

CHAPTER - 6

CONDUCT, DISCIPLINE AND APPEAL RULES

GENERAL

1.0 SHORT TITLE AND COMMENCEMENT

- 1.1 These rules may be called Coal India Executives Conduct Discipline and Appeal Rules.
- 1.2 They shall come into force with effect from 24th February, 1978 in supersession of the existing Conduct and Discipline rules applicable to the executives of the Company.

2.0 APPLICATION

- 2.1 These rules shall apply to all employees holding posts in the Executive Cadre scales of pay of Coal India and its subsidiary companies and to such other employees as may be notified by the Company from time to time.
- 2.2 The employees governed by Railway Rules/Civil Rules, as the case may be, and who have been allowed by the Company to be covered by the 3rd CPC Scales of pay as accepted by the Government of India shall continue to be governed by the said rules as may be in force from time to time.
- 2.3 These employees may opt for Coal India Executives Conduct, Discipline and Appeal Rules, if they so wish.

3.0 DEFINITIONS

- 3.1 In these rules, unless the context otherwise requires :
- (a) 'Appellate Authority' means the authority specified in the schedule attached to these rules.
 - (b) 'Board of Directors' means the Board of Directors of CIL provided that where special reference is made to the Board Directors of the subsidiary company, such Board of Director.
 - (c) 'Company' means the Coal India Ltd, and includes its subsidiary companies.
 - (d) 'Competent Authority' means, the CMD of the Company concerned or such authority as may be specified by him for purposes of these rules.
 - (e) 'Disciplinary Authority' means the authority as specified in column 3 of the schedule.
 - (f) 'Employee' means an officer holding a post in the executive cadre scales of pay or any other person notified by the company, if such officer or person is employed on a whole time basis by the company provided that such persons on deputation to the Company shall continue to be governed by these rules or the rules applicable to them in their parent organisations as may be settled at the time of finalisation of their terms and conditions of deputation.
 - (g) 'Family' – In relation to an employee includes :
 - (i) The wife or husband, as the case may be separated from the employee by a decree or order of a competent court.
 - (ii) Son or daughter or step-son or step-daughter of the employee and wholly dependent on him but does not include a child or step-child who is no longer in anyway dependent on the employee or of whose custody the employee has been deprived by or under any law.
 - (iii) Any other person related, whether by blood or marriage to the employee or to such employee's wife or husband and wholly dependent on such employee.
 - (h) 'Relative' – A person shall be deemed to be a relative of another, if, and only if :
 - (i) They are members of a Hindu undivided family or
 - (ii) They are husband and wife; or
 - (iii) The one is related to the other in the manner indicated in Schedule - I A of the Indian Company's Act.

COMMENTS

Relative : It means, all members including females of a Hindu undivided family, husband and wife and persons related to one another in the manner indicated in Schedule - IA of the Indian Companies Act, Under Schedule - 1A of the Companies Act, the list of relatives is as under :

Father, mother (including step-mother), son (including step-son), son's wife, daughter (including step-daughter), father's father, father's mother, mother's mother, mother's father, son's son, son's wife, son's daughter, son's daughter's husband, daughter's husband, daughter's son, daughter's wife, daughter's daughter, daughter's daughter's husband, brother (including step-brother), brother's wife, sister (including step-sister) and sister's husband.

CONDUCT

4.0 DUTIES AND OBLIGATIONS OF EXECUTIVES

4.1 Every employee of the company shall at all times :

- (i) Maintain absolute Integrity.
- (ii) Maintain Devotion to Duty and
- (iii) Conduct himself and all times in a manner which will enhance the reputation of the Company.

4.2 Every employee shall take all possible steps to ensure integrity and devotion to duty of all employees for the time being under his supervision, control and authority.

4.3 Every employee must carry out the work for which he is employed and obey all lawful orders of his superiors or of the Company.

4.4 No employee shall engage himself either directly or indirectly in any other business/profession/trade or calling within or outside the working hours except with previous permission of the competent authority as may be specified from time to time.

4.5 Each employee is responsible for and must take proper care of all Company's property specifically entrusted to him.

4.6 No employee shall, in the performance of his official duties or in the exercise of powers conferred on him act otherwise than on his best judgement except where he is acting under the direction of his official superior.

5.0 MISCONDUCT

Without prejudice to the generality of the terms 'misconduct', the following acts of omission and/or commission shall be treated as misconduct :

1. Theft, fraud or dishonesty in connection with the business or property of the Company or of property of another person within the premises of the 'Company'.
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 employee or on his behalf by another person, which the employee cannot satisfactorily account for.
4. Furnishing false information regarding name, age, father's name, qualifications, 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 or image of the Company.
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 attendance or habitual absence without taking prior permission for leave.
9. Neglect of work or negligence in the performance of duty including malingering or slowing down of work.
10. Wilful damage to property of the 'Company'.
11. Interference or tampering with any safety devices installed in or about the premises of the Company or any of its establishments/offices/units.
12. Drunkenness or riotous or disorderly or indecent behaviour in the premises of the Company or outside such premises where such behaviour is related to or connected with the employment.
13. Gambling within the premises of the establishment.
14. Smoking within the premises of the establishment where it is prohibited.
15. Collection without the permission of the competent Authority of any money within the premises of the company except as sanctioned by any law of the land for the time being in force or rules of the 'Company'.
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 "Company" without express permission in writing from the competent Authority.
20. Commission of any act subversive of discipline or of good behaviour.
21. Abetment of or attempt at abetment of any act which amounts to misconduct.
22. Any breach of any of the provisions of these rules, or any other statutes or rules.
23. Any lapse on the part of an employee in discharging his duties with regard to any official documents or part thereof of the office or in his custody.
24. Unauthorised communication of any official information as referred to in Rule 12.

Note :

6.0 EMPLOYMENT OF NEAR RELATION(S)

- 6.1 No employee shall use his position or influence directly or indirectly to secure employment under the 'Company' 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.

Every employee shall submit in Form No. 1 annexed a statement regarding employment of relatives under the 'Company' at the time of his first appointment and at such intervals as may be decided by the Competent Authority. Every employee in addition to the statement in Form No. 1, IV shall also furnish to the Competent Authority a declaration in Form No. II annexed at the time of his first appointment and at such intervals thereafter as may be decided by the Competent Authority showing the details of his/her relatives employed in any company or firm, or business houses doing business with the Company.

- 6.2 No employee shall, except with the previous sanction of the Competent Authority, permit his son, daughter or any member of the family to accept employment with any company or firm with which he has official dealings, or with any other firm, having official dealings with the company.

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

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

6A. TAKING PART IN POLITICS AND ELECTION

1. No employee shall be a member of or 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 assist in any other manner, any political movement or activity.
2. No employee shall canvass or otherwise interfere or use his influence in connection with, or take part in, an election to any parliament, State Legislature or Local Bodies.

(Rule 6(A) added as per O. M. No. C-5A(vi)/50774/1/335, dated 3.11.1982).

7.0 TAKING PART IN DEMONSTRATIONS

- 7.1 No employee of the Company shall :

(i) Engage himself/herself or participate in any demonstration/strike in connection with condition/of his service and/or which involves incitement to an offence.

8.0 CONNECTION WITH PRESS AND OR RADIO

- 8.1 No employee of the 'Company' shall, except with the previous sanction of the competent Authority, own wholly or in part of conduct or participate in the editing or management of any news paper or other periodical publication.

