the extended period of probation if,

(a) his work and conduct is reported to be satisfactory;

(b) his integrity is certified; and

(c) the appointing authority is satisfied that he is otherwise fit for confirmation.

- 21. Seniority. (1) Except as hereinafter provided, the seniority of persons in any category of posts shall be determined from the, date of .the order of substantive appointment and if two or more persons are appointed together, by the order in which.their names are arranged in the appointment order;

Provided that if the appointment order specifies a particular back date with effect from which a person is substantively appointed, that date will deemed to be the date of issue of the order.

Provided further that, if more than one order of appointment are issued in respect of any one selection the seniority shall be as mentioned in the combined order of appointment issued under clause (3) of Regulation 18.

(2) The seniority *inter se* of persons appointed directly on the result of any one selection, shall be the same as determined by the Selection Committee;

Provided that a candidate recruited directly may lose his seniority if he fails to join without valid reasons when vacancy. is offered to him. The decision of the appointing authority as to the validity of reasons shall be final.

(3) The seniority *inter se* of persOns appointed by promotion shall be the same as it was in the cadre from which they were promoted.

PART - VII PAY ETC.

22. Scales of Pay.—(1) The scales of pay admissible to persons appointed to the various categories of posts in the service, shall be such as may be determined by the board from time to time.

(2) The scales of pay admissible to various categories of posts in the service at the commencement of these regulations are given in the Appendix.

23. Pay during probation.—(1) A person on probation shall be allowed, first increment in the time scale when he has completed one year of satisfactory service and second increment after two years service, when he has completed the probationary period and is also confirmed.

Provided that, if the period of probation is extended on account of failure to give satisfaction such extension shall not count for increment unless the appointing authority directs otherwise.

(2) The pay during probation of a person who was already holding a post under the State Government or the Corporation, shall be regulated by the relevant fundamental rules;

Provided that, if the period of probation is extended on account of failure to give satisfaction, such extension shall not count for increment unless the appointing authority directs otherwise.

24. Criteria for crossing efficiency bar.—(1) No person shall be allowed to cross the efficiency bar unless-

- (i) his work and conduct are found to be satisfactory,
- (ii) he has worked diligently and to the best of his ability, and
- (iii) his integrity is certified.

PART • VIII OTHER PROVISIONS

25. Canvassing.—No recommendations, either written or oral, other than those required under the regulation applicable to the service will be taken into consideration. Any attempt on the part of a candidate to enlist support directly or indirectly for his candidature will disqualify him for appointment.

26. Regulation of other matters. In regard to the matters not specifically covered by these regulations or special orders, persons appointed to the service shall be governed by the rules, regulations and orders in force and issued from time to time by the Board or under its authority.

27. Relaxation from the conditions of service. Where the Board is satisfied that the operation of any regulations regulating the conditions of service of persons appointed to the service causes undue hardship in any particular case, it may, notwithstanding anything contained in the regulations applicable to the case, with the prior approval of the State Government by order dispense with or relax the requirements of that regulation to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner.

28. Saving. Nothing in these regulation shall affect reservations and other concessions required to be provided for the candidates belonging to the Scheduled Castes, Scheduled Tribes and other special categories of persons in accordance with the orders of the Government issued from time to time in this regard.

APPENDIX
(See Regulation 22 (2))

Serial no.	Name of the Posts	Scales of Pay
1.	Chief General Manager (Operations)	Rs. 4100-125-4850-150-5300
2.	General Manager (Operations)	Rs. 3700-125-4700-150-5000
3.	Regional Manager	Rs. 3100-100-3500-125-4750
4.	Assistant Regional Manager (Operations)	Rs.2200-75-2800-EB-100-4000
5.	Chief General Manager (Technical)	Rs. 4100-125-4850-150-5300
6.	General Manager (Technical)	Rs. 3700-125-4700-150-5000
7.	Deputy Chief Mechanical Engineer	Rs. 3100-100-3500-125-4750
8.	Service Manager	Rs. 3100-100-3500-125-4500
9.	Assistant Regional Manager (Technical)	Rs. 2200-75-2800-EB-100-4000
10.	General Manager (Finance)	Rs. 3700-125-4700-150-5000
11.	Deputy Chief Accounts Officer (Audit)	Rs. 3100-100-3500-125-4750
12.	Deputy Chief Accounts Officer (Commercial)	Rs. 3100-100-3500-125-4500
13.	Assistant Regional Manager (Finance)/ Audit Officer	Rs. 2200-75-2800-EB -1004000
14.	Assistant Regional Accounts Officer	Rs. 2000-60-2300-EB-75-3200
15.	Assistant Law Officer	Rs. 2000-60-2300-E13-75-3200
16.	Executive Engineer	Rs. 3100-100-3500-125-4500
17.	Assistant Engineer	Rs. 2200-75-2800-EB- 100-4000

THE UTTAR PRADESH STATE ROAD TRANSPORT CORPORATION OFFICERS SERVICE (GENERAL) REGULATIONS, 1998'

In exercise of the powers conferred by clause (c) of sub-section (2) of Section 45 of The Road Transport Corporation Act, 1950 (Act No. 64 of 1950) and in supersession of all existing regulations and orders, on the subject, the Uttar Pradesh State Road Transport Corporation with the previous sanction of the State Government makes the following regulations regulating the conditions of the service of the officers' appointed to the Uttar -Pradesh State Road Transport Corporation Officers Service.

THE UTTAR PRADESH STATE ROAD TRANSPORT CORPORATION OFFICERS SERVICE (GENERAL) REGULATIONS, 1998

PART I

PRELIMINARY

1. Short title and Commencement.—(1) These regulations may be called the Uttar Pradesh State Road Transport Corporation Officers' Service (General) Regulations, 1998.

(2) They shall come into force at once.

2. Application.—Except as otherwise expressed or implied, these regulations with such amendments or modifications, as may be made by the Board from time to time, shall apply to the officers who stood absorbed or have opted for service under the Corporation and to the officers appointed by the Corporation on or after first day of June, 1972 whether:—

- (a) in a substantive capacity, or
- (b) in an officiating capacity against a regular vacancy, or
- (c) on adhoc basis, or
- (d) in any other capacity whatsoever.

3. Definitions. In these regulations unless there is anything repugnant to the subject or context:-----7

- (a) "Appellate Authority" means the authority specified as appellate authority in the schedule;
- (b) "Authorised Medical Attendant" means the medical attendant or medical attendants authorised by the Board or under the powers delegated in that behalf or *in* the absence of such authorisation, the Chief Medical Officer or his nominee;
- (c) "Average Pay" except as otherwise provided means the average monthly pay earned during the ten complete months immediately preceding the month in which the event which necessitates the calculation of average pay occurs;
- (d) "Board" means the Board of Directors of the Corporation;
- (e) "Competent Authority" means the authority specified as competent authority in the Schedule;
- (f) "Disciplinary Authority" means the authority specified as Disciplinary authority in the Schedule and competent to impose any of the penalties specified in regulations;

- (g) "Duty includes,
 - (i) service as a probationer;
 - (ii) joining time on transfer; and
 - (iii) any "Period" declared as duty by the competent authority;
- (h) "Enquiry Officer" means an officer so appointed by the Competent Authority to conduct . an inquiry in relation to an act of Commission and/or omission by an officer;
- (o) "Family" in relation to an officer means and includes single spouse, legally adopted and legitimate children, step-children, parents, unmarried or widowed legally descended sisters or brothers wholly dependant on him;
- (j) "Government" means the State Government of Uttar Pradesh;
- (k) "Head-Office" means the Registered office of the CorpOratiOil;
- (l) "Managing Director" means the Managing Director of the Corporation and includes any person for the time being holding the charge of the post of the Managing Director;
- (m) "*Month*" means a complete calendar month irrespective of the number of days;
- (n) "Pay" means amount drawn monthly by an officer as
 - (i) basic any sanctioned for the post;
 - (ii) special pay or personal pay;
 - (iii) any other emoluments which may be specially classed as pay by the Board. It does not include dearness allowance, travelling allowance and other allowances ;
- (o) "Personal Pay" means additional remuneration to an officer
 - (i) to save him from any loss of substantive pay in respect of a post other than a temporary post, due to revision of pay or to any reduction of such pay otherwise than as a disciplinary measure; or
 - (ii) in exceptional circumstances on other personal considerations;
- (p) "Probationer" means an officer, who is provisionally employed as fill a vacancy or promoted to any post in the Corporation and is on probation or has not completed the specified period of probation or extended period of probation, as the case may be, and is not issued with a written order of the competent authority for successful completion of the probation;
- (q) "Service" means service in the Corporation;
- (r) "Special Pay" means an addition, of the nature of pay, to the emoluments of a post or of an officer granted by the Board in consideration of,—
 - (i) the arduous nature of the duties, or
 - (ii) a specific addition to the work or responsibility;
- (s) "Schedule" means the Schedule appended to these regulations;
- (t) "Superannuation" in relation to an officer, means the attainment by him of such age as has been fixed, in the regulations, or by the order of the Board, as the ages on the attainment of which the officer shall vacate to the employment;

Vti. Amendment to these regulations.—(1) Any amendment by way of addition, alteration or omission in these regulations shall be made only under the authority of a resolution of the Board and shall be notified to the officers either by circulation or in any other manner decided by the Board.

