



**NORTH EASTERN REGIONAL AGRICULTURAL
MARKETING CORPORATION LIMITED**

(A Govt of India Enterprise)

**CONDUCT, DISCIPLINE
AND
APPEAL RULES**

**NORTH EASTERN REGIONAL AGRICULTURAL MARKETING CORPORATION LTD.
(A GOVERNMENT OF INDIA ENTERPRISE)
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CONDUCT, DISCIPLINE AND APPEAL (CDA) RULES FOR NORTH EASTERN REGIONAL AGRICULTURAL MARKETING CORPORATION LIMITED

Rule 1. Short title and commencement

- i) These rules may be called North Eastern Regional Agricultural Marketing Corporation Limited Conduct, Discipline and Appeal Rules 1985 as amended time to time.
- ii) They shall come into force on the date of Approval by the Board of Directors.

Rule 2. Application

These rules shall apply to permanent and all contractual employees except

- i) Those in casual employment or paid from contingencies;
- ii) Those governed by the standing orders under the Industrial Disputes Act, 1947. Rule

Rule 3. Definitions

In these rules, unless the context otherwise requires:

- a. [CPSE]¹ means the North Eastern Regional Agricultural Marketing Corporation Limited.
- b. Employee means a person in the employment of the undertaking other than the casual, work-charged or contingent staff or workman as defined in the Industrial Disputes Act, 1947, but includes a person on deputation to the Corporation/ Company and also an employee who retired in case the departmental proceedings were initiated before his/her retirement.
- c. Workman means a person as defined in the Industrial Disputes Act 1947 and to whom the provision of these rules shall not apply.
- d. Board means the Board of Directors of the CPSEs and includes in relation to the exercise of powers, any committee of the Board/ management or any officer of the CPSE to whom the Board delegates any of its powers.
- e. Chairman/Managing Director means the Chairman/Managing Director of the CPSE.

1. Amended vide Board of Directors resolution no. 02/137/2021 dated 02/02/2021.

Note: Vide amendment no. 1 the word 'Corporation' /'Company' has been replaced by the word 'CPSE' in this Rules and shall be read accordingly.

- f. Disciplinary Authority means the authority specified in the Schedule appended to these rules and competent to impose any of the penalties specified in Rule 23.
- g. Competent Authority means the authority empowered by the Board of Directors by any general or special rule or order to discharge the function or use the powers specified in the rule or order.
- h. Government means the Government of India.
- i. Appellate Authority means the authority specified in the Scheduled appended to these rules.
- j. Reviewing Authority means the authority specified in the Schedule attached to these rules.
- k. Family in relation to an employee includes:–
 - i. The wife or husband as the case may be of the employee, whether residing with the employee or not but does not include a wife or husband as the case may be separated from the employee by a decree or order of a Competent court.
 - ii. Sons or daughters or stepsons or stepdaughters of the employee and wholly dependent on the employee, but does not include a child or stepchild who is no longer in any way dependent on the employee or of whose custody the employee has been deprived of by or under any law.
 - iii. Any other person related, whether by blood or marriage to the employee or to such employee's wife or husband and wholly dependent on such employee.
 - l. *Public servant shall means and includes a person as defined in [Section 2(1) (o) read with Section 14 (f) of the Lokpal and Lokayukta Act, 2013 as amended from time to time.]^{1a}*
- m. Inquiry Authority means an Employee or Committee of Employees duly constituted under these rules by disciplinary authority to enquire into allegations of misconduct leveled against one or more than one charge sheeted employee.²

1a. Amended vide Board of Directors resolution no. 02/137/2021 dated 02/02/2021.

2. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

Rule 4. General

1. Every employee of the CPSE shall at all times

- (i) Maintain absolute integrity;
- (ii) Maintain devotion to duty;
- (iii) Do nothing which is unbecoming of a public servant;
- (iv) **[Commit oneself to and uphold the supremacy of the Constitution and democratic values;**
- (v) **defend and uphold the sovereignty and integrity of India, the security of the State, public order, decency and morality;**
- (vi) **maintain high ethical standards and honesty;**
- (vii) **maintain political neutrality;**
- (viii) **promote the principles of merit, fairness and impartiality in the discharge of duties;**
- (ix) **maintain accountability and transparency;**
- (x) **maintain responsiveness to the public, particularly to the weaker section;**
- (xi) **maintain courtesy and good behavior with the public;**
- (xii) **take decisions solely in public interest and use or cause to use public resources efficiently, effectively and economically;**
- (xiii) **declare any private interests relating to the Employee's public duties and take steps to resolve any conflicts in a way that protects the public interest;**
- (xiv) **not place oneself under any financial or other obligations to any individual or organization which may influence the employee in the performance of one's official duties;**
- (xv) **not misuse one's position as public servant and not take decisions in order to derive financial or material benefits for oneself, one's family or one's friends;**
- (xvi) **make choices, take decisions and make recommendations on merit alone;**
- (xvii) **act with fairness and impartiality and not discriminate against anyone, particularly the poor and the under-privileged sections of society;**

- (xviii) refrain from doing anything which is or may be contrary to any law, rules, regulations and established practices;**
 - (xix) maintain discipline in the discharge of one's duties and be liable to implement the lawful orders duly communicated to the employee;**
 - (xx) maintain confidentiality in the performance of one's official duties as required by any laws for the time being in force, particularly with regard to information, disclosure of which may prejudicially affect the sovereignty and integrity of India, the security of the State, strategic, scientific or economic interests of the State, friendly relation with foreign countries or lead to incitement of an offence or illegal or unlawful gain to any person;**
 - (xxi) perform and discharge one's duties with the highest degree of professionalism and dedication to the best of his/her abilities.]³**
- 2. (i) Every employee of the CPSE holding a supervisory / managerial post shall take all possible steps to ensure the integrity and devotion to duty of all employees for the time being under his/her control and authority.**
- (ii) [No Employee of CPSE shall, in the performance of his/her official duties, or in the exercise of powers conferred on the employee, act otherwise than in his/her best judgement except when employee is acting under the direction of his/her official superior;**
- (iii) The direction of the official superior shall ordinarily be in writing. Oral direction to subordinates shall be avoided, as far as possible. Where the issue of oral direction becomes unavoidable, the official superior shall confirm it in writing immediately thereafter;**
- (iv) An employee who has received oral direction from his/her official superior shall seek confirmation of the same in writing as early as possible, whereupon it shall be the duty of the official superior to confirm the direction in writing.**

3. Amended vide *Board of Directors resolution no. 02/137/2021 dated 02/02/2021.*

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

*Explanation II.- Nothing in clause (ii) of sub-rule (2) shall be construed as empowering an Employee to evade his/her responsibilities by seeking instructions from, or approval of, a superior officer or authority when such instructions are not necessary under the scheme of distribution of powers and responsibilities.]*⁴

2A. Promptness and Courtesy⁵

No Employee shall

- (a) in the performance of his/her official duties, act in a discourteous manner;
- (b) in his/her official dealings with the public or otherwise adopt dilatory tactics or willfully cause delays in disposal of the work assigned to him/her.

2B. Observance of Government's policies⁶

Every Employee shall, at all times-

- (i) *act in accordance with the Government's policies regarding age of marriage, preservation of environment, protection of wildlife and cultural heritage;*
- (ii) *observe the Government's policies regarding prevention of crime against women.*

3. Prohibition of sexual harassment of women

- (1) No employee shall indulge in any act of sexual harassment of any woman at any work place.
- (2) Every employee who is in-charge of a work place shall take appropriate steps to prevent sexual harassment to any woman at the work place.