- 8.2 No employee of the 'Company' shall, except with the previous sanction of the Competent Authority or in the bonafied discharge of his duties, participate in a 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.

- 8.3 No employee shall except with previous sanction of the Competent Authority or except in the bonafide discharge of his duties, publish a book himself or through a publisher or contribute an article to a book or compilation of articles, provided however, that no such sanction shall be required if such publication is of a purely literary, artistic or scientific character.

9.0 CRITICISM OF THE COMPANY AND GOVERNMENT

- 9.1 No employee shall in any radio broadcast or in any document published anonymously or in his own name or in the name of any other person or in any communication to the press or in any public utterances, make any statement of fact or opinion, which :

(a) has the effect of an adverse criticism of any current or recent policy or action of the Central Government or a State Government and/or the 'Company'; or

(b) is capable of embarrassing the relation between the Central government/any State Government and the Government of any foreign State and/or the 'Company'.

Provided that nothing in this rules shall apply to any statements made or views expressed by an employee in his official capacity or in the due performance of his duties assigned to him.

10.0 JOINING OF ASSOCIATION BY EMPLOYEES

- 10.1 No employee shall join or continue to be member of an Association the objective or activities of which are prejudicial to the interests of the sovereignty and integrity of India or public order or morality or an organisation banned by government.

11.0 EVIDENCE BEFORE COMMITTEE OR ANY OTHER AUTHORITY

- 11.1 Save as provided in sub-rule 11.3, no employee of the 'Company' shall, except with the previous sanction of the Competent Authority, give evidence in connection with any enquiry conducted by any person, committee or authority.
- 11.2 Where any sanction has been accorded under sub-rule 11.1 no employee giving such evidence shall criticise the policy or any action of the Central Government or of a State Government, of the 'Company'.
- 11.3 Nothing in this rule shall apply to :
- (a) evidence given at any enquiry before an authority appointed by the Government, Parliament or a State Legislature or the 'Company'; or
 - (b) evidence given in any judicial enquiry; or
 - (c) evidence given as any enquiry ordered by any authority of the Government or the 'Company'.

12.0 UNAUTHORISED COMMUNICATION OF INFORMATION

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

13.0 SUBSCRIPTIONS

- 13.1 No employee shall, except with the previous sanction of the Company or of the such authority as may be empowered by it in this behalf, ask for or accept contributions to or otherwise associate himself with the raising of any fund in pursuance of any object, whatsoever, except as sanctioned by any law of the land, or rule or order of the company, for the time being in force.

Note :

- (i) Mere payment of subscription to a charitable or benevolent fund does not by itself violate this rule.
- (ii) Voluntary association of an employee with the collection of Flag Day contributions is permissible and no prior permission is necessary for this purpose.

14.0 GIFTS

- 14.1 Save as otherwise provided in these rules, no employee of the company shall accept or permit any member of his family or any other person acting on his behalf, to accept any gift, from any individual or firm having official dealings with him/her.

Explanation :

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

Note :

- (i) An employee of the Company shall avoid acceptance of lavish or frequent hospitality from any individual or firm having official dealings with him.
 - (ii) A casual meal, gift or other social hospitality shall not be deemed to be a 'gift'.
- 14.2 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 Company may accept gift from his/her near relatives but he shall make a report to the competent Authority of the value of the gift exceeds Rs. 500/-.

14.3 On such occasion as are not specified in sub-rule 14.2 an employee of the company may accept gifts from his personal friends having no official dealings with him, but he shall make a report to the Competent Authority if the value of any such gift exceeds Rs. 250/-.

14.4 In any other case, an employee of the Company shall not accept or permit any 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 Rs. 250/-.

Provided that when more than one gift has been received from the same person/firm within a period of 12 months, the matter shall be reported to the Competent Authority if the aggregate value of the gifts exceeds Rs. 250/-.

14.5 An employee of the Company may accept/retain gifts from foreign dignitaries/firms having no official dealings with him/her, the value of which shall not exceed Rs. 1000/- within a period of 12 months but he/she shall make a report to the Competent Authority about the acceptance of the gifts.

14.6 No employee of the Company shall :

(i) give or take or abet the giving or taking dowry; or

(ii) demand directly or indirectly from the parents or guardians of a bride or bridegroom as the case may be, any dowry.

Explanation :

For the purpose of this rule 'Dowry' has the same meaning as in the Dowry Prohibition Act, 1961 (28 of 1961).

15.0 PUBLIC DEMONSTRATIONS IN HONOUR OF A COMPANY EMPLOYEE

15.1 No employee shall except with previous sanction of the Company, receive any complimentary or valedictory address or accept any testimonials, attend any meeting or entertainment held in his/her honour or in the honour of any other employee.

Provided that nothing in this rule shall apply to a farewell entertainment of a substantially private and informal character held in honour of an employee or any other employee on the occasion of his/her retirement or transfer or any who has recently quitted services of the Company.

16.0 PRIVATE TRADE OR EMPLOYMENT

16.1 No employee of the Company shall, except with the previous sanction of the Competent Authority, engage directly or indirectly in any trade or business or undertake any other employment.

Provided that an employee may, without such sanction, undertake honorary work of a social or charitable nature or occasional work of a literary, artistic or scientific character, subject to the condition that his official duties do not thereby suffer but he shall not undertake or shall discontinue such work if so directed by the Competent Authority.

Every employee shall submit a statement in Form No. III annexed details of any kind of business done by him/her either in his own name or in the name of his family members of 'Benami' at the time of his/her first appointment and by the 31st January of every subsequent year.

16.2 Every employee of the Company shall report to the competent Authority if any member of his/her family is engaged in trade or business or owns or manages an insurance agency or commission agency.

16.3 No employee of the company shall, without the previous sanction of the Competent Authority, except in the discharge of his/her official duties, take part in the registration promotion or management of any Bank or other company which is required to be registered under the Companies Act, 1956 (1 to 1956) or other law for the time being in force or any co-operative society for commercial purposes.

Provided that an employee of the Company may take part in the registration, promotion or management of a House Building Co-operative Society substantially for the benefit of employees of the Company,

or any other co-operative society registered under the Co-operative Societies Act, 1912 (2 of 1912) or any other law for the time being in force, or of a literary, scientific or charitable society registered under the Societies Registration Act, 1860 (21 of 1860), or any corresponding law in force.

- 16.4 No employee of the Company may accept any fee/honorarium 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.

17.0 INVESTMENT, LENDING AND BORROWING

- 17.1 No employee shall speculate in any investment.

Explanation :

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

- 17.2 No employee shall make, or permit his wife or any member of his family to make any investment likely to embarrass or influence him in the discharge of his/her official duties.
- 17.3 If any question arises whether a security or investment is of the nature referred to in Rule 17.1 or Rule 17.2 the decision of the Competent Authority there-on shall be final.
- 17.4 No employee shall, except with the previous sanction of the Competent Authority lend money to any person possessing land or valuable property within the local limits of his/her authority or at interest to any person.

Provided that an employee may make an advance of pay to a private servant, or give loan of small amount free of interest to a personal friend or relative, even if such person possessing land within the local limits of his/her authority.

- 17.5 No employee shall save in the ordinary course of business with a Bank or LIC or a firm of standing borrow money from or otherwise place himself under pecuniary obligation to any person within the local limits of his/her authority, or any other person with whom he/she is likely to have official dealing nor shall he/she permit any member of his/her family, except with the previous sanction of the Competent Authority to enter into such transaction.