(2) Any irregularity or accidental omission in notifying an amendment in these regulations shall, however, not invalidate such amendment.

5. Power to relax.—Where the Board is satisfied that the operation of any regulation causes undue hardship in any particular case, it may with the previous sanction of the Government, notwithstanding anything contained in regulations applicable to the case by resolution, dispense with or relax the requirement of that regulation to such extent and subject to such conditions as it may considers necessary for dealing with the case in a just and equitable manner consistent or commensurate with the interest of the Corporation.

6. Interpretation and implementation.--(1) The power to interpret the regulation vests in the Managing Director who may issue such administrative instructions as may be necessary to give effect to and carry out the purpose of the provisions of these regulations.

(2) If any officer feels aggrieved in regard to the interpretation or implementation of any of these regulations he shall have a right to appeal to the Board whose decision thereon shall be final and binding on all concerned.

(3) The Board or the Managing Director, under proper authority from the Board, may delegate any of his powers for the issue of such administrative instructions to an officer or a committee of officers of the Corporation as he may, from time to time, specify.

PART II

PAY, ALLOWANCES AND OTHER SERVICE CONDITIONS

7. Pay on recruitment.—(1) An officer directly recruited shall to paid pay and allowances applicable to the post, provided that in deserving cases, a higher starting pay may be allowed by the Board or by the authority empowered in this behalf.

(2) Unless the Board otherwise prescribes the fixation of pay is to be carried out in the cases of promotion, keeping in view the relevant Government rules contained in Financial Hand Book Vol. 2 Part II to IV on the subject.

8. Fixation of pay on deputation and on contract.—(1) In case of an officer recruited from the Government service or from other services on deputation, the terms and conditions shall be as agreed between the Corporation and the lending employer.

(2) In case of an officer employed on contract, the fixation of pay will be in accordance with the conditions of contract between the Corporation and the officer concerned.

9. Annual Increment.—(1) (a) An annual increment may be allowed to an officer in accordance with the provisions of sub-regulation (2) at the rate as shown in the scales of pay admissible Co the officer concerned unless the increment has been withheld as a disciplinary measure or at the Efficiency Bar.

(b) All the officers will be granted increment on the first day of the month in which the increment falls due.

(c) If probation is extended, such extension will not count for *increment*, unless the Appointing Authority directs otherwise.

(d) An officer who has remained off duty on extraordinary leave, study leave or any other such similar leave, the date of increment shall correspondingly be shifted and the period of such leave shall not be counted for the purposes of increment. An officer who officiates in a higher post or in a higher time scale of pay shall be eligible to count for increments the period spent by him on such higher post or higher time scale of pay in his lower post when reverted to that post or time scale of pay.

(2) To reward an officer for excellent performance and in order to motivate him for continuous excellent performance, the Board may grant premature incrmnts subject to a maximum of three to an officer in the time sdale of pay.

10. Dearness Allowances. The Board may decide from time to time the rate and amount of dearness allowance that may be admissible to the different classes and categories of officers subject to the guidelines or directives issued by the Government from time to time. They may also prescribe the terms and conditions relating to the grant of such allowance.

11. Other Allowances.--The Board may decide and regulate the grant of other allowances and amenities namely, City Compensatory Allowance, House Rent Allowance, Conveyance Allowance; Medical Facilities. This list is only illustrative and a mention in these regulations does not entitle an officer to the grant of these allowances unless granted by the Board. At the time of granting such allowances the Board shall be guided by the guidelines or directives issued by the Government from time to time.

12. Working Hours. The officers shall observe the working hours as may be prescribed from time to time by the Managing Director or by any other competent authority authorised by him.

13. Holidays. The holidays to be observed by the officers of the Corporation in each calendar year shall be such as may be prescribed by the Managing Director.

14. Transfers. An officer may be posted or transferred to any place in India. When an officer is transferred or promoted from one post or the other involving a change of headquarters, he will be entitled to such joining time, transfer allowances or other allowances as may be determined by the Board from time to time and until so determined, the rules and regulations applicable to similar classes of Government employees shall be applicable.

Provided that the Board may, in special circumstances relax the provisions of this regulation and permit such other allowances as it may consider necessary in any particular case.

15. Tours. An officer may be sent on tour in the course of his official duties anywhere in India by the Competent Authority.

16. Gratuity. The payment of Gratuity shall be regulated by the decisions of the Board taken from time to time subject to the directions or guidelines issued by the Government.

17. Superannuation/Retirement Benefits. —The Board may decide as to the type of provident fund to be established for the welfare of the officers, namely, Contributory Provident Fund, Employees Provident Fund and Family Pension Scheme or General Provident Fund and/or Family Pension Scheme. The officer's contribution, the employer's contribution, the method of deduction, regulations regarding withdrawal shall be such as may be provided in the specific regulations prepared and approved by the Board for the establishment and operation of such provident fund schemes.

18. Scope of Service.—(1) Unless otherwise distinctly provided the whole time of an officer shall be at the disposal of the Corporation and he shall serve the Corporation in such capacity and at such places as he may be directed from time to time.

(2) Rules, regulations and instructions of the Corporation and all arrangements, systems, methods and procedures in force and those promulgated by the Corporation from time to time for the purposes of regulating work, safety, discipline, cleanliness, good conduct, avoidance of waste of time, materials and money shall be binding and shall be observed by the officer. He shall comply with and obey all orders and directions that may, from time to time, be given to him by any person under whose control or superintendence he is working for the time being.

(3) An officer shall serve the Corporation honestly and faithfully, and shall do his utmost to promote the interests of the Corporation and shall show courtesy,

attention and diligence in all transactions with any and every person with whom he may come into contact in his official capacity.

19. Attendance.—An officer shall comply with instructions from time to time relating to the recording of time and arrival for work and departure from the place of work, period of duty, hours of work which will be noted in the register kept therefore.

20. Absence from Station.— No officer shall leave the station of duty without obtaining prior permission from the competent authority.

21. Application for employment elsewhere. An officer seeking employment elsewhere outside the Corporation shall not send his application except through the Corporation. The Corporation reserves the right to withhold any such application without assigning any reason therefor.

22. Publication of written articles. —Subject to his legal rights, no officer shall publish or cause to be published an article written by him on any matter whatsoever in any newspaper, journal or other publication without the written permission of the competent authority. Such permission shall, however, not be necessary for the publication of articles which have no bearing on the affairs of the Corporation and which do not directly or indirectly affect the interests of the Corporation in any manner whatsoever.

23. Travel Concessions.--(1) An officer shall be given free passes to travel in the corporation's buses in the city area only from his residence to the place of work and *vice versa*. Passenger Tax shall be borne by the officer.

(2) An officer shall enjoy the privilege of the two free family passes and three Privileged Ticket Order family passes during a calender year but one third of bus fare and passenger tax shall be borne by the officer to the extent and subject to the conditions prescribed by the Corporation.

24. Officers to be Public Servant.—All officers of the Corporation shall be deemed to be Public Servants within the meaning of Section 21 of Indian Penal Code.

25. Effect of Enforcement of these regulations. (1) These regulations shall apply to all the officers of the Corporation who are in the service of the Corporation on the date of the commencement of these regulations and to those who join the said service after such commencement.

