

## CHAPTER-VI

### 64. General :

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 Federation or of a subsidiary or of property of person in the premises of the Federation,
- 2) Taking or giving bribes or an illegal gratification,
- 3) Possession of pecuniary resources or property disproportionate to the known sources of income by the employee or on his behalf of another person, which the employee can not 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 interest of the Federation.
- 6) Every employee/workman shall at all times carry out the orders and act according to the instructions of the Superior authorities so far as his official duties are concerned.
- 7) Absence without leave or overstaying the sanctioned leave, for more than four consecutive days without sufficient grounds, or proper or satisfactory explanation,
- 8) Habitual late or irregular attendance or willful absence from duty or habitual absence without leave.





- 9) Neglect of work or negligence in the performance of duty including maligning or slowing down of work.
- 10) Damage to any property of the Federation.
- 11) Interference or tampering with any safety devices installed in or about the premises of the Federation.
- 12) Drunkenness or rapturous or disorderly or indecent behaviour in the premises of the Federation or outside such premises where such behaviour is related to be connected with the employment.
- 13) Gambling within the premises of the establishment.
- 14) Collection without the permission of the competent authority of any money within the premises of the Federation except as sanctioned by law of the land for the time being in force or rules of the Federation.
- 15) Sleeping while on duty.
- 16) Commission of any act which amounts to a criminal offence involving moral turpitude.
- 17) Absence from the employee's appointed place of work without permission or sufficient cause.
- 18) Commission of any act subversive of discipline or of good behaviour.
- 19) Refusal to accept any charge sheet or order or notice communicated in writing.
- 20) Willful insubordination or disobedience whether alone or in combination with others to any lawful and reasonable order of a superior. The order of the Superior should normally be on writing.



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- 21) Rash and negligent driving and improper handling of any machinery of the Federation.
  - 22) Abetment of or attempt at abetment of any other acts above which amounts to misconduct.

65. Enjoyment of Patronage :

Employment of near relatives of the employee of the Federation in private under taking enjoying patronage of the Federation.

- 1) No employee/workman shall use his position or influence directly or indirectly to secure employment for any person related whether by blood or marriage to the employee/workman or to the employee's family whether such person is dependant on the employee or not.
- 2) No employee/workman, except with the previous sanction of the competent authority, permit any member of his family to accept employment with any private firm with which he has official dealings, or with any other firm having official dealings with the Federation or a subsidiary unit.
- 3) Provided that where the acceptance of the employment and not 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.
- 4) No employee shall in the discharge of his official duties deal with any matter or give or sanction any contract to any firm or any other person, if any of his relatives is employed in that firm or under that person if he or any of his relatives is interested in such matter or contract and 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.

**66. Taking part in politics and election:**

Excepting so far as otherwise be specifically authorised by any law, no employee shall be a member of or be otherwise associated with any political party or any organisation which takes part in politics or assist any political movement or activity or stand, for election.

**67. Taking part in demonstration and strike :**

No employee/workman shall with a view to ventilating his grievances, whether such grievances are individual or general in character or for any other reason resort to any strike (including hunge strike) or demonstration or participate in any procession connected with such strike or demonstration in contravention of the provisions of any law or rule for the time being in force.

**Note :** Mere passing of a resolution of a strike in properly constituted Union shall not amount to a breach of the Rule.

**68. Connection with Press or Radio/Television :**

- a) No employee/workman of the Federation shall, except with the previous sanction of the Competent authority on his own wholly or in part conduct or participate in the editing or management of any news paper or other periodical publication.

**Note :** Any publication made by any employee/workman on behalf of recognised service association/Union with a view to ventilating their problems and this problems of the Federation shall not amount to an unauthorised publication.



- b) No employee/workman of the Federation shall except with the previous sanction of the competent authority or in the bonafide discharge of his duties participate in a Radio/Television Broad cast or write or publish a book or contribute on article or write a letter either in his own name or anonymously pseudonymously or in the of any other person to a news paper or periodical. Provided that no such sanction shall be required of such broadcast or such contribution is of a purely literary artistic or scientific character.