Provided that an employee may accept a purely temporary loan of such amount, free of interest, from a personal friend or relative or operate a credit account with a bonafide tradesman.

- 17.6 When an employee is appointed or transferred to a post of such nature as to involve him/her in the breach of any of the provisions of Rule 17.4 or Rule 17.5 he/she shall forthwith report the circumstances to the Competent Authority and shall thereafter act in accordance with such orders as may be passed by the Competent Authority.

18.0 INSOLVENCY AND HABITUAL INDEBTEDNESS

- 18.1 An employee of the Company shall avoid habitual indebtedness unless he/she proves that such indebtedness or insolvency is the result of circumstances beyond his/her control and does not proceed from extravagance or dissipation.
- 18.2 An employee of the Company who applies to be, or is adjudged or declared insolvent shall forthwith report the fact to his/her Competent Authority.

19.0 MOVABLE, IMMOVABLE AND VALUABLE PROPERTY

- 19.1 No employee of the Company shall, except with the previous knowledge of the Competent Authority, acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise, either in his/her own name or in the name of any member of his/her family.

Note :

The approval accorded to loan under the House Building Advance Rules should not be construed as permission of the company for the acquisition of immovable property. It is entirely the responsibility

of the employee applying for house building advance to obtain separately the permission of the Competent Authority in regard to acquisition of immovable property.

- 19.2 No employee of the Company 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 subordinate.
- 19.3 Every employee of the company shall report in Form No. IV annexed to the Competent Authority every transaction concerning movable property owned or held by him/her in his/her own name or in the name of member of his/her family, if the value of such property exceeds Rs. 2,500/- in each transaction.
- 19.4 Every employee shall, on first appointment in the Company, submit a return to assets and liabilities in the prescribed forms V, VA and VB annexed giving the particulars regarding :
- (a) The immovable property inherited by him/her, or owned or acquired by him/her held by him/her on lease or mortgage, either in his/her own name or in the name of any member of his/her family/in the name of any other person.
 - (b) Other immovable property inherited by him/her or similarly owned, acquired or held by him/her if the value of such property exceeds Rs. 2,500/-.
 - (c) Shares, debentures, and cash including Bank deposits inherited by him/her or similarly owned, acquired, or held by him/her and
 - (d) Debts and other liabilities incurred by him/her directly or indirectly.
- 19.5 Every employee shall, thereafter, every year, submit to the Competent Authority a return of immovable property inherited/owned/acquired during a year latest by the 31st January of the following year in Form No. V.
- 19.6 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 him/her or on his/her behalf or by any member of his/her family as may be specified in the order. Such statement shall, if so required by the Competent Authority include details of the means by which, or the source from which such property was acquired.

Explanation No. I

- (a) Jewellery, insurance policies the annual premia of which exceeds Rs. 2,500/- or one sixth of the total annual emoluments received from the Company whichever is less, shares securities and debentures.
- (b) Loans advanced by such employee whether secured or not
- (c) Motor cars, motor cycles, horses or any other means of conveyance and
- (d) Refrigerators, radios, radiograms and television sets.

Explanation No. II

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

(Explanation No. I and II added vide Office order No. CIL/CI-50774/325, dtd. 17.11.1981).

20. VINDICATION OF ACTS AND CHARACTER OF EMPLOYEES

- 20.1 No employee shall, except with the previous sanction of the Company, have recourse to any court or to the press 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 rule shall be deemed to prohibit an employee from vindication of him/her private character or any act done by him/her in his/her private capacity.

21.0 CANVASSING OR NON-OFFICIAL OR OTHER OUTSIDE INFLUENCE

21.1 No employee shall bring or attempt to bring any outside influence to bear upon any superior authority to further his/her interests in respect of matter pertaining to his/her service in the Company.

22.0 BIGAMOUS MARRIAGES

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

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

Provided that the competent Authority may permit an employee to enter into or contract any such marriage as is referred to in Clause 22.1 or Clause 22.2 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.

22.3 The employee who has married or marries a person other than that of Indian Nationality, shall forthwith intimate the fact to the Competent Authority.

(Amended vide O. M. No. CIL/C-5A(vi)/50774/229, dated 5.9.1985 : Please see Annexure III).

23.0 CONSUMPTION OF INTOXICATING DRINKS AND DRUGS

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

24.0 SUSPENSION

24.1 An authority of the Company delegated with the powers to suspend may place an employee under suspension :

(a) Where a disciplinary proceedings against him/her is contemplated or is pending; or

(b) Where in the opinion of the authority aforesaid, he/she has engaged himself/herself in activities prejudicial to the interests or the security of the Company/State; or

(c) Where a case against him/her in respect of any criminal offence is under investigation, inquiry or trial. An order of suspension may be issued in Form No. VI. (For delegation of authority for suspension please refer to Annexure I).

24.2 It is desirable to issue the order of suspension along with the charge sheet in Form No. VII but whenever this is not possible, the charge sheet must follow within a reasonable time. Wherever necessary the suspension order may follow the charge sheet.

24.3 Where a penalty of dismissal, removal or compulsory retirement from service imposed upon an employee under suspension is set aside in appeal or on review and the case is remitted for further inquiry or action or with any directions, the order of his/her suspension shall be deemed to have continued in force on and from the date of original order of dismissal, removal or compulsory retirement and shall remain in force until further orders.

24.4 During the period of suspension the employee shall not enter the work-place/office premises except with the written permission of the suspending authority or any other authority competent to give such permission, nor shall he/she leave station without the written permission, of the Competent Authority. No leave shall be granted during the period of suspension.

24.5 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 him/ her on the allegation on which the penalty of dismissal of or removal was originally imposed, the employee shall be deemed to have been placed under suspension from the date of the original order of dismissal and shall continue to remain under suspension until further orders.

- 24.6 An order of suspension made or deemed to have been made under Rule 24.7 shall continue to remain enforce until it is modified or revoked by the authority competent to do so.

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

24.7 DEEMED SUSPENSION

- (i) An employee shall be deemed to have been placed under suspension by an order of the authority competent to suspend :
- (a) With effect from the date of his detention, if he is detained in custody whether on criminal charge or otherwise for a period exceeding forty eight hours;
 - (b) With effect from the date of his conviction if in the event of conviction for an offence, he is sentenced to a term of imprisonment exceeding forty eight hours and is not forthwith dismissed or removed or compulsorily retired consequent on such conviction.
- (ii) It shall be the duty of the employee who have been arrested for any reason to intimate promptly, the fact of his arrest and the circumstances connected therewith to his official superior even though he might have been released on bail subsequently. Failure on the part of the employee to so inform his/ her official superior will be regarded as suppression of material information and will render him/her liable to disciplinary action on this ground alone, apart from the action that may be called for on the outcome of the Police case against him/her.

- 24.8 Where an employee is suspended or is deemed to have been suspended (whether in connection with any disciplinary proceeding or otherwise) and any other disciplinary proceeding is commenced against him/her during the continuance of that suspension, the authority competent to place him/her under suspension may for reasons to be recorded by him/her in writing direct that the employee shall continue to be under suspension until the termination of all or any such proceedings.