(2) The officers who are in *the* service of the Corporation shall give an undertaking within a month from the date of the commencement of these regulations that they have read and understood the regulations and accept the same. On refusal to accept these regulations, the Appointing Authority may consider termination of their employment on the basis of the terms and conditions of the employment. All the officers who join the said service after such commencement shall be required to give the said undertaking before joining the scrvic in the Corporation.

26. Restriction on Delegation by Board. The Board shall not delegate its powers in respect of grant of special pay, personal pay or premature increments to any other officer or authority.

27. Delegation by Board.—Except as herein specifically provided, these regulations are subject to delegations of powers sanctioned by the Board from time to time.

PART III

LEAVE

28. Right of Leave.—Leave cannot be claimed as of right. When the exigencies of the service so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it.

29. Earning of Leave. Leave is earned by duty only. Wilful absence from duty after the expiry of leave may be treated as misconduct.

30. Leave sanctioning Authority.--Except as otherwise expressly provided leave other than leave extending beyond the date of retirement may be granted by such authorities of the Corporation as the Board may specify.

31. Commencement and Termination of Leave.—Leave ordinarily begins on the day on which transfer of charge is effected and ends with the day preceding the day on which the charge is resumed. Sunday or other recognised holidays may be prefixed *or* suffixed to leave or joining time subject to such conditions and under such circumstances as the Board may by order direct.

32. Combination of Leave.—Except as otherwise provided under these regulations, any kind of leave under these regulations may be granted in continuation of or in combination with any other kind of leave.

33. Employment during the leave.--An officer on leave shall not take up any service or accept any employment without obtaining the previous sanction of the Competent Authority.

34. Recall from Leave.—(1) All orders recalling an officer to duty before the expiry of his leave should state whether to return to duty is optional or compulsory.

(2) If it is compulsory he is entitled to be treated as on-duty from the date on which he starts for the station to which he is ordered and to draw traveling allowance under regulations made in this behalf by the Board for the journey, but until he joins his post he shall draw leave salary only.

35. Return on duty on expiry of Leave.—Unless he is permitted to do so by the authority which granted his leave, an officer on leave may not return to duty before the expiry of the period of leave granted to him.

36. Casual Leave. An officer shall be entitled to casual leave not exceeding 14 days in a calendar year and not more than 3 days at any one time, provided that, if an officer joins the service of the Corporation during the currency of the calendar year, the sanctioning authority may, at its discretion, grant casual leave proportionately.

37. Combination of Casual Leave with any other Leave prohibited.—Casual Leave will not be combined with any other leave and shall lapse with the close of the calendar year.

38. Earned Leave.—The rate of earned leave by an officer during his span of service, the maximum amount that can be accumulated before further accumulation starts lapsing, the amount of leave that could be granted to an officer at a time shall all be similar to the relevant rules and regulations applicable to the Government Officers. However, in specific cases, where the Board decides to modify these regulations, it may do so with the prior approval of the Government. Officers on deputation and officers on contract shall also be governed by the prevalent leave regulations in the Corporations unless provided otherwise at the time of their appointment or deputation.

39. Leave on half average pay on Private Affairs. An officer to whom these regulations apply may also be granted leave on private affairs not exceeding three hundred and sixty five days in all during his entire service and shall not, on any one occasion be granted for more than ninety days:

Provided that no leave may be granted under this regulation unless the authority competent to sanction leave has reason to believe that the officer will return to duty on expiry.

40. Extraordinary Leave.--(1) When no other leave is admissible under these regulations, extraordinary leave, calculated at the rate of 15 days for each completed year of service, ordinarily not exceeding 120 days on any one occasion and not

exceeding 365 days during the entire period of his service may be granted to an officer.

(2) Authority which has power to sanction leave may grant extraordinary leave under this regulation in combination with, or in continuation of any leave that is admissible and may commute retrospectively the period of absence without leave into extraordinary leave.

(3) Where an officer to whom this regulation applies, fails to resume duty on the expiry of the maximum period of extraordinary leave granted to him under this regulation or where such an officer is granted a lesser period of extraordinary leave than the maximum period admissible remains absent from duty for any period which, together with extraordinary leave granted, exceeds the limit up to which he could have been granted such leave under this regulation, he shall, unless the competent authority in view of the exceptional circumstances of the case decides otherwise, be deemed to have resigned his appointment and shall accordingly, cease to be in Corporation's employment.

Provided that in all cases where, it is proposed to consider the services of an officer to have ceased under sub-regulation (3), the Competent Authority shall give a notice in writing to that effect to the said officer.

41. Leave on Medical Certificate.—(1) An officer to whom these regulations apply may be granted leave on medical certificate not exceeding twelve months in all during his entire service. Such leave shall be given only on production of a certificate from such authorised medical attendant as the Board may, by general or special order, specify in this behalf. Such leave shall be granted for a period not exceeding that recommended by such authorised medical attendant.

Provided that subject to Government orders in this regard when the maximum period of twelve months is exhausted further leave on medical certificate not exceeding six months in all during entire service may be granted in exceptional cases on the recommendations of a Medical Board, constituted for the purpose by the Managing Director.

(2) No leave may be granted under this regulation unless the authority competent to sanction leave is satisfied that there is a reasonable probability, that the officer will be fit to return to duty on the expiry of the leave applied for.

(3) No officer who has been granted leave on medical certificate may return on duty without first producing the medical certificate for fitness in such form as the Board may specify in this behalf.

42. Special Leave.—Special Leave shall be admissible to an officer who has to undergo treatment for Tuberculosis or Cancer or any other such disease, provided that the application for such special leave is supported by a certificate from a qualified specialist and the officer does not have to his credit any other leave. The sanction of special leave, regulation of pay and allowances during the period of special leave shall, however, be decided by the Board in each case.

43. Maternity Leave.—(A) Maternity leave on full pay which a female officer may be drawing on the date of proceeding on such leave, may be granted to her by the Competent Authority for a period which may extend—

- (a) in case of confinement, up to the end of three months, from the date of commencement of the leave.
- (b) in case of miscarriage, including abortion up to a total period of six weeks on each occasion, provided that the application for leave is supported by a certificate from the authorised medical attendant:

Provided that such leave shall not be granted for more than two children alive during the entire service, including temporary service:

Provided further that no such leave shall be admissible until a period of at least two years has elapsed from the date of expiry of the last maternity leave granted under this regulation.

(B) Maternity leave shall not be debited against the leave account and may be combined with leave of any other kind.

Note.—(1) Regular leave in continuation of maternity leave may also be granted in case of illness of newly born baby, subject to the female officer producing a medical certificate from the Authorised Medical Attendant to the effect that the ailing baby warrants the mother's personal attention and that her presence at the baby's side is absolutely necessary.

(2) In the case of temporary officer the leave granted under this regulation shall not extend beyond the period the appointment is likely to last.

44. Study Leave. Study leave may be granted, by the Board to an officer for the purpose of undertaking studies of a scientific, tech'nical or of a specialised nature in or outside India, where the Board is satisfied that it would be in the interest of the Corporation to do so. An officer granted 'Study Leave' by the Board, shall have to execute a Board in Appendix 'A' for serving the Corporation on his return from leave.

45. Leave Salary.—(1) Except as otherwise provided in these regulations an officer, who is on leave shall during the leave, draw leave salary as mentioned in sub-regulation (2), (3) and (4).

(2) If an officer proceeds on earned leave, or on leave on medical certificate against the limit of twelve months laid down in Regulation 41, he shall subject to sub-regulation (3), be entitled to leave salary equal to pay or the substantive pay to which the officer is entitled immediately before the commencement of the leave, whichever is greater.

(3) If an officer proceeds on leave on private affairs or on leave on medical certificate under proviso to sub-regulation (1) of Regulation 41, he shall be entitled to leave salary equal to half the amount specified in sub-regulation (2) subject to a maximum of Rs. 750 per month.

Provided that the limit of Rs. 750 shall not apply if the leave is for pursuing an approved course of study otherwise than or study leave terms.

(4) If he proceeds on extraordinary leave he shall not be entitled to any leave salary.

Obligation to furnish address during leave.—Every officer shall before proceeding on leave, intimate to the authority granting the leave the address during the period of leave and any change in the address during the leave shall also be intimated likewise to the said authority.

