



**GUJARAT STATE ELECTRICITY CORPORATION LIMITED**

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CIN: U40100GJ1993SGC019988

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No.GSECL/HR/RTI-902/1110

Date: 13/12/2022

FORM-D

By Regd.A.D.

→ To,  
Shri Sashi Kumar,  
Yugantar (895ZK5GH)  
3-4-142/6, Barkatpura,  
Hyderabad - 500027

**Sub: Your RTI Application dated 10.10.2022 (received on 17.10.2022)**

Ref.: This office letter No:GSECL/HR/RTI-902/982 dtd.10.11.2022

In reference to our above letter, as you have pay of Rs.30/- vide IPO Nos.60F 234878 to 60F 234880 dtd.15.11.2022 each of Rs.10/- total Rs.30/- which is received by this office on : 12.12.2022 towards documents charges under RTI, the documents have been provided by the concerned department is enclosed herewith.

Yours faithfully,

  
(A. A. Sheikh)

**Asst. Public Information Officer  
& Deputy General Manager (IR)**

Encl.: As above

Copy to:

To:

AO (Cash), GSECL, CO, Vadodara.

-Please find enclosed herewith IPO Nos.60F 234878 to 60F 234880 dtd.15.11.2022 each of Rs.10/- total Rs.30/- towards documents charges under RTI.

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## CHAPTER VIII

### DISCIPLINARY ACTION

The Board's Employees' Conduct, Discipline and Appeal Procedure ( issued in pursuance of Regulation No. 162 of the Board's Employees' service Regulation )

( B. S. E. B. G. S. O. No. 312 dated 8-2-1958 )

( G. E. B. G. S. O. No. 53 dated 10-2-1962 )

( G. E. B. G. S. O. No. 60 dated 19-4-1962 )

( G. E. B. G. S. O. No. 64 dated 9-5-1963 )

#### 1 Short Title :

This shall be cited as Bombay State Electricity Board Employees' Conduct Discipline and Appeal Procedure.

#### 2 Enforcement :

(a) This procedure shall become effective forthwith.

(b) Subject to such exceptions and deviations as the Board may, from time to time, deem necessary to make from the generality of the procedure in specific cases or in the case of any class or classes of employees, the procedure shall apply to all the employees of the Board including those whose service have been taken over by the Board as enjoined by Rule 106 of the States Reorganisation Act, 1956.

(i) Provided that in the case of those, who have lien on permanent posts in the service of Government outside this organisation and have been on deputation to the Board as on foreign service decisions resulting in punishments by way of fines, stoppage of increments, reduction in pay, discharge removal or dismissal from service shall not be finally taken without the concurrence of the concerned Government Department where the accused employee has a lien.

(ii) Provided further that in the case of employees to whom the Factory Act, the Payment of Wages Act and Minimum Wages Act apply they will be governed by the provisions of those Acts wherever such provisions conflict with the provisions in this procedure.

#### 3 Definition :

The terms used in this procedure shall be deemed to have the same meaning attached to them as those in the Bombay State Electricity Board Employees' Service Regulations.



4 Classification of Offences :

(1) Offences committed by the employees are classified in the following two categories :—

(a) acts of misconduct and (b) minor lapses and delinquencies.

(2) (a) Acts of misconduct are more specified in Chapter VIII of the Bombay State Electricity Board Employees' Service Regulations and also such as those mentioned in Schedule A for which maximum punishment has been prescribed in clause 9 (2) of this procedure according to the gravity of offence committed.

(b) Minor lapses and delinquencies are such as those as have been mentioned in Schedule B which may result in punishments upto the limits prescribed in clause 9 (1).

(c) Repetition of minor lapses.

Minor lapses and delinquencies committed for a third time within a period of 2 years may be deemed to be an act of misconduct and may be dealt with accordingly.

(d) Schedules A & B

Schedule A and B appended hereto are only indicative of what could be deemed as misconduct or minor lapse or delinquency. The list is not complete nor exhaustive. Such of the irregularities or offences committed by an employee not included in the list but commonly or generally known or understood to be against the norms of good behaviour and discipline may be deemed to have been included in either of the two schedules according to the nature and gravity of the offence committed at the discretion of the authority competent to order departmental proceedings.