4. Amended vide Board of Directors resolution no. 02/137/2021 dated 02/02/2021.

5. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021

6. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021

Explanation. - (I) For the purpose of this rule, -

(a) "sexual harassment" includes **[any one or more of the following acts or behaviour (whether directly or by implication) namely]** ⁷ : -

- (i) Physical contact and advances; or
- (ii) **[A]** ^{7a} demand or request for sexual favours; or
- (iii) **[Making]** ^{7b} sexually coloured remarks; or
- (iv) **[Showing pornography]** ^{7c} or
- (v) **Any other physical, verbal, non-verbal conduct of a sexual nature.]** ^{7c}

(b) **[the following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment : -**

- (i) implied or explicit promise of preferential treatment in employment; or
- (ii) implied or explicit threat of detrimental treatment in employment; or
- (iii) implied or explicit threat about her present or future employment status; or
- (iv) interference with her work or creating an intimidating or offensive or hostile work environment for her; or
- (v) **humiliating treatment likely to affect her health or safety.]** ⁸

(c) "workplace" includes,- ⁹

- (i) any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the Central Government;
 - (ii) hospitals or nursing homes;
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7. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

7a. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

7b. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

7c. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

8. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

9. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

- (iii) any sports institute, stadium, sports complex or competition or games venue, whether residential or not used for training, sports or other activities relating thereto;
- (iv) any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey;
- (v) a dwelling place or a house related to or connected in course of official dealings.

Rule 5. Misconduct

Without Prejudice to the generality of the term "misconduct", the following acts of omission and commission shall be treated as misconduct:—

1. Theft, fraud or dishonesty in connection with the business or property of the CPSE or of property of another person within the premises of the CPSE
2. Taking or giving bribes or any illegal gratification.

[2A.Obtaining donations/ advertisement / sponsorship etc. for the associations/NGOs formed by either employee or their spouse / employee's family members etc. from the contractors, vendors, customers or other persons having commercial relationship / official dealings. This will be treated as misconduct"] ¹⁰

3. Possession of pecuniary resources or property disproportionate to the known source of income by the employee or on his/her behalf by another person, which the employee cannot satisfactorily account for.
4. Furnishing false information regarding name, age, father's name, qualification, ability or previous service or any other matter germane to the employment at the time of employment or during the course of employment.
5. Acting in a manner prejudicial to the interests of the Corporation/ Company.
6. Wilful insubordination or disobedience, whether or not in combination with others, of any lawful and reasonable order of employee's superior.

10. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

7. Absence without leave or over-staying the sanctioned leaves for more than four consecutive days without sufficient grounds or proper or satisfactory explanation.
8. Habitual late or irregular attendance.
9. Neglect of work or negligence in the performance of duty including malingering or slowing down of work.
10. Damage to any property of the CPSE.
11. Interference or tampering with any safety devices installed in or about the premises of the CPSE.
12. Drunkenness or riotous or disorderly or indecent behaviour in the premises of the CPSE or outside such premises where such behaviour is related to or connected with the employment.
13. Gambling within the premises.
14. Smoking within the premises.^{10a}
15. Collection without the permission of the competent authority of any money within the premises of the CPSE except as sanctioned by any law of the land for the time being in force or rules of the CPSE.
16. Sleeping while on duty.
17. Commission of any act, which amounts to a criminal offence involving moral turpitude.
18. Absence from the employee's appointed place of work without permission or sufficient cause.
19. Purchasing properties, machinery, stores, etc. from or selling properties, machinery, stores etc., to the CPSE without express permission in writing from the competent authority.
20. Commission of any acts subversive of discipline [**or which amount to a criminal offence.**]^{10b}
21. Abetment of or attempt at abetment of any act which amounts to misconduct.

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

10a. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

10b. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

Rule 6. Employment of near relatives of the employees in any company or firm enjoying patronage of the CPSE.

1. No employee shall use his/her position or influence directly or indirectly to secure employment for any person related, whether by blood or marriage to the employee or to the employee's wife or husband, whether such a person is dependent on the employee or not.

2. No employee shall, except with the previous sanction of the competent authority, permit his/her son, daughter or any member of the family to accept employment with any company or firm / entity with which the employee has official dealings, or with any company or firm / entity, having official dealings with the CPSE.

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

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

Rule 7. Taking part in demonstration

No employee of the [CPSE]¹¹ shall engage [*oneself*]^{11a} or participate in any demonstration, which involves incitement to an offence.

11. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

11a. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

Rule 7-A. Restriction on political activities of employees of CPSEs' ¹²

The following kinds of activities of the employees are prohibited, as the case may be:

- (i) to be an office-bearer of a political party or an organization which takes part in politics ;
- (ii) to take part in or assist in any manner in any movement/agitation or demonstration of a political nature ;
- (iii) to take part in an election to any legislature or local authority ;
- (iv) to canvass in any election to any legislature or local authority.

Rule 8. Connection with [electronic and print Media]. ¹³

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

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

12. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

13. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

Rule 9. Criticism of Government and the CPSE

No employee shall in any [electronic and print media] ¹⁴ or in any document published under his/her name or in the name of any other person or in any communication to the press, or in any public utterances, make any statement:

- a. which has the effect of adverse criticism of any policy or action of the Central or State Governments, or of the CPSE; or
- b. which is capable of embarrassing the relations between the CPSE and the public.

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

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

Rule 10. Evidence before Committee or any other Authority

1. Save as provided in sub-rule (3), no employee of the CPSE shall, except with the previous sanction of the competent authority, give evidence in connection with any enquiry conducted by any person, committee or authority.
2. Where any sanction has been accorded under sub-rule (1), no employee giving such evidence shall criticize the policy or any action of the Central Government or of State Governments, or of the CPSE.
3. Nothing in this rule shall apply to
 - a. evidence given at any enquiry before an authority appointed by the Government, Parliament or a State Legislator or any CPSE;
 - b. evidence given in any judicial enquiry; or
 - c. evidence given at any departmental enquiry ordered, by authorities subordinate to the Government.

14. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

Rule 11. Unauthorized communication of information

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

Rule 12. Gifts

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

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

Note - An employee of the CPSE shall avoid acceptance of lavish or frequent hospitality from any individual or firm having official dealings with **[the employee]**. ¹⁵

2. On occasions such as weddings, anniversaries, funerals or religious functions, when the making of gifts is in conformity with the prevailing religious or social practices, an employee of the CPSE may accept gifts, from his/her near relatives **[but employee shall make a report to the competent authority if the value of the gift exceeds**

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

(ii) rupees fifteen thousand in the case of an Non-Executives;] ^{15a}

3. On such occasions as are specified in sub-rule (2), an employee of the CPSE may accept gifts from his/her personal friends having no official dealings with the employee, but employee shall make a report to the competent authority **[if the value of any such gift exceeds rupees one thousand five hundred in the case of Executives and Non-Executives;]** ^{15b}

15. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

15a. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

15b. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

4. In any other case, an employee of the CPSE shall not accept or permit any other member of his/her family or any other person acting on his/her behalf to accept any gifts without the sanction of the competent [authority if the value thereof exceeds rupees one thousand five hundred in the case of Executives and Non-Executives;]^{15c}

Provided that when more than one gift has been received from the same person/firm within a period of 12 months, the matter shall be reported to the competent authority if the aggregate value of the gifts exceeds [Rs.25,000/-, Rs.15000/- and Rs7500/- in case of Executives and Non-Executives respectively.]^{15d}

Rule 12A. No employee of the CPSE shall

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

Explanation: For the purposes of this rule dowry has the same meaning as in Dowry Prohibition Act, 1961 (28 of 1961) [or any amendment, if any].¹⁶

Rule 13. Private Trade or employment

1. No employee of the CPSE shall except with the previous sanction of the competent authority, engage directly or indirectly in any trade or business or undertake any other employment; Provided that an employee may, without such sanction, undertake honorary work of a social or charitable nature or occasional work of literacy, artistic or scientific character, subject to the condition that his/her official duties do not thereby suffer.
2. Every employee of the CPSE shall report to the competent authority; any member of his/her family is engaged in a trade or business or owns or manages an insurance agency or Commission agency.
3. No employee of the CPSE shall, without the previous sanction of the competent authority except in the discharge of his/her official duties, take part in the registration, promotion or management of any bank or other company which is required to be registered [under the Companies Act, 2013¹⁷ or other law for the time 10 being in force or any cooperative society for commercial purposes;

15c. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

15d. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

16. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

17. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

Provided that an employee of the CPSE may take part in the registration, promotion or management of a consumer/House Building Co-operative society substantially for the benefit of employees of the CPSE, registered under the Cooperative Societies Act, 1912 (2 of 1912 or any other law / amendment for the time being in force, or of a literary, scientific or charitable society registered under the Societies Registration Act, 1860 (21 of 1860), or any corresponding law / **[amendment]** ^{17a} in force.