47. Power to remove difficulties.—(1) If any difficulty arises in giving effect to the provisions of these regulations, the Board may, by a general or special order, do any thing not inconsistent with the provisions of the rules contained in the Financial Hand Book Volume-II to IV which appears to it to be necessary or expedient for the purpose of removing the difficulty.

(2) In particular, and without prejudice to the generality of the forgoing powers, any such order may provide for the adaptation or modification of these regulations.

48. Disability Leave.—(1) An officer who is disabled due to injury by accident in the discharge of his duty, and the disability manifests itself within three months of the occurrence to which it is attributed, will be granted leave of the type due to him for the period of his forced absence as may be certified by the authorised medical attendant, and will be paid the leave salary payable under these regulations.

(2) If the disability is to exceptional in character or the circumstances of its occurrence are such as to justify prolonged or unusual treatment the officer may, with the sanction of the Managing Director, be granted special disability leave on full pay for a period, not more than four months at a time. This leave will not be debited to the officer's leave account and may be combined with any other kind of leave except casual leave.

(3) The period of special disability leave should be certified by a Medical Board to be constituted by the Managing Director.

(4) Special disability leave will be treated as duty for all purposes and will not be sanctioned till all other leave admissible with leave salary has been exhausted.

(5) Not more than 12 months special disability leave shall be sanctioned during the officers entire period of service.

PART IV CONDUCT

49. General.—Every officer shall at all times:

- (i) maintain absolute integrity;
- (ii) maintain devotion to duty;
- (iii) conduct himself in Accordance with the specified or implied, orders of the corporation, applicable to him regulating behaviour and conduct;
- (iv) maintain the strictest secrecy regarding the affairs of Corporation;
- (v) conduct himself in accordance with the specific or implied orders of the Corporation regulating behaviour and conduct which may be enforced.

50. Misconducts.—Without prejudice to the generality of the term "misconduct", the following acts or omission and commission shall be treated as misconduct namely:—

- (1) Theft, fraud or dishonesty in connection with the business or property of the Corporation or of property of another person within the premises of the Corporation;
- (2) Taking or giving bribes or any illegal gratification;
- (3) Possession of pecuniary resources or property disproportionate to the known sources of income by the officer or on his behalf by another person, which the officer cannot satisfactorily account for;
- (4) Furnishing false information regarding name, age, fathers' name, qualification, ability or previous service or any other matter germane to the employment at the time of employment or during the course of employment;
- (5) Acting in a manner prejudicial to the interests of the Corporation;
- (6) Wilful insubordination or disobedience, whether or not in combination with others, of any lawful and reasonable order of his superior;
- (7) Absence without leave or over-staying the sanctioned leave for more than four consecutive days without sufficient grounds or proper or satisfactory explanation;
- (8) Habitual late coming or irregular attendance;
- (9) Neglect of work or negligence in the performance of duty including malingering or slowing down of work;
- (10) Damage to any property of the Corporation;
- (11) Interference or tampering with any safety devices installed in or about the premises of the Corporation;
- (12) Drunkenness or riotous, disorderly or indecent behaviour in the premises of the Corporation or outside such premises;
- (13) Gambling within the premises of the establishment or at any public place;
- (14) Smoking within the premises of the establishment where it is prohibited;
- (15) Collection without the permission of the competent authority, of any money within the premises of the Corporation except as sanctioned by the law of the land for the time being in force or rules of the Corporation;

- (16) Sleeping while on duty;
- (17) Commission of any act which amounts to a criminal offence involving moral turpitude;
- (18) Absence from the appointed place of work without permission or sufficient cause;
- (19) Purchasing properties, machinery, stores, from or selling properties, machinery, stores, to the Corporation . without express permission in writing from the competent authority;
- (20) Commission of any act subversive of discipline or of good behaviour;
- (21) Abetment or attempt at abetment of any act which amounts to misconduct;
- (22) Going on strike;
- (23) Possession of unauthorised weapons.

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

51. Employment of near relatives of the officer of the Corporation in private undertakings enjoying patronage of the Corporation.—(1) No officer shall use his position or influence, directly or indirectly to secure employment for any person related, whether by blood or marriage, or to his wife, or her husband whether such a person is dependent on the officer or not.

(2) No officer in the pay scale, the minimum of which is Rs. 2000/- per month or more, shall except with the previous sanction of the Corporation, permit any member of his family, to accept employment with any private firm with which he has dealings in connection with the business of the Corporation or with any other firm having business dealing with the Corporation:

Provided that where the acceptance of the employment cannot await the prior permission of the Corporation, or is otherwise considered urgent the matter shall be reported to the Corporation and the employment may be accepted provisionally subject to the permission of the Corporation.

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

27 (4) No Corporation officer shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his services.

52. Taking part in demonstrations/strikes.—(1) No officer shall engage himself or participate in any demonstration which is pre-judicial to the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign states, public order, decency or morality, or which involves contempt of court, defamation or incitement to an offence, or;

(2) No officer shall resort to, or in any way abet any form of strike in connection with any matter pertaining to his service or the service of any other government servant.

53. Joining of Association by the officers. No officer shall join, or continue to be a member of an association, the objects or activities of which are pre-judicial to the interest of the sovereignty and integrity of India or public order or morality.

54. Taking part in politics and elections. (a) Except in so far as may otherwise be specifically authorised by any law, no officer shall be a member of or be otherwise associated with, any political party or any organisation which takes part

in politics nor shall he take part in, subscribe in aid of, or assists in any other manner, any political movement or activity.

(b) It shall be the duty of every officer to endeavour to prevent any member of his family from taking part in subscribing in aid of or assisting in an other manner any movement or activity which is, or tends directly or indirectly to be, subversive of the Government as by law established and *where* an officer is unable to prevent member of his family from taking part in or subscribing in aid or as sisting in any other manner any such movement or activity, he shall take a report is) effif.:1 II the Corporation.

Explanation.—*If any* • question arises whether a party is party 01 whether any organisation takes part in politics or whether any movement oz activity falls within the scope of sub-regulation (b) the decision of the Managing Director thereon shall be final.

(c) No officer shall convass or otherwise interfere with, or use his influence in connection with or take part in, an election to any legislature or local authority:

Provided that,—

- (1) an officer qualified to vote at such election may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted;
- (ii) an officer shall not be deemed to have contravened the provisions of this sub-regulation by reasons only that he assists in the conduct of an election in the due performance of a duty imposed on him by or under any law for the time being in force.

Explanation. The display by an officer on his person, vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election within the meaning of this sub-regulation.

55. Connection with Press, TV, or Radio.—(1) No officer shall, except with the previous sanction of the competent authority, own, wholly or in part, or conduct or participate in the editing or management of, any newspaper or other periodical publication.

(2) No officer shall except with the previous sanction of the competent authority, or in the bonafide discharge of his duties, participate in ; radio broadcast or contribute any article or write any letter either in his own name or anonymously, pseudonymously or in the name of any other person to any newspaper or periodical:

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

56. Criticism of government or the Corporation.—No officer shall, in any radio broadcast or in any document published under his name or in the name of any other person or in any communication to the press, or in any public utterances make any statement—

- (a) which has the effect of adverse criticism of any policy or action of the central or State Governments, or of the Corporation;
- (b) which is capable of embarrassing the relations between the Corporation and the State Government, Central Government, any other Corporation or between the Central Government and the Government of any foreign State, or between the any other Corporation :

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

57. Evidence before committee or any other authority.—(1) Save as provide in sub-regulation (3), no officer shall except with the previous sanction of the

competent authority give evidence in connection with any inquiry conducted by any person.

(2) Where any sanction has been accorded under sub-regulation (1) no officer giving such evidence shall criticise the policy or any action of the Central Government or of a State Government, or of the Corporation.

(3) Nothing in this regulation shall apply to:

- (a) evidence given at any enquiry before an authority' appointed by the Government, Parliament or a State Legislature or any Corporation.
- (b) evidence' given in any judicial enquiry; or
- (c) evidence given at any departmental enquiry ordered by authorities subordinate to the Government or Corporation.

58. Unauthorised Communication of Information.-—No officer shall, except in accordance with any general or special order of • the Corporation or in the performance in good faith of the duties assigned to him, communicate directly or indirectly, any official document or any part thereof information to any officer or other employee, or any other person to whom he is not authorised to communicate such document or information save as otherwise permitted.