**69. Criticism of Government and Federation :**

No employee/workman shall in any radio/television broadcast or in any document published under his name or under any pen name or pseudonym or in any communication to the press or in any public utterances, make any statement.

- a) which has the effect or adverse criticism of any policy or action of the Government or of the Federation or
- b) which is capable of embarrassing the relations between the Federation and the Government. Provided that nothing in this rule shall apply to any statement made or views expressed by any employee/workman, or a purely factual nature which are not considered to be of a confidential nature. In his official capacity or in due performance of the duties assigned to him.

**70. Evidence before Committee or any other Authority :**

- 1) No employee/workman of the Federation 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.
  - a) no employee giving such evidence shall criticise the policy or any action of the Government, or of the Federation.
- 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 Legislative or the Federation or a Subsidy Unit.
  - b) evidence given in any judicial enquiry; or
  - c) evidence given at any departmental enquiry; ordered by authorities subordinate to the Government.

**71. Unauthorised communication of information and/or responsibilities of employees in connection with Classified documents.**

No employee/workman shall except in accordance with any general or special order of the Federation or in performance in good faith of the duties assigned to him, communicated directly or indirectly any official document or information to any employee/ workman or any other person to whom he is not authorised to communicate such document or information. Such wrongful communication or informations as well as the retention or removal of any document containing such information is punishable under official secrets Act (**Act No.XIX of 1923**).

**72. Gift :**

- 1) Save as otherwise provided in these rules no employee/ workman of the Federation shall accept or permit any member of his family or any person acting on his behalf to accept any gift.



### Explanations :

The expression 'Gift' shall include free transport board, loading 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 employee.

- Note :**
- i) A casual meal, lift or other societies hospitality shall not be deemed to be a gift.
  - ii) An employee shall avoid acceptance of levish or frequent hospitality from any individual or firm having official dealings with him.
- 2) On occasions such as weddings, anniversaries, funerals, or religious functions, when the making of a gift is inconformity with the prevailing religious or social practice, an employee of the Federation may accept gifts from his near relatives but he shall make a report to the competent authority if the value of the gift exceeds;
    - i) **Rs. 2,000/-** in case of employee/workman holding Executive post.
    - ii) **Rs. 1,000/-** in case of Employee/ work man holding Non-executive post.
  - 3) On such occasion as are specified in **sub-rule(2)** as employee of the Federation 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. 2,000/-** in case of employee/workman holding Executive post and **Rs.1,000/-** in case of employee/workman holding Non-Executive post.
  - 4) In any other case, an employee/workman of the Federation shall not accept any gifts without the sanction of the competent authority if the value thereof exceeds **Rs.250/-**





Provided that when more than one gifts have 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/-**.

**73. Gifts or takings dowry :**

No employee of the Federation shall;

- i) Give or take or a bet giving or taking of dowry; or
- ii) demand, directly or indirectly from the parents or guardian of a bride or bride-grooms, as the case may be any dowry.

**Explanations :**

For the purpose of this rule "dowry has the same meaning as in the dowry prohibition **Act,1961 (28 of 1961)**".

**74. Private Trade or Employment :**

- 1) No employee/workman of the Federations shall, except with the previous sanction of the competent authority engage directly or indirectly in any trade or business or undertake any other employment or negotiate for taking an employment.

Provided that an employee, may, with sanction of competent authority 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.

- 2) Every employee/workman of the Federation shall report to the competent authority if any member of his family is engaged in any trade or business or owns or manages in insurance agency or commission agency.



- 3) No employee/workman of the Federation shall, without the previous sanction of the competent authority except in the discharge of his 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 of 1956) or any other law for the time being in force.

Provided that an employee/workman of the Federation may take part in the registration, promotion or management of a Cooperative Society substantially for the benefit of employees of the Federation or of a subsidiary unit of the Federation registered under the Cooperative Societies Act, 1962 (II of 1963) 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 (XXI of 1860) or any corresponding law in force.

- 4) No employee/workman of the Federation may accept any fee or any remuneration or any pecuniary advantage for any work done by him for any public body or any private person without the sanction of the competent authority.