5 Procedure for dealing with minor lapses and delinquencies :

(a) Cases of minor lapses and delinquencies may be summarily dealt with without the necessity of following the procedure in clause 6 and warning or reprimand may be issued or a fine imposed, provided, however, the employee's explanation in writing should normally be obtained whenever a fine is imposed. Any reprimand or fine imposed by the appropriate authority shall be entered into the personal record of the employee.

(b) The following are the competent officers to act under sub clause (a) :

Class of Employees	Competent Authority
(i) Class III and IV Employees	Branch Head in Head Office. Executive Engineer or officer incharge of the respective operating or construction unit in the divisions.

Warrant



- (ii) Class II Officers Secretary for non technical Officers.  
Chief Engineer for technical Officers.
- (iii) Class I Officers as in (ii) above but in consultation with Chairman

## 6 Procedure for dealing with acts of misconduct

### (a) Suspension and subsistence allowance

An employee charged for an act of misconduct is liable to be suspended by the competent authority if his continuance in the post held by him or in the office in which he is working is likely to vitiate the enquiry or to become otherwise detrimental to the proceedings or to the interest of the organisation. During the period of suspension he may be allowed at the discretion of the competent authority a subsistence allowance which shall in no case exceed 50% of the basic pay and the dearness allowance of the post he was holding substantively at the time of suspension. Such subsistence allowance, if granted, shall cease from the date of the decision on the enquiry. No subsistence shall be payable during the period of appeal or thereafter.

Note:— As suspensions followed by dilatory enquiry and proceedings entail unnecessary cost to the organisation, recourse to suspensions should not normally be taken and should as far as possible be avoided and if at all suspension is found to be inevitable in any particular case, care should be taken to see that the enquiry is completed and decision given within eight days from the date of suspension.

### (b) Charge Sheet

A person against whom action is proposed to be taken for any act of misconduct may be provided with a charge sheet (vide model form given in Schedule, E (i) ) indicating.

- (i) the charge or charges for which an enquiry is proposed to be held and
- (ii) the time within which the accused employee should furnish a written statement

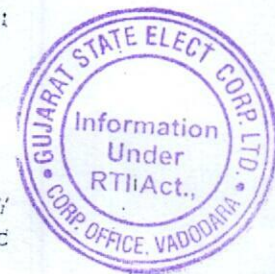
### (c) Submission of written statement

The accused employee shall submit his written statement within the time specified in the charge sheet mentioning at the same time.

- (i) whether he desires to make an oral statement in addition to the written statement and
- (ii) whether he desires to produce any witness or document or evidence in support of his written statement.

### (d) Avoidance of improper language

Written statement ( and also appeal under clause 10 ) to be submitted by the accused employee should be only a material statement of facts precise and complete in itself and should contain no disrespectful or improper language.



## (o) Oral statement and calling of witnesses

It shall not be incumbent on the competent authority prescribed to hold proceedings either to call any witnesses or to permit the accused employee to make an oral statement if the written statement and the evidence in its possession are in its opinion sufficiently convincing with regard to the charges contained in the charge sheet and adequate for the purposes of coming to a decision.

## (f) Accused employee to report presence during enquiry

The Officer competent to hold proceedings may require the accused employee to report his presence during the enquiry every day at such time and place as he may order and also require the accused employee to appear before him to answer to any question or to produce any evidence or documents either connected with the enquiry or any office matter with which he was concerned. Failure to respond to such an order on his part shall be deemed to be gross misconduct which may result in a summary dismissal without any further enquiry or Interim or prior notice or warning.

## (g) Inspection of document

The competent authority or the Enquiry Officer appointed under clause 11 as the case may be may in its or his discretion give an opportunity to the accused employee to inspect documents connected with the enquiry but excluding any confidential papers which in its opinion should not be disseminated but such a request for inspection may for good and sufficient reasons (which need not be recorded nor communicated) be refused partially or wholly.