25.0 SUBSISTENCE ALLOWANCE

- 25.1 An employee under suspension shall be entitled to draw subsistence allowance equal to 50 percent of his/her basic pay provided the Disciplinary Authority satisfied that the employee is not engaged in any other employment or business or profession or vocation. In addition, he/she shall be entitled to dearness allowance admissible on such subsistence allowance and any other compensatory allowance of which he/she 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.

- 25.2 Where the period of suspension exceed six months, the authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first six months as follows :

- (i) The amount of subsistence allowance may be increased to 75 per cent of basic pay and allowance 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 per cent of basic pay and allowance thereon if in the opinion of the said authority, the period of suspension has been prolonged due to the reason directly attributable to the employee under suspension.

- 25.3 Before making any payment to a suspended employee he/she would be required to furnish to the Competent Authority a certificate every month that he/she is not engaged in any other employment, business or profession or vocation.

25.4 EFFECTING RECOVERIES FROM SUBSISTENCE ALLOWANCE

The following normal deduction shall be made from subsistence allowance :

- (i) Income Tax (provided the employee's yearly income, calculated with reference to the subsistence allowance, is taxable).
- (ii) House rent and allied charges, i.e. electricity, water, furniture etc.
- (iii) Repayment of loans and advances taken from the Company at such rate as may be fixed by the Competent Authority.
- (iv) Subscription to Provident Fund (contributory).

26.0 TREATMENT OF THE PERIOD OF SUSPENSION

26.1 When the employee under suspension is reinstated, the Competent Authority may grant to him/her 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 27 the full pay and allowances which he/she would have been entitled to, if he/she had not been suspended, less the subsistence allowance already paid to him/her; and
- (b) If otherwise, such proportion of pay and allowance as the Competent Authority may prescribe.

26.2 In a case falling under sub-clause (a) above, the period of absence from duty will be treated as a period spent on duty for all purposes. In case falling under sub-clause (b) above, it will not be treated as a period spent on duty unless the Competent Authority so directs specifically. The non-duty period in the case falling under sub-clause (b) shall not count for the purpose of leave, gratuity, increment etc. The Disciplinary Authority or any other authority to whom powers have been delegated may impose any of the penalties mentioned in Rule 27.

DISCIPLINE

27.0 NATURE OF PENALTIES

27.1 The following penalties may, for good and sufficient reasons, be imposed on an employee for misconduct, viz. :

(i) Minor Penalties

- (a) Censure;
- (b) Withholding increment, with or without cumulative effect.
- (c) Withholding promotion and
- (d) Recovering from pay or gratuity of the whole of or part of any pecuniary loss caused to the company by negligence or breach of orders or trust. (Please see Annexure II).

(ii) Major Penalties

- (a) Reduction to a lower grade or post or stage in a time scale.

Note :

The Authority ordering the reduction shall state the period for which it is effective and whether, on the expiry of that period, it will operate to postpone future increments or, to affect the employee's seniority and if so, to what extent.

- (b) Compulsory retirement
- (c) Removal from service and
- (d) Dismissal

Note 1 :

Removal from service will not be a disqualification for future employment in Coal India Limited and its Subsidiary Companies while dismissal disqualified a person for future employment.

Note 2 :

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

- (i) With-holding of increment of an employee on account of his/her work being found unsatisfactory or not being of the required standard or for failure to pass a prescribed test or examination.
- (ii) Stoppage of increment at the efficiency bar in the time scale on the ground of his/her unfitness to cross the bar.
- (iii) Non-promotion, whether in a substantive or officiating capacity of an employee, after consideration of his/her case to a service, grade or post for promotion to which he/she is eligible.
- (iv) Reversion to lower service, grade or post of an employee officiating in a higher service, grade or post on the ground that he/she is considered, after trial to be unsuitable for such higher service, grade or post or on administrative ground unconnected with his/her conduct.
- (v) Reversion to his/her permanent service, grade or post of an employee appointed on probation to another service, grade or post during or at the end of period of probation in accordance with the terms of his/her appointment or the rules and orders governing probation.
- (vi) Replacement of the services of an employee whose services have been borrowed from Central or a State Government or an authority under the control of Central or a State Government at the disposal of the authority which had lent his/her services.
- (vii) Compulsory retirement of an employee in accordance with the provisions relating to his/her superannuation or retirement.
- (viii) Termination of the services :
 - (a) of an employee appointed on probation during or at the end of the period of probation in accordance with the terms of his/her appointment or the rules and order governing probation or
 - (b) of a person appointed in a temporary capacity otherwise than under a contractor agreement in accordance with the general conditions of service applicable to temporary employment.
 - (c) of an employee employed under an agreement or contract, in accordance with the terms of such agreement or contract
 - (d) of a person on reduction of establishment; and
 - (e) of a person who is liable to be discharged for failure to qualify in certain duties or subjects under the conditions of his/her service.

27.2 AUTHORITIES COMPETENT TO IMPOSE PENALTIES

- (i) Subject to the provisions in sub-rule (iii) below, the authorities specified in column 3 of the Schedule appended to these rules may impose the penalties specified in column 4 upon employees in different grades of pay shown in column 1 of the Schedule.

Note :

The authorities empowered to impose penalties on employees officiating in higher posts shall be determined by the post held by the employee at the time when the penalty is imposed and a non-

executive staff of the Company officiating in executive post at the time of imposition of penalty, shall be treated an employee holding the executive post in a substantive capacity.

- (ii) The Disciplinary Authority in respect of an employee under his/her administrative control may impose any of the penalties specified in rule 27.1 and may, subject to any conditions he/she may consider necessary, delegate to the authorities subordinate to him/her not lower than the Head of Department, power to impose these penalties subject to Rule 27.2 (iii).
- (iii) Notwithstanding anything contained in these rules no employee shall be removed or dismissed by an authority lower than that by which he/she is appointed to the post held by him/her.

28.0 DISCIPLINARY AUTHORITY

Authority competent to impose penalty as specified in col. 4 of the Schedule or authority higher than it or any other authority to whom powers have been delegated may impose any of the penalties mentioned under Rule 27 herein above.

29.0 PROCEDURE FOR IMPOSING MAJOR PENALTIES

- 29.1 No order imposing any of the major penalties specified in Rule 27 shall be made except after an inquiry is held in accordance with this rule.
- 29.2 Whenever the Disciplinary Authority is of the opinion that there are grounds for inquiry into the truth of any imputation of misconduct or misbehaviour against an employee, it may itself inquire into, or appoint any official of the Company or any public servant (hereinafter called the Inquiring Authority) to inquire into the truth thereof.
- 29.3 Where it is proposed to hold an inquiry the Disciplinary Authority shall frame definite charges on the basis of the allegations against the employee. 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 charges are proposed to be sustained shall be communicated in writing to the employee, who shall be required to submit within such time as may be specified by the Disciplinary Authority (not exceeding 15 days) a written statement stating whether he/she 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 employee at this stage.

- 29.4 On receipt of the written statement of the employee, 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 or a committee appointed as an enquiring Authority under Rule 29.2.
Provided that it may not be necessary to hold an inquiry in respect of the charges admitted by the employee in his/her written statement. The Disciplinary Authority shall, however record its findings on each such charge.
- 29.5 Where the Disciplinary Authority itself inquires or appoint an Inquiring Authority for holding an inquiry, it may, by an order appoint an officer(s) of the Company or any public servant to be known as the 'Presenting Officer' to present on its behalf the case in support of the articles of charge.
- 29.6 The employee may take the assistance of any other employee but may not engage a legal practitioner for the purpose.
- 29.7 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 he/she pleads guilty or had any defence to make and if he/she 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 employee concerned pleads guilty.
- 29.8 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 employee may, for the purpose of preparing his/her defence :

- (i) inspect the documents listed with the charge sheet;
- (ii) submit a list of additional documents and witnesses that he/she 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-rule 29.8 above will have to be given by the employee concerned and the documents and the witness shall be summoned if the Inquiring Authority is satisfied about their relevance to the charges under inquiry.