4. No employee of the CPSE shall accept any fee or any pecuniary advantage for any work done by him/her for any public body or any private person without the sanction of the competent authority. Rule

13-A. With regard to dealing in the shares of CPSEs ¹⁸

- (i) A full-time Director or any employee involved in the decision making process of fixation of price of an IPO/FPO of shares of a CSPE shall not apply either oneself/herself or through any member of his/her family or through any other person acting on his/her behalf for allotment of shares (which includes all types of equity related instruments) in an IPO/FPO of such CPSE, even out of the category of preferential quota reserved for employees/Directors of the CPSE.
- (ii) Employees including full time Directors who are in possession of unpublished price sensitive information would be prohibited from dealing/transacting either in their own name or through any member of their family in the shares of their own CPSE.
- (iii) Full-time Director or employee or any member of his/her family or any person acting on his/her behalf shall not apply for shares out of any preferential quota reserved for employees/Directors of other companies.
- (iv) Employees would be required to disclose to the CPSE all transactions of purchase/sale in shares worth two months Basic pay or more in value or existing holding/interest in the shares worth Rs. two months Basic pay or more in his/her own CPSE either in his/her own name or in the name of any family member of employee to report to the CPSE indicating quantity, Price, date of transaction and nature of interest within 4 working days.

17a. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

18. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

Rule 14. Investment, lending and borrowing

No employee shall, save in the ordinary course of business with a bank, **[financial institution]** ¹⁹ or a firm of standing, borrow money from or lend money to or otherwise place oneself under pecuniary obligation to any person with whom employee has or is likely to have official dealings or permit any such borrowing, lending or pecuniary obligation in his/her name or for his/her benefit or for the benefit of any member of his/her family.

Rule 14-A. Speculation of stock / shares of companies ²⁰

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

With a view to enable the administrative authorities to keep a watch over such transactions, an intimation may be sent in the Proforma to the prescribed authority in the following cases:

Executives:– If the total transactions in shares, securities, debentures or mutual funds scheme etc. exceed Rs. 50000/- (or as may be specified by CPSE) during the calendar year.

Non-Executives:– If the total transactions in shares, securities, debentures or mutual funds scheme etc. exceeds Rs. 25000/- (or as may be specified by CPSE) during the calendar year.

Rule 15. Insolvency and habitual indebtedness

1. An employee of the CPSE shall avoid habitual indebtedness unless employee proves that such indebtedness or insolvency is the result of circumstances beyond his/her control and does not proceed from extravagance or dissipation.
2. An employee of the CPSE who applies to be, or is adjudged or declared insolvent shall forthwith report the fact to his/her competent authority.

19. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

20. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

Rule 16. Movable, Immovable and valuable property

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

a. the immovable property inherited by the employee, or owned or acquired by the employee, held by the employee on lease or mortgage, either in his/her own name or in the name of any member of his/her family or in the name of any other person;

b. shares, debentures, and cash including bank deposits inherited by the employee (or similarly) owned, acquired, or held by the employee;

c. other movable property inherited by the employee or similarly owned, acquired or held by the employee if the value of such property [**exceeds Rs. 10,000/-.**]²¹

d. debts and other liabilities incurred by employee directly or indirectly;

e. every employee shall, beginning 1st January, submit a return of immovable property inherited/owned/acquired once in every two years.

2. No employee shall, except with the previous knowledge of the competent authority, acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise, either in his/[her]^{21a} own name or in the name of any member of his/[her]^{21b} family.

3. No employee of the CPSE shall, except with the previous sanction of the competent authority, enter into any transaction concerning any immovable or movable property with a person or a firm having official dealings with the employee or his/[her]^{21c} subordinate.

4. Every employee of the CPSE shall report to the competent authority every transaction concerning movable property owned or held by the employee in his/[her]^{21d} own name or the name of a member of his/[her]^{20e} family, if the value of such property exceeds **Two months Basic pay (unless otherwise specified by CPSE)**^{21f}

5. The competent authority may, at any time, by general or special order require an employee to submit, within a period specified in the order a full and complete statement of such movable or immovable property held or acquired by the [employee]^{21g} or on his/[her]^{21h} behalf or by any member of his/[her]²¹ⁱ family as may be specified in the order. Such statement shall, if so required by the competent authority, include details of the means by which, or the source from which such property was acquired.

21. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

- 21a. *Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.*
 21b. *Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.*
 21c. *Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.*
 21d. *Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.*
 21e. *Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.*
 21f. *Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.*
 21g. *Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.*
 21h. *Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.*
 21i. *Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.*

[Explanation I - For the purposes of this rule – the expression "movable property" includes

- (a) *jewellery, insurance policies, the annual premia of which exceeds 'two months' basic pay of the employee , shares, securities and debentures;*
 (b) *all loans, whether secured or not, advanced or taken by the employee;*
 (c) *motor cars, motor cycles, horses or any other means of conveyance; and*
 (d) *refrigerators, radios radiograms and television sets.*

***Explanation II.-** *For the purpose of this rule 'lease' means, except where it is obtained from, or granted to, a person having official dealings with the employee, a lease of immovable property from year to year or for any term exceeding one year or reserving an yearly rent.]*^{21j}

Rule 17. Canvassing of non-official or other influence

No employee shall bring or attempt to bring any outside influence to bear upon any superior authority to further his/[her]²² interests in respect of matters pertaining to his/[her]^{22a} service in the CPSE.

Rule 18. Bigamous marriages

1. No employee shall enter into, or contract, a marriage with a person having a spouse living; and
2. No employee, having a spouse living, shall enter into, or contract, a marriage with any person;

Provided that the Board may permit an employee to enter into, or contract, any such marriage as is referred to in clause (1) or clause (2) if it is satisfied that

- a. such marriage is permissible under the personal law applicable to such employee and the other party to the marriage; and
- b. There are other grounds for so doing.

3. **[The public sector employee who has married or marries a person other than that of Indian nationality, shall forthwith intimate the fact to his/her employer.]**²³

- 21j. *Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.*
22. *Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.*
22a. *Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.*
23. *Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.*

Rule 19. Consumption of intoxicating drinks and drugs

[Employee shall –

- (a) strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which employee may happen to be for the time being;
- (b) not be under influence of any intoxicating drink or drug during the course of his/her duty and shall also take due care that the performance of his/her duties at any time is not affected in any way by the influence of such drink or drug; refrain from consuming any intoxicating drink or drug in a public place;
- (c) not appear in a public place in a state of intoxication;
- (d) not use any intoxicating drink or drug to excess. Explanation: For the purposes of this rule, ‘public place’ means any place or premises (including a conveyance) to which the public have, or are permitted to have, access, whether on payment or otherwise.] ²⁴

Rule 19-A. Prohibition regarding employment of children below 14 years of age. ²⁵

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

Rule 20. Suspension

1. The appointing authority or any authority to which it is subordinate or the disciplinary authority or any authority empowered in that behalf by the management by general or special order may place an employee under suspension
 - a. Where disciplinary proceeding against the employee is contemplated or is pending; or
 - b. Where case against the employee in respect of any criminal offence is under investigation or trial; or
 - c. *[Where, in the opinion of the authority aforesaid, he/she has engaged oneself in activities prejudicial to the interest of the security of the State;]* ²⁶

24. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.
25 . Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.
26. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

2. An employee who is detained in police / judicial custody, whether on a criminal charge or otherwise for a period exceeding 48 hours shall be deemed to have been suspended with effect from the date of detention, by an order of the appointing authority, and shall remain under suspension until further orders.
3. Where a penalty of dismissal or removal from service imposed upon an employee under suspension is set aside on appeal or on review under these rules and the case is remitted for further inquiry or action or with any other directions, the order of his/her suspension shall be deemed to have continued in force on and from the date of the original order of dismissal or removal and shall remain in force until further orders.
4. Where a penalty of dismissal or removal from service imposed upon an employee is set aside or declared or rendered void in consequence of or by a decision of a court of law and the disciplinary authority, on consideration of the circumstances of the case, decides to hold a further inquiry against the employee on the allegations on which the penalty of dismissal or removal was originally imposed, the employee shall be deemed to have been placed under suspension by the appointing authority from the date of the original order of dismissal or removal and shall continue to remain under suspension until further orders.
5. An order of suspension made or deemed to have been made under this Rule may at any time be revoked by the authority, which made or is deemed to have made the order or by any authority to which that authority is subordinate.