Note :- As far as possible the notice served on an employee should be self-contained and should be accompanied by copies of documents which are not confidential and which are considered essential for the person concerned to prepare his explanation. When the employee concerned desires to inspect any proceedings in addition, the authority competent to punish him should decide whether it is really necessary for him to inspect the proceedings. In case, he is satisfied that it is necessary for the employee concerned to inspect them but copies thereof cannot be supplied to him, he can send the relevant papers to the officer under whom the latter serves and ask him to inspect them there. In case however, he finds it inconvenient to send the papers to the other office, he may instruct the employee concerned to come to his office to inspect them. In the latter case, in addition to considering whether it is necessary for the employee concerned to inspect the documents, he should also consider whether the employee cannot prepare the explanation without inspecting the papers, that is, whether it is essential for him to inspect the papers and his defence will suffer for want of papers. In case he is satisfied that it is essential for the employee to inspect the papers the latter may be allowed travelling allowance for his journey. Otherwise, that is, if he considers that it is not essential for the employee to inspect the papers, he should inform the employee while asking him to inspect the papers in his office that he will have to travel at his own expense and that he will not be eligible for any travelling allowance.

## (h) No pleader allowed

No pleader or outside representative shall be allowed to appear on behalf of the accused employee during the enquiry or during the appeal hearing.



## (i) Show cause notice

After the enquiry is complete the competent authority may serve a notice on the accused employee communicating to him its findings and asking him to show cause within a specified time as to why the contemplated punishment should not be inflicted on him.

## (ii) Decision to be communicated

On receipt of the explanation within the specified time and in case no reply is received within the specified time, immediately after the expiry of the specified time, the competent authority on the basis of its own findings or on the findings of the enquiry officer appointed under Clause II will pass such orders as it may deem fit and the orders thus passed shall become effective forthwith notwithstanding the provision for appeal made in this procedure unless stayed by the appellate authority pending decision in appeal. Every order imposing a penalty or punishment under this clause shall be communicated to the accused employee in writing.

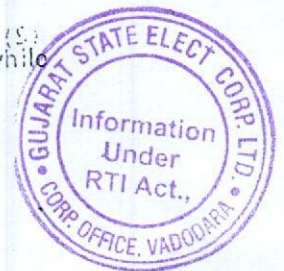
## 7 Exceptions to clause 6

The procedure prescribed in clause 6 need not be followed and all or any of its provisions may be waived in the following cases :

- (a) When the person is a temporary employee or daily wage earner or casual worker or is on probation.
- (b) When the person charged admits the charge or charges.
- (c) When the order of punishment such as dismissal, removal or reduction is based on facts which have led to the conviction of the person in a criminal court.
- (d) When the order is based on the report received either from the Government or from the police or any other authoritative source or on the directives received from the said or such other authority with regard to the person having been connected with any body or association known or declared to be engaged in subversive activities :
- (e) When the person charged has absconded or when it is for other reasons impracticable or difficult to communicate with the person concerned.
- (f) When the Board decides to terminate the services of an employee in terms of Regulation 64 of the Bombay State Electricity Board Employee's Service Regulations.
- (g) When summary proceedings are held by the competent authority as provided in clause 3 in cases
  - (i) Where the employee is caught red-handed having committed or while committing an act of misconduct.
  - (ii) Where there is obvious evidence to the misconduct,

OR

- (iii) Where the misconduct or misbehaviour is considered to grave and convincing to warrant or justify the normal procedure to be followed. Provided that.

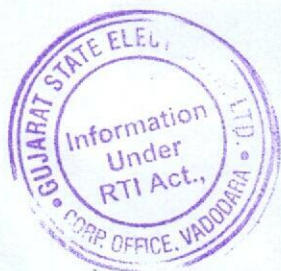


- No person shall be dismissed or removed or reduced in rank until he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.
- (a) Where a person is dismissed or removed or reduced in rank on the ground of conduct which has led to his conviction on a criminal charge.
- (b) Where an authority empowered to dismiss or remove a person or to reduce him in rank is satisfied that for some reason to be recorded by that authority in writing, it is not reasonably practicable to give to that person an opportunity of showing cause.
2. If any question arises whether it is reasonably practicable to give to any person an opportunity of showing cause under clause (1) (b), the decision thereon of the authority empowered to dismiss or remove such a person or to reduce him in rank as the case may be shall be final.
8. The competent authority prescribed in Schedule C may in cases covered by clause 7 (g) hold summary proceedings (Vide model charge sheet form given in schedule E (ii)) on the spot and take a decision on the evidence available. The charges and the decision taken shall be recorded and copies thereof handed over to the accused employee. The summary decision may be made effective forthwith but punishments involving termination of service, discharge, removal or dismissal shall be subject to the confirmation by the next higher authority or the Board as the case may be. The summary decision is appealable and may be stayed by the appellate authority pending disposal of appeal.