59. Gift. () An officer shall not without previous approval of the competent authority

- (a) accept directly or indirectly on his own behalf or on behalf of any other person.
- (b) permit any member of his family who is dependent on him, to accept any gift or reward;

Provided that an officer may accept or permit a member of his family to accept from personal friend, having no official dealings with him, or from a close relative a wedding present or a present on a ceremonial occasion but he shall report to the competent authority if the value exceeds Rupees one thousand.

Explanation. —The expression 'gift' shall include free transport, lodging or any other service of pecuniary advantage then provided by any other person other than near relative or a personal friend having no official dealings with the employee but does not include small presents in nature of souvenir mementos and the like of small value from any person or firm but the aggregate value of such present from any person or firm in any year shall not exceed Rs. 250/ - .

(2) An officer shall not accept lavish or frequent hospitality from any individual or firm, having official dealings with him.

60. Public demonstration in honour of Corporations' Officer.—No officer shall, except with the previous sanction of the Corporation, receive any complementary or valedictory address, or accept any testimonial or attend any meeting or entertainment held in his honour or in the honour of any other officer or employee;

Provided that nothing in this regulation shall apply to:

- (a) a farewell entertainment of a substantially private and informal character held in honour of an officer or any other employee on the occasion of his retirement or transfer or any person who has recently quitted the services of the Corporation; or
- (b) the acceptance of simple and inexpensive entertainments arranged by public bodies or institutions.

61. Private trade or employment.—(1) No officer of the Corporation shall except with the previous sanction of the competent authority, engage directly or indirectly in any trade or business or undertake any other employment;

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

that he informs the competent authority within one month of his undertaking such a work; but he shall not undertake or discontinue such work if so directed by the competent authority.

(2) Every officer shall report to the competent authority if any member of his family is engaged in a trade or business or owns or manages, an insurance agency or commission agency.

(3) Except in the discharge of his official duties no officer shall, without the previous sanction of the competent authority, take part in the registration, promotion or management of any bank or other company which is required to be registered under the Companies Act, 1956 or Any other law for the time being in force or any co-operative society or commercial society for commercial purposes:

Provided that an officer may take part in the registration, promotion or management of a consumer or House Building Co-operative Society substantially for the benefit of employees of the Corporation, registered under the Co-operative Societies Act, 1912 or any other law for the time being in force or of a literary, scientific or charitable society registered under the Societies Registration Act, 1860, or any other law for the time being in force.

(4) No officer may accept any fee or any pecuniary advantage for any work done by him for any public body or any private person without the sanction of the competent authority.

62. Insurance Business.—An officer shall not permit his wife or any other relative who is either wholly dependent on him or is residing with him, to act as an insurance agent in the same district in which he is posted.

63. Investment and Borrowing.—No officer shall, save in the ordinary course of business with a bank, the Life Insurance Corporation or a firm standing, borrow money or lend money from or otherwise place himself under pecuniary obligation to any person with whom he has or is likely to have official dealings or permit any such borrowing, lending or pecuniary obligation in his name or for his benefit or for the benefit of any member of his family.

64. Speculation.—No officer shall speculate in any investment.

Explanation. The habitual purchase or sale of securities of a notoriously fluctuating value shall be deemed to be speculation in investments, within the meaning of this regulation.

65. Insolvency and habitual indebtedness. (1) An officer shall avoid habitual indebtedness unless he proves that such indebtedness or insolvency is the result of circumstances beyond his control and does not proceed from extravagance or dissipation.

(2) An officer who applies to be or is adjudged or declared insolvent shall forthwith report the fact to his competent authority.

66. Movable, Immovable and Valuable Property. (1) No officer shall, except with the previous knowledge of the competent authority, acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise, either in his own name or in the name of any member of his family.

(2) No officer shall except with the previous sanction of the competent authority, enter into any transaction concerning any immovable or movable property with a person or a firm having official dealings with the officer or his subordinates.

(3) Every officer shall report to the Corporation acquisition of a property of the value of Rs. 10,000/- or above in any one transaction in the form prescribed in Appendix-B. Acquisition of any immovable property irrespective of value will be reported to the Corporation. This includes *benarni* transactions.

(4) Every officer shall on first appointment in the Corporation, submit a return of assets and liabilities in the prescribed form giving the particulars regarding:—

- (a) *the* immovable property inherited by him or owned or acquired by him, held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other person;
- (b) Shares, debentures, and cash including bank deposits inherited by him or similarly owned, acquired, or held by him; •
- (c) Other movable property inherited by him or similarly owned, acquired or held by him if the value of such property exceeds Rs. 10,000/- ;
- (d) Debts and other liabilities incurred by him directly or indirectly;
- (e) Every officer shall, beginning first January submit a return of immovable property inherited, owned or acquired once in every year.

(5) the competent authority may, at any time, by general or special order require an officer to submit, within a period specified in the order, a full and complete statement of movable or immovable property held or acquired by him or on his behalf or by any member of his family as may be specified in the order. Such statement shall, if not acquired by the competent authority, include details of the means by which, or the source from which such property was acquired.

67. Convassing of non-official or other influence.—No officer shall bring or attempt to bring any outside influence to bear upon any superior authority to further his interests in respect of matter pertaining to his service in the Corporation.

68. Bigamy marriages.—(1) No officer shall enter into, or contract, a marriage with a person having a spouse living and no officer having a spouse living shall enter into, or contract, a marriage with any person;

Provided that the Board may if satisfied that there are special grounds for doing so permit an officer to enter into, or contract, such marriage.

69. Consumption to Toxicating drinks and drugs.—Every officer shall

- (a) Strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being;
- (b) not attend to his duty after taking intoxicating drink or drug and shall take due care that the performance of his duties at any time is not affected in any way by the influence of such drink or drug;
- (c) not appear in a public place in a state of intoxication.

70. Guardianship of minors.—An officer may not, without the previous sanction of the appropriate authority, act as a legal guardian of the person or property of a minor other than his dependent.

Explanation.—A dependent, for the purpose of this regulation, means an officer's wife, children and step-children and children's children and shall also include his parents, sister, brother, brother's children and sister's children if residing with him and wholly dependent upon him.

71. Dowry.—No officer shall

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

Explanation.—For the purposes of this regulation the expression "Dowry" has the same meaning as in the Dowry Prohibition Act, 1961 and of the definition of "Dowry" in the act said is given in Appendix in the Act. "Dowry" means any property or valuable security given or agreed to be given either directly or indirectly:—

- (i) by one party to a marriage to the other party to the marriage; or
- (ii) by the parents of either party to a marriage or by any other person to either party to the marriage or to any other person;

at or before or after the marriage as consideration for the marriage of the said parties, but does not include dower or mehar in the case of persons to whom the Muslim Personal Law (Shariat) applies.

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

Explanation -II—the expression "Valuable Security" has the same meaning as in Section 30 of Indian Penal code.

72. Vindication of Adg and Character of Officers. No officer shall except with the previous sanction of the Corporation, have recourse to any court, press or other medium for the vindication of any official act which has been the subject matter of adverse criticism or an attack of defamatory character.

Explanation. Nothing in this regulation, shall be deemed to prohibit an officer from vindication of his private character or any act done by him in his private capacity and where any action for vindicating his private character or any act done by him in private capacity is taken, the officer shall submit a report to the Corporation regarding such action.

73. Unauthorised Pecuniary Arrangements. No officer shall enter into any pecuniary arrangement with another government or corporation servant or any other person so as to afford any kind of advantage to either or both of them in any unauthorised manner or against the specific or implied provisions of any rule for the time being in force.

74. Law of Land. All officer shall observe law of the land and violations thereof shall be treated as misconduct.

75. Proper use of Amenities. No officer shall misuse, or carelessly use, amenities provided for him by the Corporation to facilitate the discharge of his public duties.

Illustration. Among the amenities provided to officer are car, telephones, residence, furniture, orderlies, article of stationery, etc.

Instances of misuse or careless use of these are

- (i) Employment of official cars at corporations' expense by members of the family of the officer or his guests or for other non-corporation work;
- (ii) Making telephone trunk calls at corporation expenses on matters not connected with official work.
- (iii) Neglect of official residences and failure to maintain them property; and
- (iv) Use of Corporation stationery for non-official work.

76. Use of conveyances belonging to others.—No officer shall, except in exceptional circumstances use a conveyance belonging to a private person or to an officer or employee who is subordinate to him.