Rule 21. Subsistence Allowance

1. An employee under suspension shall be entitled to draw subsistence allowance equal to 50 percent, of his/[her] ^{26a} basic pay provided the disciplinary authority is satisfied that the employee is not engaged in any other employment or business, or profession or vocation. In addition employee shall be entitled to Dearness Allowance admissible on such subsistence allowance and any other compensatory allowance of which employee was in receipt on the date of suspension provided the suspending authority is satisfied that the employee continues to meet the expenditure for which the allowance was granted.
2. Where the period of suspension exceeds six months, the authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first six months as

26a. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

follows:-

- i. The amount of subsistence allowance may be increased to 75 percent of basic pay and allowances thereon if, in the opinion of the said authority, the period of suspension has been prolonged for reasons to be recorded in writing not directly attributable to the employee under suspension;
 - ii. The amount of subsistence allowance may be reduced to 25 percent of basic pay and allowances thereon if in the opinion of the said authority, the period of suspension has been prolonged due to the reasons to be recorded in writing directly attributable to the employee under suspension.
16. If an employee is arrested by the Police on a criminal charge and bail is not granted, no subsistence is payable. On grant of bail, if the competent authority decides to continue the suspension, the employee shall be entitled to subsistence allowance from, the date employee is granted bail.

Rule 22. Treatment of the period of suspension

1. When the employee under suspension is reinstated, the competent authority may grant to the employee the following pay and allowances for the period of suspension:
 - a. If the employee is exonerated and not awarded any of the penalties mentioned in Rule 23 the full pay and allowances which employee would have been entitled to if employee had not been suspended, less the subsistence allowance already paid to the employee; and
 - b. If otherwise, such proportion of pay and allowances as the competent authority may prescribe.
2. In a case falling under sub-clause (a) the period of absence from duty will be treated as a period spent on duty. In case falling under sub-clause (b) it will not be treated as a period spent on duty unless the competent authority so directs.

Rule 23. Penalties

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

Minor Penalties

- (a) Censure;
- (b) withholding of increments of pay without cumulative effect;
- (c) withholding of promotion;
- d) recovery from pay of the whole or part of any pecuniary loss caused to the [CPSE]²⁷ by negligence or breach of order;
- (e) reduction to a lower stage in the time-scale of pay by one stage for a period not exceeding 3 years, without cumulative effect and not adversely affecting his/[her]^{27a} terminal benefits.

Major Penalties

- [(f) save as provided in clause (e), reduction to a lower stage in the time scale of pay for a specified period, with further directions as to whether or not the employee will earn increments of pay during the period of such reduction and whether on expiry of such period, the reduction will or will not have the effect of postponing the future increment of pay;
- (g) reduction to a lower time scale of pay, grade, post or Service which shall ordinarily be a bar to the promotion of the employee to the time-scale of pay, grade, post from which employee was reduced, with or without further directions regarding conditions of restoration to the grade or post from which the employee was reduced and his/[her]²⁸ seniority and pay on such restoration to that grade or post;
- (h) compulsory retirement;
- (i) removal from service which shall not be a disqualification for future employment under the Govt. or the [CPSE]^{28a} owned or controlled by the Govt.;
- (j) dismissal from service which shall ordinarily be a disqualification for future employment under the Govt. or the [CPSE]^{28b} owned or controlled by the Govt.;

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

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

27. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

27a. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

28. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

28a. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

28b. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

Rule 24. Disciplinary Authority to impose penalties

The Disciplinary Authority, as specified in the schedule, or any authority higher than it may impose any of the penalties specified in Rule 23 on any employee.

Rule 25. Procedure for imposing major penalties

1. No order imposing any of the major penalties specified in **[Clauses (f) to (j) of Rule 23]** ²⁹ shall be made except after an inquiry is held in accordance with this rule.
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 employee, it may itself enquire into, or appoint any inquiring authority to inquire into the truth thereof. **[Provided that where there is a complaint of sexual harassment within the meaning of Rule 4(3) above, the complaints Committee for inquiring into such complaints, shall be deemed to be the inquiring authority appointed by the disciplinary authority for the purpose of these rules and the Complaints Committee shall hold, if separate procedure has not been prescribed for the complaints committee for holding the inquiry into the complaints of sexual harassments, the inquiry as far as practicable in accordance with the procedure laid down in these rules.**

EXPLANATION - Where the disciplinary authority itself holds the inquiry, the inquiring authority shall be construed as a reference to the disciplinary authority.] ^{29a}

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

Provided that under no circumstances, the extension of time for filing written statement of defence shall exceed forty-five days from the date of receipt of articles of charge.] ^{29b}

29. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

29a. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

29b. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

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

4. **[On receipt of the written statement of defence, the disciplinary authority may itself inquire into such of the articles of charge as are not admitted, or, if it considers it necessary so to do, appoint, under sub-rule (2), an inquiring authority for the purpose, and where all the articles of charge have been admitted by the charged sheeted Employee in his/her written statement of defence, the disciplinary authority shall record its findings on each charge after taking such evidence as it may think fit and shall act in the manner laid down in rule 26.**

If no written statement of defence is submitted by the charged sheeted employee, the disciplinary authority may itself inquire into the articles of charge, or may, if it 17 considers it *necessary to do so, appoint, under sub-rule (2), an inquiring authority for the purpose.]*^{29c}

5. Where the disciplinary authority itself inquires or appoints an inquiring authority for holding an inquiry, it may, by an order appoint an employee to be known as the "Presenting Officer" to present on its behalf the case in support of the articles of charge.
6. The employee may take the assistance of any other public servant but may not engage a legal Practitioner for the purpose **[unless the Presenting Officer appointed by the disciplinary authority is a legal practitioner, or the disciplinary authority, having regard to the circumstances of the case, so permits.]**^{29d}
7. On the date fixed by the inquiring authority, the employee shall appear before the Inquiring Authority at the time, place and date specified in the notice. The inquiring authority shall ask the employee whether employee pleads guilty or has any defence to make and if employee pleads guilty to any of the articles of charge, the inquiring authority shall record the plea, sign the record and obtain the signature of the employee concerned thereon. The Inquiring Authority shall return a finding of guilt in respect of those articles of charge to which the **[charged sheeted]**^{29e} employee concerned pleads guilty.

29c. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

29d. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

29e. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

8. If the employee does not plead guilty, the inquiring authority shall adjourn the case to a later date not exceeding thirty days after recording an order that the **[charged sheeted]**^{29f} employee may, for the purpose of preparing his/**[her]**^{29g} defence:

- i. inspect the documents listed with charge-sheet.
- ii. submit a list of additional documents and witnesses that employee 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 document and the witnesses referred to in subclause 8 (ii) above will have to be given by the employee concerned and the documents and the witnesses shall be summoned if the inquiring authority is satisfied about their relevance to the charges under inquiry.