#### 9. Punishments :

The following limits are prescribed for minor lapses delinquencies and acts of misconduct according to the gravity of each case :—

Nature of offence	Punishment	Appealable or non-appealable
(1) Minor lapses and delinquencies	(a) Warning	Non-appealable.
	(b) Reprimand	
	(c) Fine upto 1/10 of the monthly basic pay	(i) non-appealable if the fine is less than Rs. 5 (ii) Appealable if the fine exceeds Rs. 5
	(d) Recovery from pay to make up wholly or partly the pecuniary loss caused to the organisation due to negligence or breach of orders (amounts less than Rs. 50)	Appealable
(2) Acts of misconduct	(e) as in (d) above but for losses in excess of Rs. 50/- according to gravity of misbehaviour and the loss incurred by the Board	Appealable
	(f) Postponement of increment	Appealable Appealable
	(g) Stoppage of promotion	



	Applicable
(h) Stoppage of further increments and promotions	
(i) Reduction in pay and/or reduction on lower post	-do-
(j) Termination of services	-do-
(k) Discharge or removal	-do-
(l) Dismissal	-do-

Fines and other punishments in the case of employees governed by the Factory Act shall be limited to the extent permissible under the Payment of Wages Act and Minimum wages Act.

## 10. Appeals

(a) A person against whom a punishment has been awarded under clause 9 may appeal to the appropriate authority prescribed in schedule 'D' in the manner prescribed in :-

(b) Every appeal shall be submitted through the officer under whom the appellant has been working and through the authority from whose order the appeal is preferred.

(c) The appellate authority or any authority higher than the competent authority prescribed in Schedule 'D' may suo motu call for the enquiry papers even in the absence of any appeal from the accused person and review the decision of the competent authority given in accordance with the provision in clause 6 (i) (S. C. Note)

(d) In the case of an appeal preferred against the order imposing a punishment provided under clauses 6, 7 and 8, the Appellate Authority or the Reviewing Authority may take into account all the recorded facts and also other facts subsequently disclosed and may amend the orders if in its opinion the punishment given is inadequate or excessive provided that in case the punishment awarded is considered inadequate, the accused employee may be given an opportunity to be heard before the punishment is enhanced.

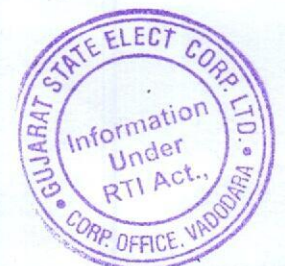
(e) An appeal may be disallowed.

(i) if the punishment, according to clause 9, is not appealable;

(ii) if the appeal has not been submitted within 15 days from the date of the order;

(iii) if it is worded in a disrespectful or improper language;

(iv) if it is not submitted through the proper channel;





(v) if the grounds of appeal are ex facie frivolous.

(f) There shall be no appeal against the disallowance of an appeal but the authority higher than the prescribed Appellate Authority or the Board as the case may be, may suo moto call for the papers in review and amend the orders of the Appellate authority with regard to the disallowance of appeal as may be deemed proper.

## 11 Competent Authority to deal with Acts of Misconduct

(a) As a general rule, the appointing authority or any authority higher than the appointing authority is competent to initiate departmental proceedings and hold enquiry against the employee concerned and award punishment. The appointing authority or the competent authority prescribed in sub clause (b) may appoint an Enquiry Officer and on the findings of the Enquiry Officer the appointing authority or any higher authority or the competent authority prescribed in sub-clause (b) as the case may be, whichever may have ordered the enquiry, may award punishment or otherwise give a decision.