77. Purchases through subordinates. —No officer shall himself ask or permit his wife, or any other member of his family living with him to ask any corporation employee who is sub-ordinate to him to make purchases, locally or from outstation, on behalf of him, his wife or other member of his family, whether on advance payment or otherwise:

Provided that this regulation shall not apply to the purchases which the inferior staff attached to the officer may be required to make.

PART V

DISCIPLINE AND APPEAL

78. Suspension.—(1) An officer—

- (0) against whose conduct a departmental enquiry is contemplated or is pending;

- (ii) in respect- of, or against, whom an investigation, enquiry or trial relating to criminal charge is pending; may be placed under suspension by the appointing authority or by an authority empowered in this behalf by the Board by a general or special order.

(2) An officer who is detained in custody, whether on criminal charge or otherwise, for a period exceeding 4,8 hours shall be deemed to have been suspended with effect from the date of detention, by an order of the appointing authority, and shall remain under suspension until further orders.

(3) Where a penalty of dismissal or removal from service imposed upon an officer under suspension is set aside on appeal or on review under these regulations and the case is remitted for further inquiry or action or with any other directions, the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal or removal and shall remain in force until further orders.

(4) where a penalty of dismissal or removal from service imposed upon an officer is set aside or declared or rendered void in consequence of or by a decision of a Court of Law and the disciplinary authority on consideration of the circumstances of the cases, decides to hold a further inquiry against him on the allegations on which the penalty of dismissal or removal was originally imposed, the officer shall be deemed to have been placed under suspension by the appointing authority from the date of the original order of dismissal or removal and shall continue to remain under suspension until further orders.

(5) An order of suspension made or deemed to have been made under this regulations may at any time be revoked by the authority which made or is deemed to have made the order or by any authority to which that authority is subordinate.

79. Subsistence Allowance. (1) An officer under suspension or deemed to have been placed suspension shall be entitled to a subsistence allowance equal to fifty per cent of his basic pay. In addition he shall be entitled to dearness allowance admissible on such subsistence allowance and any other compensatory allowance of which he was in receipt on the date of suspension provided the suspending authority is satisfied that the officer continues to meet the expenditure for which the allowance was granted.

(2) Where the period of suspension exceeds 90 days, the authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first 90 days as follows :

- (i) The amount of subsistence allowance may be increased to 75 per cent of basic pay and allowances thereon if, in the opinion of the said authority, the period of suspension has been prolonged for reasons to be recorded in writing not directly attributable to the officer under suspension;
- (ii) The amount of subsistence allowance may be reduced to 25 per cent of basic pay and allowances thereon if in the opinion of the said authority, the period of suspension has been prolonged due to the reasons to be recorded in writing, directly attributable to the officer under suspension.

(3) No payment under sub-regulations. (1) or (2) shall be made unless the officer furnishes a certificate that he is not engaged in any other employment, business, profession or vocation ;

Provided that an officer who fails to produce such a certificate for any period or periods or where the authority, referred to in Regulation 78, is satisfied that the officer was engaged in any other employment business, profession or vocation, he shall be entitled to subsistence allowance and other allowances equal to the amount by which earnings fall short of the amount of substance allowance and other allowances that would otherwise be admissible to him where the subsistence and

other allowances are equal to or less than the amount earned by him, no amount shall be payable.

80. Pay etc. on reinstatement on revocation of suspension. (1) When the officer under suspension is reinstated, the competent authority may grant to him the following pay and allowances for the period of suspension

- (a) If the officer is fully exonerated, the full pay and allowances which he would • have been entitled to if he had not been suspended, less the subsistence allowance already paid to him and;
- (b) If otherwise, such proportion of pay and allowances as the competent authority may prescribe.

(2) In a case falling under clause (a) of sub-regulation (1) the period of absence from duty will be treated as a period spent on duty. In a case falling under clause (b) of sub-regulation (1) it will not be treated as a period spent on duty unless the competent authority so directs.

(3) Where competent authority is of the opinion that the suspension was wholly unjustified, the officer is to be paid full pay and allowances to which he would have been entitled had he not been suspended :

Provided that where the competent authority is of the opinion that ' the termination of proceedings instituted against the officer had been delayed due to reasons directly attributable to the officer, it may after giving an opportunity to make his representation within sixty days from the date on which the communication in this regard is served on him and after considering the representation, if any, submitted by him, direct, for reasons to be recorded in writing that the officer shall be paid for the period of such delay only such amount, not being the whole, of such pay and allowances as it may determine.

(4) In a case falling under sub-regulation (3) the period of suspension shall be treated as a period spent on duty for all purposes.

(5) The competent authority after giving notice to the officer of the quantum proposed and after considering the representation, if any, submitted by him in that connection within a fixed period which shall not exceed sixty days, from the date on which notice has been served, may order the pay and allowances to be paid to the officer for the period of suspension.

(6) Where suspension is revoked pending finalisation of disciplinary or court proceedings, the competent authority may review on its own motion after the conclusion of such proceeding and pass such orders as it deems fit.

(7) The competent authority, shall pass on conclusion of proceeding, orders for treating the period of suspension to be spent on duty or not, for any specific periods, if necessary :

Provided that such authority may order that such period of suspension shall be converted into leave of any kind due and admissible to the officer.

81. Penalties. ' The following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed upon an officer.

Minor Penalties :

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

Major Penalties :

- (e) Reduction to a lower grade or post, or to a lower stage in a time scale;

- (f) Removal from service which shall not be disqualification for future employment;
- (g) Dismissal.

Explanation.—The following shall not amount to a penalty within the meaning of this regulation :—

- (1) withholding of increment of an officer on account of his work being found unsatisfactory or not being of the required standard, or for failure to pass a prescribed test or examination;
- (2) Stoppage of an officer at the efficiency bar in a time scale, on the ground of his unfitness to cross the bar;
- (3) Non-promotion, whether in an officiating capacity or otherwise, of an officer to a higher post for which he may be eligible but for which he is found unsuitable after consideration of his case;
- (4) Reversion to a lower grade or post of an officer officiating in a higher grade or post, on the ground that he is considered, after trial, to be unsuitable for such higher grade or post, or on administrative grounds unconnected with his conduct;
- (5) Reversion to his previous grade or post of an officer appointed on probation to another grade or post, during or at the end of the period of probation in accordance with the terms of his appointment;
- (6) Termination of service—
 - (a) of an officer appointed on probation, in accordance with the terms of his appointment;
 - (b) of an officer appointed in a temporary capacity otherwise than under a contract or agreement, on the expiration of the period for which he was appointed, or earlier in accordance with the terms of his appointment ;
 - (c) of an officer appointed under a contract of agreement, in accordance with the terms of such contract or agreement; and
 - (d) of any officer on reduction of establishment.

82. Disciplinary Authority. The Disciplinary Authority as specified in the schedule, or any other authority empowered in this behalf by the Board may impose any of the penalties specified in Regulation 81 on any officer.

83. Procedure for imposing major penalties.—(1) No order imposing any of the major penalties specified in clauses (e), (f) and (g) of Regulation 81 shall be made except after a inquiry is held in accordance with the following provisions:

(2) Whenever the disciplinary authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehaviour against an officer, it may itself enquire into, or appoint any officer not junior to that officer, called the inquiring authority, to inquire into the truth thereof.

(3) Where it is proposed to hold an inquiry, disciplinary authority shall frame definite charges on the basis of the allegations against the officer.. The charges, together with a statement of the allegations, on which they are based, a list of documents by which and a list of witnesses by whom, the articles of charge are proposed to be sustained, shall be communicated in writing to the officer, who shall be required to submit within such time as may be specified by the disciplinary authority not exceeding 15 days, a written statement whether he admits or denies any of or all the articles of Charge.

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

(4) On receipt of the written statement of the officer, or if no such statement is received within the time specified, an enquiry may be held by the disciplinary

authority itself, or by any other officer appointed as an inquiring authority under clause (2) :

Provided that it may not be necessary to hold an enquiry in respect of the charges admitted by the officer in his written statement. The disciplinary authority shall however, record its findings on each such charge.

(5) Where the disciplinary authority itself inquires or appoints an inquiring authority for holding an inquiry, it may, by an order appoint an officer to be known as the Presenting Officer' to present on its behalf the case in support of the articles of charge.