29.9 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.

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

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

29.11 On the date fixed for the inquiry, the oral and documentary evidence by which the articles of charge are proposed to be proved shall be produced by or on behalf of the Disciplinary Authority. The witness shall be examined by or on behalf of the Presenting Officer and may be cross-examined by or on behalf of the 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.

29.12 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 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.

29.13 When the case for the Disciplinary Authority is closed, the employee may be required to state his/her defence orally or in writing, as he/she may prefer. If the defence is made orally, it shall be recorded and the employee shall be required to sign the record. In either case a copy of the statement of defence shall be given to the Presenting Officer, if any appointed.

29.14 The evidence on behalf of the employee shall then be produced. The employee may examine himself/herself in his/her own behalf if he/she so prefers. The witness produced by the employee shall then be examined and shall be liable to cross-examination, re-examination and examination by the Inquiring Authority according to provision applicable to the witness for the Disciplinary Authority.

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

29.16 The Inquiring Authority may after completion of the production of evidence, hear the presenting officer, if any, appointed, and the employee, or permit them to file written briefs of their respective cases, if they so desire.

(Substituted as above vide O. M. No. C-5A (vi)/50774/1/373, dated 23.12.83).

29.17 If the 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 exparte.

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

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

29.19 After the conclusion of the inquiry, report shall be prepared and it shall contain :

- (i) (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 employee in respect of each article of charge;
- (c) an assessment of the evidence in respect of each article of charge; and
- (d) the findings on each article of charge and the reasons therefor.

Explanation :

If in the opinion 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 employee has either admitted the facts on which such article of charge is based or has had a reasonable opportunity of defending himself/herself against such article of charge.

- (ii) The Inquiring Authority, where 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 29.13;
 - (c) the oral and documentary evidence produced in the course of the inquiry;
 - (d) written brief referred to in sub-rule 29.16 if any; and
 - (e) the orders, if any, made by the Disciplinary Authority and the Inquiring Authority in regard to the inquiry.

30.0 ACTION ON THE INQUIRY REPORT

The Disciplinary Authority if it is not itself the Inquiring Authority may, for reasons to be recorded by it in writing remit the case to the Inquiring Authority for fresh or further inquiry and report and the Inquiring Authority shall thereupon proceed to hold the further inquiry according to the provisions of Rule 29.3 as far as may be.

- 30.1 The Disciplinary Authority shall, if it disagrees with the findings of the Inquiring Authority on any article of charge, record its reason for such disagreement and record its own findings on such charge, if the evidence on record is sufficient for the purpose.
- 30.2 If the Disciplinary Authority having regard to its findings on all or any of the articles of charge, is of the opinion that any of the penalties specified in Rule 27 should be imposed on the employee it shall notwithstanding anything contained in Rule 31 make an order imposing such penalty.
- 30.3 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.

31.0 PROCEDURE FOR IMPOSING MINOR PENALTIES

- 31.1 Where it is proposed to impose any of the minor penalties specified in Rule 27 of the employee concerned shall be informed in writing of the imputations of misconduct or misbehaviour against

him/her and given 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.

31.2 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 reasons therefor.

32.0 COMMUNICATION OF ORDERS

32.1 Orders made by the Disciplinary Authority under Rule 29 or Rule 31 shall be communicated to the employee concerned, who shall also be supplied with a copy of the report of inquiry, if any.

33.0 COMMON PROCEEDINGS

33.1 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.

34. SPECIAL PROCEDURE IN CERTAIN CASES

34.1 Notwithstanding anything contained in Rule 29 or 30 or 31 the Disciplinary Authority may impose any of the penalties specified in Rule 27 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 inquiry in the manner provided in these rules; or
- (iii) where the Disciplinary Authority is satisfied that in the interest of the security of the Company, it is not expedient to hold any inquiry in the manner provided in these rules.

34.2 Departmental proceeding, if instituted while the employee was in service whether before his retirement or during his 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.

(Added as per Office Order No. C-5b/50774/150, dtd. 7.8.1981). (effective from 9.4.81).

35.0 EMPLOYEES ON DEPUTATION FROM THE CENTRAL GOVERNMENT OR THE STATE GOVERNMENT ETC.

35.1 Where an order of suspension is made or disciplinary proceeding is taken against an employee, who is on deputation to the Company from the Central or State Government, or another public undertaking, or a local authority, the authority lending his/her services (hereinafter referred to as the 'Lending Authority') shall forthwith be informed of the circumstances leading to the order of his/her suspension, or the commencement of the disciplinary proceedings as the case may be.

35.2 In the light of the findings in the disciplinary proceeding taken against the employee :

- (a) If the Disciplinary Authority is of the opinion that any of the minor penalties should be imposed on him, it may pass such orders on the case as it deems necessary after consultation with the Lending Authority. Provided that in the event of a difference of opinion between the Disciplinary and the Lending Authority, service of the employee shall be placed at the disposal of the Lending Authority.

- (b) If the Disciplinary Authority is of the opinion that any of the major penalties should be imposed on him/her it should replace his/her service at the disposal of the Lending Authority and transmit to it the proceedings of the inquiry for such action as it deems necessary.
- (c) If the employee submits an appeal against an order imposing a minor penalty on him/her under sub-rule 35.2 (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.

APPEALS

36.0 AN EMPLOYEE MAY APPEAL AGAINST AN ORDER IMPOSING UPON HIM/HER ANY OF THE PENALTIES SPECIFIED IN RULE 27 OR AGAINST THE ORDER OF SUSPENSION REFERRED TO IN RULE 24. THE APPEAL SHALL LIE TO THE AUTHORITY SPECIFIED IN COLUMN 5 OF THE SCHEDULE.

- 36.1 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, 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 Rule 27 and an inquiry as provided in Rule 29 has not already been held in the case, the Appellate Authority shall direct that such an inquiry be held in accordance with the provisions of Rule 29 and thereafter consider the record of the enquiry and pass such orders as it may deem proper. If the Appellate Authority decides to enhance the punishment but an inquiry has already been held as provided in Rule 29, the Appellate Authority shall give a show-cause notice to the employee as to why the enhanced penalty should not be imposed upon him/her. The Appellate Authority shall pass final order after taking into account the representation, if any, submitted by the employee.

37. REVIEW

- 37.1 Notwithstanding anything contained in these rules, the Appellate 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 Appellate Authority proposes to impose, is a major penalty specified in rule 27 and an enquiry as provided under Rule 29 has not already been held in the case, the Appellate Authority shall direct that such an inquiry be held in accordance with the provisions of Rule 29 and thereafter consider the record of the inquiry and pass such order as it may deem proper. If the Appellate Authority decides to enhance the punishment but an inquiry has already been held in accordance with the provisions of Rule 29 the Appellate Authority shall give show-cause notice to the employee as to why the enhanced penalty should not be imposed upon him/her. The Appellate Authority shall pass final order taking into account the representation, if any, submitted by employee.