9. The inquiring authority shall ask the authority in whose custody or possession the documents are kept, for the production of the documents **[or issue a non-availability certificate before the Inquiring Authority within one month of the receipt of such requisition: Provided that if the authority having the custody or possession of the requisitioned documents is satisfied for reasons to be recorded by it in writing that the production of all or any of such documents would be against the public interest or security of the State, it shall inform the Inquiring Authority accordingly and the Inquiring Authority shall, on being so informed, communicate the information to the charged sheeted employee and withdraw the requisition made by it for the production or discovery of such documents.]** ^{29h}

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

Provided that the authority having the custody or possession of the requisitioned 18 documents may claim privilege if the production of such documents will be against the public interest or the interest of the **[CPSE]**²⁹ⁱ. In the event, it shall inform the inquiring authority accordingly.

29 f. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

29g. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

29h. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

29i. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

11. On the date fixed for the inquiry the oral and documentary evidence by which the articles of charge are proposed to be proved shall be produced by or on behalf of the disciplinary authority. The witnesses shall be examined by or on behalf of the Presenting Officer and may be cross-examined by or on behalf of the **[charged sheeted]**^{29j} employee. The Presenting Officer shall be entitled to re-examine the witness on any points on which they have been cross-examined , but not on a new matter, without the leave of the Inquiring Authority. The Inquiring Authority may also put such questions to the witnesses as it thinks fit.
12. Before the close of the prosecution case, the inquiring authority may, in its discretion allow the Presenting Officer to produce evidence not included in the charge sheet or may itself call for new evidence or recall or re-examine any witness. In such case the **[charged sheeted]**^{29k} employee shall be given opportunity to inspect the documentary evidence before it is taken on record; or to cross-examine a witness, who has been so summoned.
13. When the case for the disciplinary authority is closed, the **[charged sheeted]**^{29l} employee may be required to state his/**[her]**^{29m} defence, orally or in writing as employee may prefer. If the defence is made orally, it shall be recorded and the **[charged sheeted]**²⁹ⁿ employee shall be required to sign the record. In either case a copy of the statement of defence shall be given to the Presenting Officer, if any appointed.
14. The evidence on behalf of the charged sheeted employee shall then be produced. The **[charged sheeted]**^{29o} employee may examine himself/**[herself]**^{29p} in his/**[her]**^{29q} own behalf if employee so prefers. The witnesses produced by the **[charged sheeted]**^{29r} employee shall then be examined and shall be liable to cross-examination, re-examination and examination by the inquiring authority according to the provision applicable to the witnesses for the disciplinary authority.
15. The Inquiring Authority may, after the **[charged sheeted]**^{29s} employee closes his/**[her]**^{29t} case, and shall, if the employee has not examined himself/**[herself]**^{29u}, generally question the **[charged sheeted]**^{29v} employee on the circumstances appearing against the **[charged sheeted]**^{29w} employee in the evidence for the purpose of enabling the **[charged sheeted]**^{29x} employee to explain any circumstances appearing in the evidence against him/**[her]**^{29y}.

29j. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

29k. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

29l. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

29m. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

29n. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

29o. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.
 29q. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.
 29r. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.
 29s. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.
 29t. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.
 29v. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.
 29w. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.
 29x. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.
 29y. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

16. After the completion of the production of the evidence, the **[charged sheeted]**^{29z} employee and the Presenting Officer may file written briefs of their respective cases within 15 days of the date of completion of the production of evidence.

17. If **[charged sheeted]**³⁰ employee does not submit the written statement of defence referred to in sub-rule (3) on or before the date specified for the purpose or does not appear in person, or through the assisting officer or otherwise fails or refuses to comply with any of the provisions of these rules, the inquiring authority may hold the enquiry ex parte.

18. Whenever any inquiring authority, after having heard and recorded the whole or any part of the evidence in an inquiry ceases to exercise jurisdiction therein, and is succeeded by another inquiring authority which has, and which exercises, such jurisdiction, the inquiring authority so succeeding may act on the evidence so 19 recorded by its predecessor, or partly recorded by its predecessor and partly recorded by itself.

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

19. (i) After the conclusion of the inquiry report shall be prepared and it shall containa.

- 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 charged sheeted employee in respect of each article of charge;
- c. and assessment of the evidence in respect of each article of charge;
- d. the findings on each article of charge and the reasons therefor.

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

Provided that the findings on such article of charge shall not be recorded unless the [charged sheeted]^{30a} employee has either admitted the facts on which such article of charge is based or has had a reasonable opportunity of defending oneself against such article of charge.

29z. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

30. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

30a. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

- ii. The inquiring authority, where it is not itself the disciplinary authority, shall forward to the disciplinary authority the records of inquiry which shall include
 - a) The report of the inquiry prepared by it under sub-clause (i) above;
 - b) The written statement of defence if any submitted by the employee referred to in sub-rule (13)
 - c) The oral and documentary evidence produced in the course of the inquiry;
 - d) Written briefs referred to in sub-rule (16) if any; and
 - e) The orders if any made by the disciplinary authority and the inquiring authority in regard to the inquiry.
- 20. (a) The Inquiring Authority should conclude the inquiry and submit his/[her]^{30b} report within a period of six months from the date of receipt of order of his/[her]^{30c} appointment as Inquiring Authority.
- (b) Where it is not possible to adhere to the time limit specified in clause (a), the Inquiring Authority may record the reasons and seek extension of time from the disciplinary authority in writing, who may allow an additional time not exceeding six months for completion of the Inquiry, at a time.
- (c) The extension for a period not exceeding six months at a time may be allowed for any good and sufficient reasons to be recorded in writing by the Disciplinary Authority or any other Authority authorised by the Disciplinary Authority on his/[her] behalf.^{30d}

Rule 26. Action on the inquiry report

(1) The disciplinary authority, if it is not itself the inquiring authority may, for reason to be recorded by it in writing remit the case to the inquiring authority for fresh or further inquiry and report and the inquiry authority shall thereupon proceed to hold the further inquiry according to the provisions of Rule 25 as far as may be .

(2) [The disciplinary authority shall forward or cause to be forwarded a copy of the report of the inquiry, if any, held by the disciplinary authority or where the disciplinary authority is not the inquiring authority, a copy of the report of the inquiring authority, together with

its own tentative reasons for disagreement, if any, with the findings of inquiring authority on any article of charge to the employee who shall be required to submit, if employee so desires, his/her written representation or submission to the disciplinary authority within fifteen days, irrespective of whether the report is favourable or not to the employee.]³¹

30b. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

30c. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

30.d. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

31. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

(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 that any of the penalties specified in Rule 23 should be imposed on the employee it shall, notwithstanding anything contained in Rule 27 make an order imposing such penalty.

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

[Rule 26-A. In the matter of promotion of employees against whom disciplinary / court proceedings are pending or whose conduct is under investigation, the procedure may be follow in accordance with the DoPT OM No. 22011/4/91-Estt.(A) dated 14.09.1992 and subsequent instructions of DOPT on sealed cover procedure.]^{31a}

Rule 27. Procedure for imposing minor penalties

(1) Where it is proposed to impose any of the minor penalties specified in clauses (a) to (e) of Rule 23, the employee concerned shall be informed in writing of the imputations of misconduct or misbehaviour against the employee and give an opportunity to submit his/her written statement of defence within a specified period not exceeding 15 days. The defence statement, if any, submitted by the employee shall be taken into consideration by the disciplinary authority before passing orders.

(2) The record of the proceedings shall include –

(i) A copy of the statement of imputations of misconduct or misbehaviour delivered to the employee;

(ii) His/her defence statement, if any; and

(iii) The orders of the disciplinary authority together with the reason therefor.