(b) Without prejudice to the competence of the appointing authority or to the inherent powers of any authority higher than the appointing authority to deal with minor lapses delinquencies of acts of misconduct, the officers mentioned in schedule 'D' are appointed to be the competent authorities to deal with acts of misconduct of different classes of employees and to inflict any punishment (except the punishment of termination of service, discharge or removal or dismissal) as if they are the competent authorities under sub-clause (a).

Notwithstanding the above provisions, the authority competent to inflict the punishment of termination of service, discharge, removal or dismissal shall not be subordinate to the appointing authority.

12 Appellate authorities appointed by the Board for hearing appeals and reviewing cases are those mentioned in Schedule 'D'. Any officer higher than the prescribed appellate authority or the Board, as the case may be, has inherent powers to call any case papers review the decision given in appeals or direct any other officer to hear the appeal.

13 (a) No suit, prosecution or other legal proceedings shall lie against the Board or its officers to whom powers have been delegated to act under this procedure for anything which is in good faith done or intended to be done in pursuance of the provisions of this procedure.

(b) Save as provided in this procedure no decision given shall be held in question and no action taken shall be reversed merely for reasons of any technical flaw in the proceedings or of immaterial and inconsequential deviation from the prescribed procedure and in all such matters the decision of the Chairman shall be final.

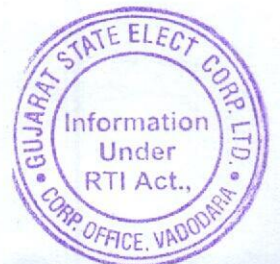


## SCHEDULE A

( See Clause 4 (2) (a) )

## ACTS OF MISCONDUCT

- 1) Leaving headquarters without prior permission.
- 2) Abuse or misuse of the Board's Property.
- 3) Loss of material or property of the Board.
- 4) Failure to exercise efficient control and supervision on the subordinate staff resulting in general inefficiency of the Branch or Unit.
- 5) Indiscipline and undisciplined behaviour.
- 6) Insubordination.
- 7) Disobedience of any order of the superior officer or a Senior Officer.
- 8) Negligence resulting in or likely to result in loss to the Board or Inconvenience to the Public.
- 9) Theft, embezzlement, fraud, falsification of accounts, tampering with official document, breach of trust, misappropriation, or dishonesty in connection with the affairs or property of the Board.
- 10) Instances of disloyalty to the Board or the superiors under whom the employee is working.
- 11) Unruly behaviour in and outside the premises of the Board.
- 12) Any disruptive activity.
- 13) Instigating others to stay away or disobey orders or to strike work except in accordance with the provisions of any law for the time being in force.
- 14) Unauthorised stoppage of work or otherwise action in furtherance of stoppage of work except in accordance with the provisions of any law for the time being in force.
- 15) Going on strike without recourse to the available legitimate remedies or otherwise action in furtherance of such strikes.
- 16) Forming or instigating cleavages in the Organisation.
- 17) Creating disaffection among the staff or workers in the field or holding meetings in and outside the Board's premises which are likely to cause disaffection in the organisation.
- 18) Causing damage to the property of the Board or failure where it was reasonably possible to prevent damage to or loss of Board's property.
- 19) Sabotage.
- 20) Any action on the part of the employee involving moral turpitude.



- (21) Willful slowing down in performance of work, abetment or instigation thereof.
- (22) Unauthorised divulgence of any official information or documents.
- (23) Accepting or permitting any member of his family to accept any gifts, gratuity or reward from a person not a member of the employee's family. ( Trivial gift like calendar, paper cutter, dairy or similar articles of insignificant value which are in the nature of advertisement or publicity and intended for use in the office may be accepted from the outsiders, if unavoidable, but even such gift should as far as possible, be discouraged ).
- (24) Taking or giving directly or indirectly bribes, illegal gratification or any consideration in cash or in kind for any favour or promise of favour or for doing or not doing any official act for maintaining a congenial relation for any but advantages or favour.
- (25) Habitual breach of any orders and circulars.
- (26) Collection of subscriptions or canvassing membership for any trade unions or any institutions or bodies and organisations-political or otherwise or holding meetings within the premises of the Board without prior permission of Board or any member or official authorised by the Board except in accord with the provisions of any law for the time being in force.
- (27) Doing any private business or being engaged in trade or vocation directly or indirectly or in partnership in any manner while in the Board's service.
- (28) Failure completely to sever connection with any private business, trade or vocation or service at the time of taking up employment under the Board.
- (29) Accepting an appointment of office in any outside institution or body as a paid officer or in any honorary capacity without prior permission of the Board.  
Honorary secretaryship of a club or a social institution does not constitute employment in the sense of this clause provided that it does not occupy much time as to interfere with his duties under the Board ).
- (30) Habitual negligence or neglect of work or habitual breach of regular or instructions.
- (31) Insolence, Impudence, rude or uncivil behaviour or commission of any subversive of good behaviour.
- (32) Failure or reluctance to give full and correct information which the employee possesses or is expected to possess with regard to his own antecedents record or any other matter connected with the Board's affairs or in connection with any offence or irregularity committed by himself or any other person within his knowledge when demanded by his superior officer or any appropriate authority.
- (33) Adjudgement or declaration of the employees as Insolvent, financially indebtedness.