The Coal India Limited, Board of Directors may at any time call for the records of any inquiry review any order and pass necessary order, as it may deem fit.

38.0 SERVICE OF ORDERS, NOTICES ETC.

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

39.0 POWER TO RELAX TIME-LIMIT AND TO CONDONE DELAY

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

40.0 SAVING

40.1 Nothing in these rules shall be construed as depriving any person to whom these rules apply, of any right of appeal or right of procedure or rule which had accrued to him/her under the procedure rules, which have been superseded by these rules.

40.2 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.

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

40.4 Any misconduct etc. committed prior to the issue of these rules which was a misconduct under the superseded rules shall be deemed to be misconduct under these rules.

41.0 REMOVAL OF DOUBTS

41.1 Where a doubt arises as to the interpretation of any of these rules, the matter shall be referred to the Board of Directors of Coal India Limited or committee of Directors for final decision.

42.0 AMENDMENTS

42.1 The Coal India Limited Board or the Committee of Directors 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.

43.0 REPEAL

These rules supersede all the existing rules in respect of Conduct, Discipline and Appeal Rules concerning executive cadre employees of Coal India Limited and its subsidiaries. Such rules include :

- (i) Conduct and Discipline Rules of BCCL, 1972
- (ii) Conduct and Discipline Rules of BCCL, 1972 made applicable to executive cadre employees of CMAL and its subsidiaries; and
- (iii) National Coal Development Corporation Limited Services conduct and Discipline Rules.

FORM — I

(Rule 6.1)

Statement Regarding Employment of Relatives in the Company

1. Name of the officer (in full)
Department
2. Present post held Area No.
Colliery
3. Present basic pay and scale
4. Date of joining the Company

Particulars of the relatives
employed in the Company

Name & Designation	Colliery/Office/ Deptt. in which employed	Basic pay and scale	Relationship with employee	Date of appointment of the relative employed in the company	Remarks
1.	2.	3.	4.	5.	6.

Signature of the employee

Date

FORM — II

(Rule 6.2)

**Declaration Regarding Relations Connected with Firms/Business House
Doing Business with the Company**

1. Name of the officer (in full)
2. Present post hold
3. Place of posting
4. Present basic pay & scale
5. Date of joining the Company

I, the undersigned, hereby declare that none of my relations is/are the following relations are connected with any firms or business houses engaged in business dealing with the Company.

Sl. No.	Complete address of the firm/business house doing business with the Company with name of proprietor/partner/manager	Nature of relationship of the officer with proprietor/partner/manager of the said firm or business house	Nature of business dealings with the Company	Nature of pecuniary of other interest of the officer having relations with said firm/business house
1.	2.	3.	4.	5.

- I also undertake to inform the management immediately about the changes that may take place regarding the connections of my relations with the firms doing business with the Company.
- I further declare that I shall not participate in decisions relating to award of contracts/giving orders for purchase or sale or any other matter to the advantage of the firm where my relation(s) is/are having connection.

Place :

Signature

Date :

* Strike off whichever is not applicable.

FORM — III

(Rule 16.1)

Statement Regarding any kind of Business done by the Employee either in his/her own Name or in the Name of his/her Family Members or Benami

- Name of the officer (in full)
Department
- Present post held Area No.
Colliery
- Present basic pay and scale
- Date of joining the Company

Details of the Business	Name of the person in whose name the business is held/conducted	Relationship of the employee in whose name the business is held/conducted	Approximate monthly income
1.	2.	3.	4.

Signature of the employee.....

Date

FORM — IV

(Rule 19.3)

Report/Application of/for Acquisition/Disposal of Movable Property

1. Name
2. Appointment
3. Office

Details of articles	Price	Source of money in case of purchase (e.g. saving, loans, gifts)	Name with details of person/ persons from/to whom article is acquired/ disposed of	Date of acquisition/ disposal of property	Name & address of dealer (if any) through whom transaction conducted	Remarks
---------------------	-------	---	--	---	--	---------

Signature.....

Station

Date

FORM — V

(Rule 19.4)

Statement of Immovable Property on First Appointment for the Year

1. Name of Officer & Staff No. (in full)
2. Present post held Department/Area No.....
3. Present pay Rs.
4. Date of joining the Company

Name of district, Sub-Divn., Taluk and village in which property is situated	Name & details of Property		Present value	If not in own name, state in whose name held and his/ her relationship to the Govt. servant	How acquired whether by purchase, lease mortgage, inheritance gift or otherwise with date of acquisition and name with details of person/persons from whom acquired	Annual income from the property including short term lease also	Remarks
	Houses & other buildings	Land					
1	2	3	4	5	6	7	8

Signature.....

Date

1. In-applicable clause to be struck up.
2. In case where it is not possible to assess the value accurately the approximate value in relation to present conditions may be indicated.

FORM — V (A)

(Rule 19.4)

Statement of Movable Property on First Appointment for the Year

1. Name of Officer & Staff No. (in full)
2. Present post held Department/Area No.
3. Present pay Rs.
4. Date of joining the Company

Sl. No.	Description of items	Price or value at the time of acquisition and/or the total payment made upto the date return, as the case may be in case of articles purchased on hire-purchased or instalment basis	If not in own name, name and address of the person in whose name and his/her relationship with the employee	How acquired with approximate date of acquisition	Remarks
1	2	3	4	5	6

Signature of employee

Date

- Note :
1. In this form information may be given regarding items like (a) Jewellery owned by him/her (total value); (b) silver and other precious metals and precious stone owned by him/her not forming part of jewellery (total value); (c) (i) motor cars, (ii) scooters/motor cycles; (iii) refrigerators/air-conditioners, (iv) radios/radiograms/television sets and any other articles, the value of which individually exceeds Rs. 2,500/-; (d) value of items of movable property individually worth less than Rs. 2,500, other than articles of daily use such as cloths, utencils, books, crockery, etc. added together as lumpsum.
 2. In column 5, may be indicated whether the property was acquired by purchase, inheritance, gift or otherwise.
 3. In column 6 particulars regarding sanction obtained or report made in respect of various transactions may be given.

FORM — V (B)
(Rule 19.4)

Statement of Liquid Assets on First Appointment for the Year

- (i) Cash and Bank balances exceeding 3 months emoluments.
- (ii) Deposits, loans advanced and investments (such as shares, securities, debentures etc.)

1. Name of Officer & Staff No. (in full)
2. Present post held Department Area No.
3. Present basic pay & scale
4. Date of joining the Company

Sl. No.	Description	Name and address of Company, bank etc.	Amount	If not in own name, name and address of person in whose name held and his/her relationship with the employee	Annual income derived	Remarks
1	2	3	4	5	6	7

Signature of employee

Date

Note : In column 7, particulars regarding sanctions obtained or report made in respect of the various transactions may be given. The term "emoluments" means the pay and allowances received by the employee.

FORM — VI
(Rule 19.1)

No.

Name of the Company

Place of issue Dated

ORDER

Where as a disciplinary proceeding against

Where a case against Sri/Smt.

Sri/Smt.
(name & designation of the employee) is
contemplated/pending.

.....
(name & designation of the employee) in
respect of a original offence, is under
investigation/enquiry/trial.

Now, therefore, the undersigned (authority competent to suspend), in exercise of the powers conferred by Rule 24.1 of Conduct, Discipline and Appeal Rules, hereby places the said Sri/Smt.
..... under suspension with immediate effect

It is further ordered during the period that this order shall remain in force the Headquarters of Sri/Smt. (name & designation of the employee) shall be (name of place) and said Sri/Smt. shall not leave the Headquarters without obtaining the previous permission of the undersigned.