(6) The officer may take the assistance of any other officer but may not engage a legal practitioner for the purpose, in case prosecuting officer has been appointed.

(7) On the date fixed by the inquiring authority, the officer shall appear before the inquiring authority at the time, place and date specified in the notice. The inquiring authority shall ask the officer whether he pleads guilty to any of the articles of charge. The inquiring authority shall record the plea, sign the record and obtain the signature of the officer concerned thereon. The inquiring authority shall return a finding of guilt in respect of those articles of charge to which the officer concerned pleads guilty.

(8) If the officer does not plead guilty, the inquiring authority shall adjourn the case to a later date not exceeding thirty days after recording an order that the officer may for the purpose of preparing his defence :—

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

Note.—Relevancy of the additional documents and the witnesses referred to in sub-clause (ii) above vii11 have to be given by the officer concerned and the documents and the witnesses shall be summoned if the inquiring authority is satisfied about their relevance to the charges under inquiry.

(9) The inquiring authority shall ask the authority in whose' custody or possession the documents are kept for the production of the documents on such date as may be specified.

(10) The authority in whose custody or possession the requisitioned documents are, shall arrange to produce the same before the inquiring authority on the date, place and time specified in the requisition;

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

(11) On the date fixed for the inquiry, the oral and *documentary evidence* by which the articles of charge are proposed to be proved shall be introduced by the Presenting Officer on behalf of the disciplinary authority. The witnesses shall be examined by or on behalf of the Presenting Officer and may be cross-examined by or on behalf of the officer. The Presenting Officer shall be entitled to re-examine the witnesses on any points on which they have been cross-examined, but not on a new matter, without the leave of the inquiring authority. The inquiring authority may also put such questions to the witnesses as it thinks fit.

(12) Before the close of the case for the disciplinary authority, the inquiring authority may, in its discretion, allow Presenting Officer to produce evidence not included in the charge-sheet or may itself call for new evidence or recall or re-examine any witness. In such case the officer shall be given opportunity to inspect the documentary evidence before it is taken on record; or to cross-examine a witness, who has been so summoned.

(13) When the case for the disciplinary authority is closed, the officer may be required to state his defence, orally or in writing, as he may refer. If the defence is made orally, it shall be recorded and the officer shall be required to sign the record. In either case a copy of the statement of defence shall be given to the Presenting Officer, if any, appointed.

(14) The evidence on behalf of the officer shall then be produced. The officer may examine himself or take the assistance of another officer as given in sub-regulation (6) to examine on his behalf if he so prefers. The witnesses produced by the officer shall then be examined and shall be liable to cross-examination, re-examination and examination by the inquiring authority according to the provision applicable to the witnesses for the disciplinary authority.

(15) The inquiring authority may, after the officer closes his case, and shall, if the officer has not examined himself, generally question him on the circumstances appearing against him in the evidence for the purpose of enabling the officer to explain any circumstances appearing in the evidence against him.

(16) After the completion of the production of the evidence, the officer and the Presenting Officer may file written briefs of their respective cases within 15 days of the date of completion of the production of evidence.

(17) If the officer does not submit the written statement of defence referred to in sub-regulation (3) or before the date specified for the purpose or does not appear in person, or through the assisting officer or otherwise fails or refuses to comply with any of the provisions of those regulations, the inquiring authority may hold the enquiry *ex parte*.

(18) Whenever an 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 exercise, such jurisdiction, the inquiring authority so succeeding may act on the evidence so recorded by its predecessor, or partly recorded by its predecessor and partly recorded by itself.

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

(19) (i) After the conclusion of the enquiry report shall be prepared and it shall contain—

- (a) a gist of the articles of charge and the statement of the imputations of misconduct or misbehaviour;
- (b) a gist of the defence of the officer 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 article of charge and the reasons therefore;

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

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

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

- (a) the report of the, inquiry prepared by it under sub-clause (1) above ;
- (b) the written statement. of defence, if any submitted by the officer referred to in sub-regulation (13) ;
- (c) the oral and documentary evidence produced in the course of the inquiry;
- (d) written briefs referred to in sub-regulation (16), if any; and
- (e) *the* orders, if any, made by the disciplinary authority and the inquiring authority in regard to the inquiry.

84. Action on the Inquiry report.—(1) The disciplinary authority, if it is not itself the inquiring authority may, for reasons to be recorded by it in writing *remit the case* to the inquiring authority for fresh or further inquiry and report and the inquiring authority shall thereupon proceed to hold the further inquiry according to the provisions of Regulation 83 as far as may be.

(2) The disciplinary authority shall, if it disagrees with the findings of the inquiring authority on any article of charge, record its reasons for such disagreement and record its own findings on such charge, if the evidence on record is sufficient for the purpose.

(3) If the disciplinary authority having regard to its findings on all or any of the articles of charge is of the opinion that any of the penalties specified in Regulation 81 should be imposed on the employee it shall, notwithstanding anything contained in Regulation 85 make an order imposing such penalty.

(4) If the disciplinary authority having regard to its findings on all or any of the articles of charges, is of the opinion that no penalty is called for, it may pass an order exonerating the officer concerned.

85. Procedure for imposing minor penalties.—(1) Where it is proposed to impose any of the minor penalties specified in clauses (a) to (d) of Regulation 81, the officer concerned shall be informed in writing of the imputations of misconduct or misbehaviour against him and given an opportunity to submit his written statement of defence within specified period not exceeding 15 days. The defence statement, if any, submitted by the officer shall be taken into consideration by the disciplinary authority before passing orders.

(2) The record of the proceedings shall include

- (i) a copy of the statement imputations of misconduct or misbehaviour delivered to the officer;
- (ii) his defence statement, if any; and
- (iii) the orders of the disciplinary authority together with the reasons therefore.

86. Communication of Orders.—Orders made by the disciplinary authority under Regulation 82 or Regulation 83 shall be communicated to the officer concerned; who shall also be supplied with a copy of the report of inquiry, if any.

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

88. Special Procedure in Certain Cases.—Notwithstanding anything contained in Regulation 82, 84, 85 the disciplinary authority may impose any of the penalties specified in Regulation 81 in any of the following circumstances :—

- (i) The officer has been convicted on a criminal *charge*, or on the strength of facts or conclusions arrived at by a criminal trial; or

- (ii) Where the disciplinary authority is satisfied for reasons to be recorded by it in writing that it is not reasonably practicable to hold an inquiry in the manner provided in these regulations; or
- (iii) Where the Board is satisfied that in the interest of the security of the Corporation, it is not expedient to hold any inquiry in the manner provided in these regulations.

89. Officer on deputation from the Central or the State Government etc.

(I) Where an order of suspension is made or disciplinary proceedings is taken against an officer, who is on deputation to the Corporation from the Central or State Government, or other public undertaking, or a local authority, the authority lending his services, hereinafter referred to in this regulation as the "Lending Authority", shall forthwith be informed of the circumstances leading to the order of his suspension, or the commencement of the disciplinary proceedings as the case may be.

(2) In the light of the findings in the disciplinary proceeding taken against the officer

- (a) if the disciplinary authority is of the opinion that any of the minor penalties should be imposed on him, it may pass such orders in the case as it deems necessary after consultation with the Lending Authority :

- *Provided that in* the event of a difference of opinion between the Disciplinary and the Lending Authority, the services of the officer shall be placed at the disposal of the Lending Authority.

- (b) *if* the disciplinary authority is of the opinion that any of the major penalties should be imposed on him, it should place his services at the disposal of the Lending Authority and transmit to it the proceedings of the inquiry for such action as it deems necessary.

(3) if the officer submits an appeal against order imposing a minor penalty on him under clause (a) of sub-regulation (ii) it will be disposed off after consultation with the Lending Authority :

Provided that if there is a difference of opinion between the Appellate Authority and the Lending Authority, the services of the employee shall be placed at the disposal of the Lending Authority, and the proceedings of the case shall be transmitted to that authority for such action as it deems necessary.

90. Appeals.—(1) An officer may appeal against an order imposing upon him any of the penalties specified in Regulation 81 or against the order of suspension referred to in Regulation 78. The appeal shall lie to the authority specified in the schedule."