31a. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

Rule 28. Communication of orders

Orders made by the Disciplinary Authority under Rule 26 or Rule 27 shall be communicated to the employee concerned, who shall also be **[supplied with a copy of:**

- (i) **its finding on each article of charge, or where the disciplinary authority is not the inquiring authority, a statement of the findings of the disciplinary authority together with brief reasons for its disagreement, if any, with the findings of the inquiring authority and**

- (ii) **A copy of the advice, if any, given by the Commission, and**
- (iii) **where the disciplinary authority has not accepted the advice of the Commission, a brief statement of the reasons for such non-acceptance.]**³²

Rule 29. Common proceedings

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

Rule 30. Special procedure in certain cases

Notwithstanding anything contained in Rule 25 or 26 or 27, the disciplinary authority may impose any of the penalties specified in Rule 23 in any of the following circumstances:–

- (i) the employee has been convicted on a criminal charge, or on the strength of facts or conclusions arrived at by a judicial 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 enquiry in the manner provided in these Rules; or
- (iii) where the Board is satisfied that in the interest of the security of the [CPSE]³³, it is not expedient to hold any inquiry in the manner provided in these rules.

³². *Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.*

³³. *Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.*

Rule 30-A. Disciplinary proceedings / Imposition of Penalty on Employees after their Retirement.³⁴

- (i) The disciplinary authority may impose penalty on delinquent employees on conclusion of such departmental proceedings which were initiated during their service time and have continued beyond the date of their superannuation.

- (ii) Disciplinary proceedings, if instituted while the employee was in service whether before his/her retirement or during his/her re-employment, shall, after the final retirement of the employee, be deemed to be proceeding and shall be continued and concluded by the authority by which it was commenced in the same manner as if the employee had continued in service.
- (iii) During the pendency of the disciplinary proceeding, the disciplinary authority may withhold payment of gratuity, for ordering the recovery from gratuity of the whole or part of any pecuniary loss caused to the CPSE if the employee is found in a disciplinary proceeding or judicial proceeding to have been guilty of offences/misconduct as mentioned in sub-section (6) of Section 4 of the Payment of Gratuity Act, 1972 or to have caused pecuniary loss to the CPSE by misconduct or negligence, during his/her service including service rendered on deputation or on re-employment after retirement. However, the provisions of Section 7(3) and 7(3A) of the Payment of Gratuity Act, 1972 should be kept in view in the event of delayed payment, in case the employee is fully exonerated.

Rule 31. Employees on deputation from the Central Government or the State Government, etc.

- (i) Where an order of suspension is made or disciplinary proceeding is taken against an employee, who is on deputation to the CPSE from the Central or State Government, or another public undertaking, or a local authority, the authority lending his/her services (hereinafter referred to as the "lending authority") shall forthwith be informed of the circumstances leading to the order of his/her suspension, or the commencement of the disciplinary proceeding, as the case may be.
- (ii) In the light of the findings in the disciplinary proceeding taken against the employee:—
 - (a) If the Disciplinary Authority is of the opinion that any of the minor penalties should be imposed on the employee, it may pass such orders on the case as it deems necessary after consultation with the Lending Authority; provided that in the event of a difference of opinion between the Disciplinary and the Lending

34. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

Authority, the services of the employee shall be placed at the disposal of the Lending Authority.

- (b) If the Disciplinary Authority is of the opinion that any of the major penalties should be imposed on the **[employee]**³⁵, it should replace his/**[her]**^{35a} services at the disposal of the Lending Authority and transmit to it the proceedings of the enquiry for such action as it deems necessary.
- (iii) If the employee submits an appeal against an order imposing a minor penalty on the employee under sub-rule (ii) (a), it will be disposed of after consultation with the Lending Authority;

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

Rule 32. Appeals

- (i) An employee may appeal against an order imposing upon the employee any of the penalties specified in rule 23 or against the order of suspension referred to in Rule 20. The appeal shall lie to the authority specified in the schedule.
- (ii) An appeal shall be preferred within one month from the date of communication of the order appealed against. The appeal shall be addressed to the Appellate Authority specified in the schedule and submitted to the authority whose order is appealed against. The authority whose order is appealed against shall forward the appeal together with its comments and the records of the case to the appellate authority within 15 days. The appellate authority shall consider whether the findings are justified or whether the penalty is excessive or inadequate and pass appropriate orders within three months of the date of appeal. The appellate authority may pass order confirming, enhancing, reducing or setting aside the penalty or remitting the case to the authority which 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 (f) to (j)]**³⁶ of Rule 23 and an inquiry as provided in Rule 25 has not already been held in the case, the appellate authority shall direct that such an enquiry be held in accordance with the provisions of Rule 25 and thereafter consider the record of the inquiry and pass such orders as it may deem

35. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

35a. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

36. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

proper. If the appellate authority decides to enhance the punishment but an enquiry has already been held as provided in Rule 25, the appellate authority shall give a show cause notice to the employee as to why the enhanced penalty should not be imposed upon the employee. The appellate authority shall pass final order after taking into account the representation, if any, submitted by the employee.

Rule 33. Review

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

Provided that if the enhanced penalty, which the reviewing authority purposes to impose; is a major penalty specified [in clauses (f) to (j)]³⁷ of Rule 23 and an enquiry as provided under Rule 25 has not already been held in the case, the reviewing authority shall direct that such an enquiry be held in accordance with the provisions of Rule 25 and thereafter consider the record of the enquiry and pass such order as it may deem proper. If the appellate authority decides to enhance the punishment but an enquiry has already been held in accordance with the provisions of Rule 25, the reviewing authority shall give show cause notice to the employee as to why the enhanced penalty should not be imposed upon the employee. The reviewing authority shall pass final order after taking into account the representation, if any, submitted by the employee.

Rule 34. Service of orders, notices, etc.

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

Rule 35. Power to relax time-limit and to condone delay

Save as otherwise expressly provided in these rules, the authority competent under these 24 rules to make any order may, for good and sufficient reasons or if sufficient cause is shown, extend the time specified in these rule for anything required to be done under these rules or condone any delay.

Rule 36 Savings

1. Nothing in these rules shall be constructed as depriving any person to whom these rules apply, of any right of appeal which had accrued to the employee under the rules, which have been superseded by these rules.
- 2.

37. Amended vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

2. An appeal pending at the commencement of these rules against an order made before the commencement of these rules shall be considered and orders thereon shall be made, in accordance with these rules.
3. The proceedings pending at the commencement of the rules shall be continued and disposed as far as may be, in accordance with the provisions of these rules, as if such proceedings were proceedings under these rules.
4. Any misconduct, etc., [**committed**]³⁸ prior to the issue of these rules which was a misconduct under the superseded rules shall be deemed to be a misconduct under these rules.

Rule 37. Removal of doubts

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

Rule 38. Amendments

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

38. Inserted vide Board of Directors resolution No. 02/137/2021 dated 02/02/2021.

Agenda of 26th Board Meeting held on 23.06.88 at 11. A.M.

AGENDA ITEM NO.12

Schedule of Authority for Disciplinary Action.

In its meeting held on 15.03.86, the Board approved the draft Conduct, Discipline and Appeal(CDA) Rules of the Corporation. The schedule specifying the Disciplinary Authority, Appellate Authority and Reviewing Authority said to have been appended to the draft CDA Rules had not been appended and therefore the schedule specifying Disciplinary Authority Appellate Authority and Reviewing Authority is appended below for approval of the Board. When approved, the schedule would form part of the CDA Rules of the Corporation.

Schedule

As per the Recruitment Rules of the Corporation, the employee of the Corporation are divided into four categories. They are :-

I.	Management Cadre	--	All posts carrying pay scales the minimum of which is Rs. 2000.00 p.m.
II	Executive Cadre	--	All posts carrying pay scales the obtains minimum of which is between Rs. 1800.00 and Rs. 2000.00 p.m.
III	Supervisory Cadre	--	All posts carrying pay scales the minimum of which is between Rs. 700.00 p.m. and 1800.00 p.m.
IV	Non-Supervisory Cadre	--	All posts carrying pay scales the minimum of which ranges between Rs. 196.00 and Rs. 699.00

Disciplinary, Appellate and Reviewing Authorities of various of categories of employee and of employees at plants would be as follows:-

<u>Category of Employees</u>	<u>Disciplinary Authority</u>	<u>Appellate Authority</u>	<u>Reviewing Authority</u>
I.	Chairman cum Managing Director	Standing Committee of the Board	Board of Directors.
II.	Chairman cum Managing Director	Standing Committee of the Board	Board of Directors.
III.	Chairman cum Managing Director	Standing Committee of the Board	Board of Directors.
IV. a) Group III	Departmental Head	Chairman cum Managing Director	Standing Committee of the Board.
b) Group IV	Section Head	Departmental Head	
Employees at Plant/Plants	Project Manager/ Manager in charge of the Plant/Plants	General Manager	Chairman cum Managing Director.