Signature

Name & designation of the Suspending Authority

1. Copy to Sri/Smt. (name & designation of the employee). Orders regarding subsistence allowance admissible to him during the period of his suspension will issue separately.
2. Copy to Sri/Smt. (name & designation of the lending authority) for information.
3. The circumstances in which the order of suspension was made are as follows :
(Here give details of the case and reasons for suspension)

Note : Paras 2 and 3 should not be inserted in the copy of the order of suspension sent to the employee to be suspended.

Distribution :

1. Pay Officer.
2. Security Incharge.

FORM — VII
(Rule 24.2)

Name :

Designation :

Staff No. :

Section/Department

Through

Charge Sheet

You are charged with having committed the following act/s of misconduct :

- (i)
- (ii)
- (iii)

The above charges are based on the following allegation :

- (i)
- (ii)
- (iii)

The above amount/amounts to an act/acts of misconduct in accordance with the of the Conduct, Discipline and Appeal Rules of the Company which is punishable under Rule

You are directed to submit to the undersigned your written explanation within days from the receipt of the charge sheet and to show cause why the charge should not be established and why appropriate penalty including dismissal should not be imposed. Any explanation that you may make shall be taken into consideration before taking further action. In case you fail to submit any explanation within the stipulated time, it would be presumed that you have nothing to say in your defence and further action on the merit of the case would be taken without any further reference.

Please acknowledge receipt of the charge sheet.

Signature

Date :

COAL INDIA LIMITED

"COAL BHAWAN"
10-NETAJI SUBHAS ROAD, CALCUTTA - 700001
POST BOX NO. 871

No. : CIL/C-5A (vi)/50774/08

April 4, 1991

OFFICE MEMORANDUM

Sub : Amendment of Conduct, Discipline and Appeal Rules, 1978 - Schedule under Rule 27.0

CIL Board at its 113th meeting held on 20.12.90 approved that the Schedule under rule 27.0 of the CIL Conduct, Discipline and Appeal Rules, 1978 shall be substituted by the following :

Sl. No.	Grade of employee	Disciplinary Authority	Penalties which it may impose	Appellate Authority
1.	2.	3.	4.	5.
			I. Minor Penalties (a) Censure; (b) With-holding of increments; (c) With-holding of promotion; (d) Recovery from pay or gratuity of the whole or part of any pecuniary loss etc. II. Major Penalties (a) Reduction to a lower service, grade or post or to a lower time scale, or to a lower stage in time scale; (b) Compulsory retirement; (c) Removal from service; (d) Dismissal from service.	
1.	CMD & Whole-time Directors of CIL and its subsidiary companies to whom the CIL Executive Conduct, Discipline and Appeal Rules apply.	President of India	All penalties	President of India

1.	2.	3.	4.	5.
2(a).	All Officers in grade E-1 to E-9 posted in CIL Headquarters, North Eastern Coalfields, Dankuni Coal Complex, Regional/ Branch Sales/ Liaison Offices and any other allied office(s)/ establishments under the direct administrative control of CIL.	Chairman-cum- Managing Director Coal India Limited	(a) All Penalties	Board of Directors, Coal India Limited
2(b)	All officers in Grade E-1 to E-9 posted in subsidiaries.	Chairman-cum- Managing Director, Coal India Ltd.	All Penalties	Board of Directors, Coal India Ltd.
3.	Officers in Grades E-1 to E-5 posted in Subsidiary Companies excluding JETs & officers directly recruited in E-1/E-2.	Chairman-cum- Managing Director of the concerned Subsidiary Company.	All Penalties	Chairman-cum- Managing Director, CIL
(a)	Officers in grade E-6 to E-9 posted in Subsidiary Companies.	CMD of the concerned Subsidiary Company	All Penalties except II (b) to II (d)	Chairman-cum- Managing Director, CIL.
4.	Officers in E-1 to E-5 Grade posted in Subsidiary Companies.	(1) Functional Directors of the concerned company in respect of officers working under them.	All minor penalties	Chairman-cum- Managing Director of the concerned Subsidiary Companies.
5.	Officers posted in CIL Headquarters, North Eastern Coalfields, Dankuni Coal Complex, Regional/Branch Sales/Liaison Offices and any other allied office(s) under the direct administrative control of Coal India Limited.			

1.	2.	3.	4.	5.
(i)	In E-1 to E-9 Grades	Functional Directors of CIL in respect of officers working under them.	All penalties except II(b) to II (d)	Chairman-cum-Managing Director, CIL.

Note : The jurisdiction of the Disciplinary Authority vide item (3) to (5) above shall be determined with reference to the Company/Unit where the alleged misconduct was committed.

This will take immediate effect.

Sd/- 2.4.91
(R. G. Singh)
General Manager (Personnel)

COAL INDIA LIMITED

"COAL BHAWAN"
10-NETAJI SUBHAS ROAD, CALCUTTA - 700001
POST BOX NO. 871

No. : CIL/C-5A (vi)/50774/I/216

Dated 27-2-1996

OFFICE MEMORANDUM

Sub : Amendment of rules 14.3, 14.4, 14.5, 19.3, 19.4, 29.5 & Clause 29.2 of the Conduct Discipline & Appeal Rules, 1978 of Coal India Limited.

The Board of Directors, CIL at its 144th and 153rd Meetings held on 22.12.94 and 08.01.96 respectively accorded its approval to the amendments of different provisions of CDA Rules of CIL as applicable to its Executive Cadre employees, as indicated below :

In the 144th CIL Board Meeting held on 22.12.94 Clause 29.2

"Whenever the Disciplinary Authority is of the opinion that there are grounds for enquiring into the truth of any imputation of misconduct or misbehaviour against an employee, it may itself enquire into, or appoint any person (hereinafter called the Inquiring Authority to enquire into the truth thereof."

In the 153rd CIL Board Meeting held on 08.01.96

Existing Rule	Amendment
Rule 14.3 On such occasions as are not specified in Sub-Rule 14.2, an employee of the Company may accept gifts from his personal friends having no official dealings with him, but, he shall make a report to the Competent Authority, if the value of any such gift, exceeds Rs. 250/-	The amount of Rs. 250/- be enhanced to :- (i) All employees in Executive cadre upto E-5 Rs. 500/- (ii) Executives in the grade of M-1 and above .. Rs. 1000/-
Rule 14.4 In any other case, an employee of the Company shall not accept or permit any 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 Rs.250/- provided that when more than one gift has been received from the same person/firm within a period of 12 months, the matter shall be reported to the competent authority if the aggregate value of the gifts exceeds Rs. 250/-	The amount of Rs.250/- be enhanced to :- (i) All employees in Executive Cadre upto E-5 ... Rs.500/- (ii) Executives in the grade of M-1 and above .. Rs.1000/-
Rule 14.5 An employee of the Company may accept/retain gifts from foreign dignitaries/firm having no official dealings with him/her, the value of which shall not exceed Rs.1000/- within a period of 12 months, he/she shall make a report to the competent authority about the acceptance of the gifts.	The amount of 1000/- be enhanced to Rs. 2000/-

Rule 19.3

Every employee of the Company shall report in Form No. IV annexed, to the competent authority every transaction concerning movable property owned or held by him/her in his/her own name or in the name of member of his/her family, if the value of such property exceeds Rs.2500/- in each transaction.