(2) An appeal shall be preferred within one month from the date of communication of the order appealed against. The appeal shall be addressed to the Appellate Authority specified in the Schedule and submitted to the authority whose order is appealed against who shall forward the appeal together with its comments and the records of the case to the appellate authority within 15 days. The appellate authority shall consider whether the findings are justified or whether the penalty is excessive or inadequate and pass appropriate orders within three months of the date of appeal. The appellate authority may pass order confirming, enhancing, reducing or setting aside the penalty or remitting the case to the authority which imposed the penalty or to any other authority with such direction as it may deem fit in the circumstances of the case;

Provided that if the enhanced penalty which the appellate authority proposes to impose is a major penalty specified in clauses (e) (f) and (g) of Regulation 81 and an inquiry as provided in Regulation 83 has not been held in the case, the appellate authority shall direct that such an inquiry be held in accordance with the provisions

of Regulation 83 and thereafter consider the record of the inquiry and pass such orders as it may deem proper.

(3) If the appellate authority decides to enhance the punishment but an enquiry has already been held as provided in Regulation 83, the appellate authority shall give a show cause notice to the officer as to why the enhanced penalty should not be imposed upon him. The appellate authority shall pass final order after taking into account the representation, if any, submitted by the officer.

91. Review.—Notwithstanding anything contained in these regulations, the reviewing authority as specified in the schedule, may call for the record of the case within six months of the date of the final order and after reviewing the case pass such orders thereon as it may deem fit;

Provided that if the enhanced penalty, which the reviewing authority proposes to impose is a major penalty specified in clauses (e), (f) or (g) or Regulation 81 and an inquiry as provided under Regulation 83 has not *been held* in the case, the reviewing authority shall direct that such an inquiry be held in accordance with the provisions of Regulation 83 and thereafter consider the record of the inquiry and pass such orders as it may deem proper. If the reviewing authority decides to enhance the punishment but an inquiry has already been held in accordance with the provisions of Regulation 83 the reviewing authority shall give show-cause notice to the officer as to why the enhanced penalty should not be imposed upon him. The reviewing authority shall pass final order after taking into account the representation, if any submitted by the officer.

92. Service of orders, notices etc. Every order, notice and other process made or issued under these regulations shall be served in person on the officer concerned or communicated to him by registered post at his last known address.

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

94. Savings. (1) Nothing in these regulations shall be construed as depriving any person to whom these regulations apply, of any right to appeal which had accrued to him under the regulations which have been superseded by these regulations.

(2) An appeal pending at the commencement of these regulations against an order made before the commencement of these regulation shall be considered and order thereon shall be made, in accordance with these regulations.

(3) The proceedings pending at the commencement of these regulations shall be continued and disposed as far as may be in accordance with the provisions of these regulations, as if such proceedings were proceedings, under these regulations.

(4) Any misconduct, committed prior to the issue of these regulation which was a misconduct under the superseded regulations or orders be deemed to be a misconduct under these regulation.

95. Interpretation.---If any question arises relating to the interpretation of these regulations it shall be referred to the Managing Director whose decision thereon shall be final. The Managing Director may also issue any necessary clarification in this regard.

SCHEDULE

Sl. No	Name of Posts	Scales of pay	Disciplinary Authority/ Competent Authority	Appellate Authority	Reviewing Authority
1.	Chief General Manager (Operations)	Rs. 4100-5300	Managing Director	Chairman	Board
2.	Central Manager (Operations)	Rs. 3700-5000	Managing Director	Chairman	Board
3.	Regional Manager	Rs. 3100-4750	Managing Director	Chairman	Board
4.	Assistant Regional Manager (Operations)	Rs. 2200-4000	Managing Director	Chairman	Board
5.	Chief General Manager (Technical)	Rs. 4100-5300	Managing Director	Chairman	Board
6.	General Manager (Technical)	Rs. 3700-5000	Managing Director	Chairman	Board
7.	Deputy Chief Mechanical Engineer	Rs. 3100-4750	Managing Director	Chairman	Board
8.	Service Manager	Rs. 3100-4500	Managing Director	Chairman	Board
9.	Assistant Regional Manager (Technical)	Rs. 2200-4000	Managing Director	Chairman	Board
10.	General Manager (Finance)	Rs. 3700-5000	Managing Director	Chairman	Board
11.	Deputy Chief Accounts Officer (Audit)	Rs. 3100-4750	Managing Director	Chairman •	Board
12.	Deputy Chief Accounts Officer (Commercial)	Rs. 3100-4500	Managing Director	Chairman	Board
13.	Assistant Regional Manager (Finance)/ .Audit Officer	Rs. 2200-4000	Managing Director	Chairman	Board
14.	Assistant Regional Accounts Officer	Rs. 2000-3200	Managing Director	Chairman	Board
15.	Assistant Law Officer	Rs. 2000-3200	Managing Director	Chairman	Board
16.	Executive Engineer	Rs. 3100-4500	Managiiii Director	Chairman	Board
17.	Assistant Engineer	Rs. 2200-4090	Managing Director	Chairman	Board

APPENDIX - A
(See Regulation 44)

THIS INDENTURE IS MADE on the _____ day of _____ one thousand nine hundred and Eighty_____ BETWEEN

the Uttar Pradesh State Road Transport Corporation hereinafter mentioned as ('the First Party') of the first part AND Sri _____
 son of _____ resident of _____
 (hereinafter called as 'the Second Party') of the second Part, and Sri _____
 son of _____ resident of _____
 of _____ (first surety) and Sri _____
 son of _____ resident of _____
 (second surety) (hereinafter collectively referred to as the Sureties) of the third part:

WHEREAS THE SECOND PARTY, Who is serving the First Party
 as _____ desires to proceed on study leave for a period
 of _____ months to prosecute his studies at _____ in _____
 and the First party has agreed to grant such leave on such salary and allowances as
 may be admissible under the rules on the terms and conditions hereinafter appearing;

NOW THIS INDENTURE WITNESSES AS FOLLOWS :—

1. That the Second Party shall strictly follow the programme of his study at a recognised institution as approved by the First Party and no subsequent change in the course of his study shall be made without the prior approval of the First Party.

2. That the First Party will be entitled at any time to terminate the study leave of the Second Party without assigning any reason therefor.

3. That on the completion of the course of his study the Second Party shall submit to the First Party a certificate on the proper form together with certificates of Examinations passed or of special duty showing the dates of commencement and termination of the course, with remarks, if any, by the Instructor.

4. That the Second Party agrees and binds himself to serve the First Party, if so required, for a period of at least three years from the expiry of his leave and after completing his course of study in accordance with the instructions of the First Party and on a salary considered adequate by the First Party :

PROVIDED ALWAYS and it is hereby agreed that in the event of a breach of this agreement, the Second Party or the Sureties aforesaid shall be jointly and severally liable to refund and pay in full to the First Party all the expenses actually incurred by the First Party on the Second Party in connection with and consequent upon the study leave herein before mentioned :

PROVIDED FURTHER and always—the liability of the sureties hereunder shall not be impaired or discharged on any account or reasons of time being granted or for any forbearance, act or omission of the first Party or any person authorised by him (whether with or without his knowledge or consent or knowledge of the said sureties) nor shall it be necessary for the First Party to sue the Second Party before suing the sureties for amount due hereunder.

AND it is hereby declared. that without *prejudice to* any other remedy the First Party may recover all dues hereunder, including recovery charges, as arrears of land revenue.

IN WITNESS THEREOF the Second Party and the Sureties have executed this Indenture in favour of the First Party on the d* and year first above written.

In the presence of

Signed by
the Second Party.

Signed by
the First Surety.

In the presence of

2..

Signed by the
Second Surety.

APPENDIX-B
(See Regulation 66 (3))

PROFORMA

Statement of immovable property on first appointment/for the year

- I. Name of Officer (in full)
2. Present post held
3. Present pay

Name of District, Sub-division, Taluk & Village in which property is situated	Name and details of property		Present Value
	Housing and other building	Land	
I	2	3	\$ 4

If not in own Name, state in whose name, held & his/her relationship to the Company's employee	How acquired Whether by purchase/lease mortgage inheritance, gift or otherwise with date of acquisition & name with details of person from whom acquired	Annual income from the property	Remarks
5	6	7	8

* In cases where it is not possible to assess the value accurately the approximate value in relation to present condition may be indicated.

Signature _____
Date _____

*Includes short term lease also.