Abstract of 56th Minutes of the Board of Directors held on 28.07.99

AGENDA ITEM No. 10: Amendment of CDA Rules.

The proposal was approved and accordingly the Schedule specifying Disciplinary, Appellate and Reviewing Authorities forming part of Conduct, Discipline and Appeal Rules of NERAMAC was modified as follows

Cadre of Employees	Disciplinary Authority	Appellate Authority	Reviewing Authority
Management	MD	Chairman	Executive Committee of the Board.
Executive & Supervisory	ED	MD	Chairman
Non-Supervisory	GM	ED	MD
Employees at Plants/Zonal Offices	Manager-in-charge	ED	MD

NERAMAC

AGENDA ITEM No. 10 : Amendment of CDA Rules.

As per Conduct, Discipline and Appeal Rules of NERAMAC, the Disciplinary, Appellate and Reviewing Authorities are as follows :-

Cadre of Employees	Disciplinary Authority	Appellate Authority	Reviewing Authority
Management	Chairman	Standing Committee of Board.	Board
Executive & Supervisory	ED	Chairman	Standing Committee of the Board.
Non-supervisory	GM	ED	Chairman
Employees at Plants/Zonal Offices	Manager-in-Charge	ED	Chairman

Since MD has taken over, the schedule specifying Disciplinary, Appellate and Reviewing Authorities forming part of Conduct, Discipline and Appeal Rules of NERAMAC may be modified as follows:

Cadre of Employees	Disciplinary Authority	Appellate Authority	Reviewing Authority
Management	MD	Chairman	Executive Committee Of the Board.
Executive & Supervisory	ED	MD	Chairman
Non-Supervisory	GM	ED	MD
Employees at Plant/ Zonal Offices	Manager-in-Charge	ED	MD

The Board may kindly approve the proposal.

Sd/-
K.C. S. Kurup
Manager (P&A)

APPENDIX - ICLASSIFICATION OF POSTS

I.	Management Cadre	--	All posts carrying pay scales the minimum of which is Rs. 2000.00 p.m.
II.	Executive Cadre	--	All posts carrying pay scales the minimum of which is Rs. 1800.00 p.m.
III.	Supervisory Cadre	--	All posts carrying pay scales the minimum of which is Rs. 700.00 p.m.
IV.	Non-Supervisory Cadre	--	All posts carrying pay scales the minimum of Which ranges between Rs. 196.00 and Rs. 699.00 p.m.

APPENDIX - I

CLASSIFICATION OF POSTS

- | | | | |
|------|-----------------------|-----|--|
| I. | Management Cadre | --- | All posts carrying pay scales the minimum of which is Rs.5550.00 p.m. IDA. |
| II. | Executive Cadre | --- | All posts carrying pay scales the minimum of which is Rs. 5050.00 p.m. IDA |
| III. | Supervisory Cadre | --- | All posts carrying pay scales the minimum of which is Rs. 8000.00 p.m. |
| IV. | Non-supervisory Cadre | --- | All posts carrying pay scales the minimum of which ranges between Rs. 2550.00 and Rs. 7999.00 p.m. |

NERAMAC

52nd Board Meeting

Agenda Item No.7(i)

Amendment of Conduct, Discipline and Appeal Rules of NERAMAC
Introduction of new Rule(Rule 18A) – Prohibition of Sexual harassment
of working women.

Secretary, Ministry of Labour, Govt. of India, vide D.O. No.A-42011/9/88-C&WL-II dated 18/3/98 forwarded the judgement No.666-70 of 1992 of Hon'ble Supreme Court. One of the specific directions given by the Court was that the Rules/Regulations of Public Sector bodies relating to conduct and discipline should include rules/ regulations prohibiting sexual harassment and provide for appropriate penalties against the offender. Therefore, it is proposed to amend the CDA Rules of NERAMAC to include a new Rule (Rule 18(A)) prohibiting sexual harassment of working women.

A formal amendment is enclosed as annexure-1 for perusal and approval by the Board.

K.C.S. Kurup
Manager(P&A)

NERAMAC

52nd Board Meeting
Annexure-1 to agenda item No. 7(i)

In exercise of the powers conferred by Rule 38 of Conduct, Discipline and Appeal Rules of North Eastern Regional Agricultural Marketing Corporation Ltd., the Board of Directors of North Eastern Regional Agricultural Marketing Corporation Ltd. hereby makes the following rules to further amend NERAMAC Conduct, Discipline and Appeal Rules, namely :-

1. (1) These rules may be called the NERAMAC Conduct, Discipline and Appeal(Amendment) Rules 1998.
(2) They shall come into force from the date of its approval by the Board of Directors of NERAMAC
2. In the Conduct, Discipline and Appeal Rules of NERAMAC 1985 after Rule 18, the following rule shall be inserted, namely:-
Rule 18(A) -- Prohibition of sexual harassment of working women.
(f) No employee of NERAMAC shall indulge in any act of sexual harassment of any woman at her work place.
(g) Every employee of NERAMAC who is incharge of a work place shall take appropriate steps to prevent sexual harassment to any woman at such work place.

Explanation -- For the purpose of this rule, " Sexual Harassment " includes such unwelcome sexually determined behaviour, whether directly or otherwise as -

- a) Physical contact and advances.
- b) Demand or request for sexual favours,
- c) Sexually coloured remarks,
- d) Showing any pornography, or
- e) Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

Extract of the Minutes of the 57th meeting of the Board of Directors of NERAMAC held at Shillong on 9th February 2000.

Agenda Item No.06 : Amendment of CDA Rules of NERAMAC(Application of departmental proceedings against retired employees)

Approved.

Agenda Item No. 6 : Amendment of CDA Rules of NERAMAC (application of departmental proceedings against retired employees)

The letter No.98/VGL/51 dated 26th October 1999 received from Central Vigilance Commission is enclosed which is self-explanatory. It may be seen that the CVC wants to amend CDA Rules of PSEs to continue with the departmental proceedings after the retirement of an employee. It is therefore proposed to amend CDA rules of NERAMAC to include the above provision. Therefore the following amendment is put up for the approval of the Board.

In exercise of the powers conferred on the Board of Directors under rule 38 of North Eastern Regional Agricultural Marketing Corporation Conduct, Discipline and Appeal Rules 1985, the Board of Directors hereby makes the following amendment in respect of North Eastern Regional Agricultural Marketing Corporation Conduct, Discipline and Appeal Rules, 1985, namely –

1. (I) These rules may be called the North Eastern Regional Agricultural Marketing Corporation Conduct, Discipline and Appeal (Amendment) Rules 1999.
- (II) They shall come into force from the date the Board of Directors approve it.
2. In the Rule 3(a) of the North Eastern Regional Agricultural Marketing Corporation Conduct, Discipline and Appeal Rules, 1985, the words “and also an employee who retired in case the departmental proceedings were initiated before his/her retirement” be added.

Thus the Rule 3(a) would read as follows :

Employee means a person in the employment of the undertaking other than the casual, work-charged or contingent staff or workman as defined in the industrial Disputes Act, 1947, but includes a person on deputation to the Corporation/Company and also an employee who retired in the case the departmental proceedings were initiated before his/her retirement.

Sd/-
Manager (P&A)

NERAMAC
Guwahati

Page : 6 (ii)

Note on Agenda Item NO .6 (ii)
78th Board Meeting
Dated 18th March, 2005

Subject: Amendment of CDA Rules of NERAMAC.