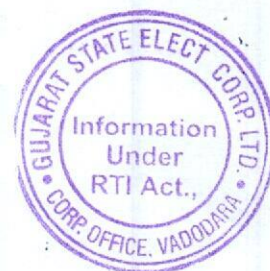
- (35) Gambling and speculation in investments or sutta etc.
- (36) Deleted
- (37) Making a false statement or making a false complaint.
- (38) Bidding, tendering for supply to Board or for purchasing any property of the Board either in person or through any agent personally or in partnership with others:
- (39) Unauthorisedly making any statement in the press or contributing any articles in the press or any magazine or giving a talk on the radio without prior approval of the appropriate authority or ventilating grievances through the press or leaflets etc.
- (40) Save in accordance with the provisions of any law for the time being in force becoming a member or appearing as a representative of any association or union representing or purported to represent the employees or any classes of employees of the Board unless such an association or union satisfies the following requirements and is recognised by the Board :—
- Membership of the association or union is confined to a distinct class of employees,
  - The association or union shall not be in any way connected with or affiliated to body otherwise.
  - Deleted,
  - Deleted.
  - The Association or union shall not contribute subscription to any outside bodies political or otherwise.

#### SCHEDULE B

( See Clause 4 (2) (b) )

#### MINOR LAPSES AND DELINQUENCIES :—

- Unpunctuality and late attendance on more than 3 occasions in a month.
- Untidiness,
- Instances of slovenliness.
- Instances of carelessness of a minor nature.
- Minor negligence in the discharge of duty
- Instances of slack supervision.
- Dilatory disposal.
- Any act of indiscretion in minor matters.



- (9) Laxity and impromptitude in attending to assignments.
- (10) Instances of lack of normal courtesy towards colleagues and subordinates.
- (11) Lacking in sense of respect towards superiors (not amounting to disrespect or insubordination.)
- (12) Irregular attendance.
- (13) Leave taking on trivial excuses.
- (14) Staying away on casual leave without sufficient ground and satisfactory explanation.
- (15) Asking for extension while on leave without sufficient cause.
- (16) Overstaying leave.
- (17) Absence without prior permission.
- (18) Instances of inefficiency in disposal.
- (19) Instances of sulky or indignant behaviour with the members of the public (not amounting to insolence or insult).

Note:—Any of the above instances of misbehaviour may at the discretion of the competent authority be treated as an act of misconduct according to the circumstances and gravity of misbehaviour.

### SCHEDULE 'C'

Competent Authorities and Appellate Authorities for Summary Proceedings  
( See Clause 8 )

Categories	Competent Authority	Appellate Authority	2nd Appeal if second appeal permitted by the appellate authority [prescribed in col. 3]
1	2	3	4
Class I & II Officers	Chief Engineer for technical staff Secretary for non-technical staff	Chairman with a member of the Board.	Board
Class III in Head Office	Branch Head	Chief Engineer	Chairman with secretary
Class III in Divisions	Executive Engr. in Charge of the unit	-do-	-do-
Class IV	As in the case of Class III	-do-	Chairman

Note:—Second appeal is permissible in the case of Class III and IV employees where the punishment is discharge, removal or dismissal.