#### 75. Investment, lending and Borrowing :

No workman/employee shall speculate in any investment.

#### Explanation :

- i) Frequent purchase or sale or both of shares, securities of other investments shall be deemed to be speculation within the meaning of this rule.
- ii) No workman/employee shall make or permit any member of his family or any body on his behalf to make any investment which is likely to embarrass or influence him in the discharge of his official duties.



iii) If any question arises whether a security or investment is of the nature referred to in Rule-6(i) the decision of the Managing Director of the Federation thereon shall be final.

iv) No employee/workman shall except with the previous sanction of the Competent Authority where the Competent Authority himself is concerned, lend money to any person possessing land or valuable property within the local limits of his authority or on interest to any person;


Provided that an employee/workman may make an advance of pay to private servant or give a loan of small amount, free of interest to a personal friend or relative.

v) No employee/workman shall, save in the ordinary course of business with a Bank or a firm of standing duly authorised to conduct that business, borrow money from or otherwise place himself under pecuniary obligation to any person within the local limits of his authority or any other person with whom he is likely to have official dealings, nor shall he permit any member of his family to enter into any such transaction except with the previous sanction of the competent authority in which he is working as the case may be :

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

vi) When an employee/workman is appointed or transferred to a post of such nature as to involve





him in the breach of any of the provisions of rule 76(iv) or 76(v) he shall forthwith report the circumstances to the Federation and shall thereafter act in accordance with such orders as may be passed by the Federation.

76. **Insolvency and habitual indebtedness :**

An employee/workman shall so manage his private affairs as to avoid habitual indebtedness or insolvency. An employee/ workman who becomes subject of any legal proceedings for insolvency shall forthwith report the full facts to the Federation.

77. **Moveable, Immoveable and Valuable Property :**

- i) No employee/workman of the Federation, shall except with the previous knowledge of the competent authority acquire or dispose of any immoveable property by lease, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of any member of his family.
- ii) No employee/workman of the Federation, shall except with the previous sanction of the Competent Authority acquire or dispose of any immoveable or moveable property with a person or a firm having official dealings with the employee or his subordinate.

**Explanation :**

For the purpose of these sub-rules the expression, "moveable property" includes inter alia the following :-

- a) Jewellery, insurance policies shares, securities and the debentures.
- b) Loans advanced by such employee/ workman whether secured or not:
- c) Motor cars, motor cycles/horses or any other means of conveyances : and





- d) Refrigerators, Radio, Radiogram and Television set etc,
- iii) Every employee/workman of the Federation shall within one month report to the competent authority every transaction concerning moveable property owned or held by him in his own name or in the name of a member of his family, if the value of such property exceeds **Rs.2,500/-**
- iv) Every employee/workman shall on first appointment in the Federation/Unit submit a property return in the prescribed form and every employee/workman shall beginning 1st January submit a return of moveable and immoveable property inherited owned/acquired every year.
- v) The competent authority may act any time by general or special order require an employee/workman to submit within a period specified in the order, a full and complete statement of such moveable or immoveable property held or acquired by him or on his behalf or by any member of his family as may be specified in the order. Such statement shall, if so required by the competent authority include details of the means by which or the source from which such property was acquired.

**Note :**

- i) In all returns the value of items of moveable property worth less than Rs. 1,000/- may be added and shown as a lump sum. The value of articles of daily use such as clothes, utensils, crockery, books etc, need not be included in such return.
- ii) Every employee/workman in service on the date of commencement of these Rules





shall submit a return under this rule on or before such date as may be specified by the Federation after such commencement.

**78. Canvassing or influence :**

No employee/workman shall bring or attempt to bring any influence to further his interests in respect of matters pertaining to his service in the Federation.

**79. Bigamous marriage :**

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

Provided that the Board may permit an employee/ workman 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/ workman and the other party to the marriage; and
  - b) there are other justifiable grounds for so doing.
- 3) Employee/workman who has married or marry a person other than an Indian National, he shall forthwith intimate the fact to the competent authority.

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