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1501 शिवाजीनगर, पुणे 411 005)

Bank of Maharashtra
(H.O. : 'Lokmangal', 1501,
Shivajinagar, Pune 411005.)

Bank of Maharashtra Officer Employees' (Discipline and Appeal) Regulations 1976

(Updated upto 31-12-1996)

बैंक ऑफ महाराष्ट्र अधिकारी कर्मचारी (अनुशासन और अपील) विनियमावली 1976

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IndiaCode

Bank of Maharashtra Officer Employees'
(Discipline and Appeal) Regulations, 1976

In exercise of the powers conferred by section 19 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, (5 of 1970), the Board of Directors of Bank of Maharashtra in consultation with the Reserve Bank and with the previous sanction of the Central Government hereby makes the following regulations, namely –

Reg. 1. Short Title and Commencement :

(i) These regulations may be called Bank of Maharashtra Officer Employees' (Discipline and Appeal) Regulations, 1976.

(ii) They shall come into force on 5/10/1976.

Reg. 2. Application :

These regulations shall apply to all officer employees of the Bank, but shall not apply to -

(i) to the Chairman of the Bank ;
(ii) the Managing Director ;
(iii) any wholetime Director, if any ;
(iv) those who are in casual employment or paid from contingencies ;
(v) the award staff and ;
(vi) the officer on contract.

Reg. 3. Definitions :

In these regulations, unless the context otherwise requires --

(a) "Act" means the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (5 of 1970);
(b) "Appellate Authority" means the authority specified in the Schedule to dispose off appeals ;

(Reg. 3 contd.)

(c) "Award Staff" means the persons covered by the "award" as defined in the Industrial Disputes (Banking Companies) Decision Act, 1955 (41 of 1955) ;

(d) "Bank" means Bank of Maharashtra ;

(e) "Board" means the Board of Directors of the Bank ;

(f) "Competent Authority" means the authority appointed by the Board for the purposes of these regulations;

(g) "Disciplinary Authority" means the authority specified in the Schedule which is competent to impose on an officer employee any of the penalties specified in regulation 4 ;

(h) "Government" means the Central Government ;

(i) " Managing Director " means the Managing Director of the Bank ;

(j) "Officer employee" means a person who holds supervisory, administrative or managerial post in the bank or any other person who has been appointed and is functioning as an officer of the bank, by whatever designations called and includes a person whose services are temporarily placed at the disposal of the Central Government or a State Government or any other Government Undertaking or any other public sector bank or the Reserve Bank of India or any other organisation but shall not include, casual, work charged or contingent staff or the award staff ;

(k) "Public Financial Institutions" means

i. the Industrial Credit & Investment Corporation of India Limited, a company owned and registered under the Companies Act, 1956 (1 of 1956) ;

ii. the Industrial Finance Corporation of India established under section 3 of the Industrial Finance Corporation Act, 1948 (15 of 1948) ;

(Reg. 3 contd.)

iii. the Industrial Development Bank of India, established under section 3 of the Industrial Development Bank of India Act, 1964 (18 of 1964),

iv. the Life Insurance Corporation of India, established under section 3 of the Life Insurance Corporation Act, 1956 (31 of 1956),

v. the Unit Trust of India, established under section 3 of the Unit Trust of India Act, 1963, (52 of 1963),

vi. any other financial institution which is declared by the Central Government by notification to be a public financial institution ;

(l) "Public Sector Bank" means –

i. a corresponding new bank specified in the First Schedule to the Act,

ii. a corresponding new bank specified in the First Schedule to the Banking Companies (Acqusition & Transfer of Undertakings) Act, 1980 (40 of the 1980),

iii. the State Bank of India constituted under the State Bank of India Act, 1955 (23 of 1955),

iv. a subsidiary Bank constituted under the State Bank of India (Subsidiary Banks) Act, 1959 (38 of 1959), and

v. any other Bank which the Central Government may determine to be a public sector bank for the purpose of these regulations having regard to its manner of incorporation ;

(m) "Public Servant" means a person as defined as public servant in section 21 of the Indian Penal Code (45 of 1860),

(n) "Reviewing Authority" means the authority specified in the Schedule,

(o) "Schedule" means the Schedule appended to these regulations.

Reg. 4 Penalties :

The following are the penalties which may be imposed on an officer employee, for acts of mis-conduct or for any other good and sufficient reasons.