The amount of Rs.2500/- be enhanced to Rs. 10,000/-

Rule 19.4

Every employee shall, on first appointment in the company submit a return of assets and liabilities in the prescribed Form-V, VA & VB annexed giving the particulars regarding :

(a)

(b) Other movable property inherited by him/her or similarly owned, acquired or held by him/her if the value of such property exceeds Rs. 2500/-.

The amount be enhanced to Rs. 10,000/-

(d)

(d)

Rule 29.5

Where the Disciplinary Authority itself inquires or appoints an Inquiring Authority for holding an inquiry, it may, by an order appoint an Officer(s) of the Company or any public servant to be known as the "Presenting Officer" to present on its behalf the case in support of the articles of charge.

Where the Disciplinary Authority itself inquires or appoints an Inquiring Authority for holding an enquiry, it may, by an order appoint any person, who in the opinion of the Company is competent to present on its behalf the case in support of the articles of charge as the Presenting Officer.

This will take immediate effect.

Sd/-

(K. P. SINHA)

Chief General manager (Personnel)

COAL INDIA LIMITED

"COAL BHAWAN"
10-NETAJI SUBHAS ROAD, CALCUTTA - 700001
POST BOX NO. 871

No. : CIL/C-A (vi)/50771/06

Dated 17-04-1996

ORDER

As approved by the CIL Board in its 144th & 153rd meetings held on 22.12.1994 and 08.01.1996 / Rules 29.2 & 29.5 of Conduct Discipline and Appeal Rules, 1978 of CIL have been amended. According to the amended provisions, the Disciplinary Authority of concerned Subsidiary Companies can appoint/engage any person either from outside as well as within the Company to act as Enquiry Officer and Presenting Officer, as the case may be.

2. Consequent upon such amendment of Rules 29.2 & 29.5 of Conduct Discipline and Appeal Rules, 1978, as mentioned above, the matter regarding payment of remuneration to the Enquiry Officer and Presenting Officer has been examined and it has been decided that the standard terms of payment for such engagement should be as under :

Enquiry Officer	Presenting Officer
1. Retired CMD/Director a consolidated sum of Rs.10000/- for completion of an enquiry irrespective of the no. of days of the enquiry.	Retired CMD/Director a consolidated sum of Rs. 5000/- for completion of an enquiry irrespective of the no. of days he takes to complete the enquiry.
2. Retired Officers of E-6/M-1 and above grades - Rs.8000/- on the same conditions as above.	Retired Officers of E-6/M-1 and above grades - Rs. 4000/- on the same conditions as above.
3. Others Rs.5000/- (Retired) on the same conditions as above.	Others Rs.2500/- (Retired) the same conditions as above.

The above rates will also be applicable to the outsiders depending upon their rank at par with the above.

3. This issues with the approval of the Competent Authority and will have prospective effect.

Sd/-
(K. P. SINHA)
Chief General Manager (Personnel)

COAL INDIA LIMITED

"COAL BHAWAN"
10-NETAJI SUBHAS ROAD
CALCUTTA - 700001

No. : CIL/C-5A (vi)/50774/47

Dated 25-07-1996

OFFICE MEMORANDUM

Sub. : Amendment of rule 29.2 and 29.5 of CDA Rules, 1978 of Coal India Limited pertaining to appointment of retired persons as Inquiring Authority and Presenting Officer respectively with retrospective effect.

The provisions under rule 29.2 and 29.5 of the Conduct, Discipline and Appeal Rules, 1978 of CIL regarding appointment of retired persons as Inquiring Authority and Presenting Officer as amended in the 144th and 153rd meeting of CIL Board of Directors held on 22.12.1994 and 08.01.1995 respectively and circulated vide Office Memorandum No. CIL/C-5A (vi)/50774/1/216, dated 27.2.96 was reviewed in the 157th meeting of the CIL Board of Directors held on 29.6.1996. It has been decided that the said amended provisions relating to rule 29.2 and 29.5 ibid shall be deemed to have taken effect from 01.4.1994 to cover all past cases dealt with and processed from 01.4.93 where any retired person had been appointed to act as Inquiring Officer/Presenting Officer by CIL/Subsidiary Companies.

This is for information and compliance by all.

Sd/-

(B. N. Jha)

Chief General Manager (P&IR)

COAL INDIA LIMITED

"COAL BHAWAN"
10-NETAJI SUBHAS ROAD, CALCUTTA - 700001
POST BOX NO. 871

No. : CIL/C-5A (vi)/50774/1/ 72

Dated 18/20-09-96

OFFICE MEMORANDUM

Sub. : Amendment of CIL Conduct, Discipline and Appeal Rules, 1978,

In pursuance of the decision of the Board of Directors, CIL in its 15st meeting held on 27.10.95, rule 24.1 of CDA Rules, 1978 stands modified as under.

Existing Rule	Amendment
Rule 24.1 An Authority of the Company delegated with the powers to suspend may place an employee under suspension.	An authority of the Company delegated with the powers to suspend may place an employee under suspension subject to the condition that the CMDs of the Subsidiary Companies, wherever necessary, will have the power to suspend the executives below Board level working under them for a period not exceeding three months.
(a) Where a disciplinary proceedings against him/her is contemplated or is pending ; or	(a) Where a disciplinary proceedings against him/her is contemplated or is pending ; or
(b) Where in the opinion of the authority aforesaid, he/she has engaged himself/herself in activities prejudicial to the interests or the security of the the Company/State ; or	(b) Where in the opinion of the authority aforesaid he/she has engaged him her self in activities prejudicial to the interests or the security of the company/State ; or
(c) Where a case against him/her in respect of any criminal offence is under investigation, inquiry self/or trial.	(c) Where a case against him/her in respect of any criminal offence is under investigation, inquiry or trial.
An order os suspension may be issued in Form No. VI (for delegation of authority for suspension please refer to Annexure-I)	

This supersedes the O.M.No. CIL/C-5A(vi)/50774/1/65, dated 10.09.1996.

Sd/-

(B.N. JHA)

Chief General Manager (P&IR)

COAL INDIA LIMITED

"COAL BHAWAN"
10-NETAJI SUBHAS ROAD, CALCUTTA - 700001
POST BOX NO. 871

No. : CIL/C-5A (vi)/50774/1/ 72

Dated 02.01.1998

OFFICE MEMORANDUM

Sub. : Amendment of Conduct Discipline and Appeal Rules, 1978-Schedule under rule 27.0

CIL Board of Directors at its 170th meeting held on 3rd December, 1979 approved the amendment of schedule under rule 27.0 of the Conduct, Discipline and Appeal Rules, circulated vide O.M. No. CIL/C-5A(vi)/50774/08,d ated 04.4.1991, incorporating the following clause in coloumn No. 3 against cause 5 (i):

Clause 5(i) of the Schedule	Existing Clause (Coloumn-3) Disciplinary Authority	Amended Clause
	(1) Functional Directors of CIL in respect of Officers working under them.	(1) Functional Directors of Coal India Limited in respect of Officers working under them.
		(2) Directors (Tech.), Coal India Ltd. in respect of executives who are members of the Coal Stock Measurement Team comprising of executives from different Subsidiaries in addition to the powers as at (1) above.

This will take immediate effect.

Sd/-
(S. A. YUSUF)
General Manager (Pers.)