The Office Memorandum No. 15(7)/99-DPE(GM)/GL-59 dated 2nd November, 2004 received from Ministry of Heavy Industries & Public Enterprises, Department of Public Enterprises is enclosed which is self-explanatory. It may be seen that it has been decided to amend Rule No. 23 of CDA Rules. Therefore the following amendment to the said CDA rule of NERAMAC is put up for approval of the Board.

In exercise of the powers conferred on the Board of Directors under rule 38 of North Eastern Regional Agricultural Marketing Corporation Conduct, Discipline and Appeal Rules, 1985, the Board of Directors hereby makes the following amendment in respect of North Eastern Regional Agricultural Marketing Corporation Conduct, Discipline and Appeal Rules, 1985, namely-

1. (I) These rules may be called the North Eastern Regional Agricultural Marketing Corporation Conduct, Discipline and Appeal (Amendment) Rules 2005.

(II) They shall come into force the date the Board of Directors approve it.

2. The Rule 23: Penalties stands modified as follows:

Rule 23: Penalties

Minor Penalties

- (a) Censure;
- (b) Withholding of increments of pay with or without cumulative effect;
- (c) Withholding of promotion;
- (d) Recovery from pay of the whole or part of any pecuniary loss caused to the Corporation/Company by negligence or breach of order;
- (e) Reduction to a lower stage in the time-scale of pay for a period not exceeding 3 years, without cumulative effect and not adversely affecting his terminal benefits.

Major Penalties

- (f) save as provided in clause (e), reduction to a lower stage in the time scale of pay for a specified period, with further directions as to whether or not the employee will earn increments of pay during the period of such reduction and whether on expiry of such period, the reduction will or will not have the effect of postponing the future increment of pay;
- (g) reduction to a lower time scale of pay, grade, post or Service which shall ordinarily be a bar to the promotion of the employee to the time-scale of pay, grade, post from which he was reduced, with or without further directions regarding conditions of restoration to the grade or post from which the employee was reduced and his seniority and pay on such restoration to that grade or post;
- (h) Compulsory retirement;
- (i) removal from service which shall not be a disqualification for future employment under the govt. or the Corporation/Company owned or controlled by the Govt.;
- (j) dismissal from service which shall ordinarily be a disqualification for future employment under the govt. or the Corporation/Company owned or controlled by the Govt.

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

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

उत्तर-पूर्वीय क्षेत्रीय कृषि बिपणन निगम लिमिटेड
NORTH EASTERN REGIONAL AGRICULTURAL MARKETING CORPORATION LTD
(A Government of India Enterprise)

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E-mail: secretary.neramac@gmail.com ; Website: www.neramac.com

CA/10/394
31st May, 2014

To,
Sh. V.H.Kalbande, Managing Director,
Sh. S.Bhattacharjee, Executive Director,
Sh. K.C.S.Kurup, GM(M),
Sh. B.R.Baruah, GM(F&A),
Sh. P.C.Roy, Sr. Zonal Manager (Sikkim),
Sh. D.Sarma, Sr Manager (Qc & Pr), Mankachar,
Sh. Pradeep Bhuyan, AM(M) & I/c ZO-Assam & Meghalaya
Sh. Luyang, AM(M) & I/c ZO-Arunachal Pradesh & Nagaland,
Sh. Nilchandra Nigombom, AM(M), I/c ZO-Manipur,
Sh. D.Endow, Executive & I/c ZO-Agartala & Mizoram
Sh. P.Goswami, Executive, NERAMAC (Kolkata),
Sh. Satish Sharma, AM(Coordination), NERAMAC (Delhi)
✓ All staff of NERAMAC

Sub: Amendment in Conduct, Discipline and Appeal Rules of NERAMAC Ltd

Dear All,

In the 116th Meeting of the Board of Directors of NERAMAC Ltd held on 21st March, 2014, the Board has amended the Schedule to Rule 24 of Conduct, Discipline and Appeal Rules of NERAMAC Ltd to remain as existed earlier as follows:

Cadre of Employees	Disciplinary Authority	Appellate Authority	Reviewing Authority
Management	MD	Chairman	Standing Committee of Directors
Executive & Supervisory	ED	MD	Chairman
Non Supervisory	GM	ED	MD
Employees at Plant / Zonal Offices	Manager in Charge	ED	MD

Please consider for favour of your information and records.

Thanking you,

Yours truly,
Nidhi Sharma
Company Secretary
Guwahati

उत्तर-पूर्वी क्षेत्रीय कृषि विपणन निगम लिमिटेड
NORTH EASTERN REGIONAL AGRICULTURAL MARKETING CORPORATION LTD

(A Government of India Enterprise)

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E-mail: secretary.neramac@gmail.com; website: www.neramac.com.

P & A/197/2017/01
02nd June, 2017

To,

Sri PanKaj Kr. Prasad, Managing Director,

Sri S Bhattacharjee, Executive Director,

Sri P.C. Roy, Sr. Zonal Manager (Sikkim),

Sri D Sharma, Sr. Manager (Qc & Pr), Tripura,

Sri Luyang, AM (M) & I/C Nagaland,

Sri D Endow, I/C Assam & Meghalaya,

Sri Satish Sharma, AM (Marketing & Co-Ordination, NERAMAC, Delhi)

All Staff of NERAMAC.

Sub: Amendment in Conduct, Discipline and Appeal Rules of NERAMAC Ltd.

Dear All,

In the 125th Meeting of Board of Directors of NERAMAC Ltd held on 19.05.2017, the Board has amended the Schedule to Rule 2 of Conduct, Discipline and Appeal Rules of NERAMAC Ltd. as follows:

RKahla/cj
02/06/2017

RESOLUTION NO: 11/2017

"RESOLVED THAT RULE-2 of NERAMAC-CDA rules be amended by addition of the words as follows;

RULE-2 Application.

These rules shall apply to permanent and all contractual employees except

- (i) Those in casual employment or paid from contingencies.
- (ii) Those governed by the Standing Orders under the Industrial Disputes Act, 1947."

"FURTHER RESOLVED THAT Sri Nabanita Buzar Baruah, HR Executive is hereby directed to give effect to the said amendment in CDA Rules and circulate the same to all the employees of the Corporations, do or cause to do such other acts, things and deeds as may be necessary to give effect this resolution."

Please consider for favour of your information and records.

Thanking you,

Yours truly

R/Kalita 02/06/2017
(Rituparna Kalita)
Company Secretary

कंपनी सचिव / Company Secretary
नेरामाक लि. / NERAMAC Ltd.
(भारत सांख्यिकी आयोग / GOVT OF INDIA (Ministry of Statistics))
राजापति पथ, जी.एस. रोड / G. Rajapati Path, G.S. Road
गुवाहाटी-781005 / Guwahati-781005

AGENDA ITEM NO. 06: Amendment of North Eastern Regional Agricultural Marketing Corporation Limited (Conduct, Discipline and Appeal Rules), 1985.

The Managing Director informed the Board members that NERAMAC-CDA Rules, 1985 are applicable on employees except those who are covered under RULE-2 (i) and (ii). However a large number of Contractual employees were also in employment with NERAMAC. Though nowhere it was specifically mentioned that NERMAC-CDA Rules are not applicable on Contractual employees. To avoid any confusions and future disputes that may arise, it had been proposed to amend the NERAMAC-CDA Rules. Since, this was an amendment of bye laws as per the Article 41 of Articles of Association of NERAMAC, approval from the Board of Directors in the form of Board Resolution had been sought. The Board Members discussed in detail about this agenda item. Dr. Harmeet Singh told that contract Terms & Conditions should include clause regarding applicability of NERAMAC-CDA Rules, 1985, to NERAMAC's contractual employees as well. Sri R.P. Gurung told that during appointment or reappointment of employees of NERAMAC along with Contract Terms & Conditions, a copy of amended NERAMAC-CDA Rules, will be given. After discussion the Board passed the following resolutions.

R. K. Singh
02/08/2017