Minor penalties :

(a) Censure.
(b) Withholding of increments of pay with or without cumulative effect.
(c) withholding of promotion,
(d) Recovery from pay or such other amounts as may be due to him of the whole or part of any pecuniary loss caused to the bank by negligence or breach of orders,
(e) reduction to a lower stage in the time scale of pay for a period not exceeding 3 years, without cuulative effect & not adversely affecting his pension

Major penalties :

(f) save as provided for in (e) above reduction to a lower stage in time-scale of pay for a specified period, with further directions as to whether or not the officer will earn increments of pay during the period of such reduction and whether on the expiry of such period the reduction will or will not have the effect of postponing the future increments of his pay.

(g) reduction to a lower grade or post.
(h) compulsory retirement.
(i) removal from service which shall not be a disqualification for future employment.
(j) dismissal which shall ordinarily be a disqualification for future employment.

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

(i) withholding of one or more increments of an officer employee on account of his failure to pass a prescribed departmental test or examination in accordance with the terms of appointment to the post which he holds,

(ii) stoppage of pay of an officer employee at the efficiency bar in a time scale, on the ground of his unfitness to cross the bar,

(iii) Non-promotion, whether in an officiating capacity or otherwise, of an officer employee, to a higher grade or post for which he may be eligible for consideration but for which he is found unsuitable after consideration of his case,

(iv) reversion to a lower grade or post, of an officer employee officiating in a higher grade or post on the ground that he is considered, after trial, to be unsuitable for such higher grade or post, or on administrative grounds unconnected with his conduct.

(v) reversion to his previous grade or post, of an officer employee appointed on probation to another grade or post during or at the end of the period of probation, in accordance with the terms of his appointment or rules or orders governing such probation,

(vi) reversion of an officer employee to his parent organisation in case he had come on deputation;

(vii) termination of the service –

(a) of an officer employee appointed on probation during or at the end of the period of probation, in accordance with the terms of his appointment, or the rules or orders governing such probation.

(b) of an officer employee appointed in a temporary capacity otherwise than under a contract or agreement ; on the expiration of the period for which he was appointed, or earlier in accordance with the terms of his appointment,

(c) of an officer employee appointed under a contract or agreement, in accordance with the terms of such contract on agreement, and

(d) of an officer employee on abolition of post ;

(viii) retirement of an officer employee on his attaining the age of superannuation in accordance with the rules and order governing such superannuation,

(ix) termination of employment of a permanent officer employee by giving 3 month notice or on payment of 3 month's pay and allowances in lieu of notice,

(x) termination of employment of an officer employee on medical grounds, if he is declared unfit to continue in bank's service by the bank's medical officer.

Reg. 5. Authority to institute disciplinary proceedings and impose penalty:

(1) The Managing Director or any other authority empowered by him by general or special order may institute or direct the Disciplinary Authority to institute disciplinary proceedings against an officer employee of the bank.

(2) The Disciplinary Authority may himself institute disciplinary proceedings.

(3) The Disciplinary Authority or any authority higher than it, may impose any of the penalties specified in regulation 4 on any officer employee.

Reg.6. Procedure for imposing major penalties :

(1) No order imposing any of the major penalties specified in clauses (f), (g) (h) (i) and (j) of regulation 4 shall be made except after an inquiry is held in accordance with this regulation ;

(Reg. 6 contd.) (2) Whenever the disciplinary Authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehaviour against an officer employee, it may itself inquire into, or appoint any other public servant (hereinafter referred to as the inquiring authority) to inquire into the truth thereof.

Explanation :

When the Disciplinary Authority itself holds the inquiry any reference in sub-regulation (8) to sub-regulation (21) to the inquiring authority shall be construed as a reference to Disciplinary Authority.

(3) Where it is proposed to hold an inquiry, the Disciplinary Authority shall frame definite and distinct charges on the basis of the allegations against the officer employee and the articles of charge, together with a statement of the allegations on which they are based, shall be communicated in writing to the officer employee, who shall be required to submit within such time as may be specified by the Disciplinary Authority, (not exceeding 15 days), or within such extended time as may be granted by the said Authority, a written statement of his defence.

(4) On receipt of the written statement of the officer employee, or if no such statement is received within the time specified, an inquiry may be held by the Disciplinary Authority itself, or if it considers it necessary, so to do, appoint under sub-regulation (2) an Inquiring Authority for the purpose;

Provided that it may not be necessary to hold an inquiry in respect of the articles of charge admitted by the officer employee in his written statement but shall be necessary to record its findings on each such charge.

(5) The Disciplinary Authority shall, where it is not the inquiring authority, forward to the inquiring authority.

(Reg. 6 contd.)

(i) a copy of the articles of charges and statements of imputations of misconduct or misbehaviour,

(ii) a copy of the written statement of defence, if any, submitted by the officer employee,

(iii) a list of documents by which and list of witnesses by whom the articles of charge are proposed to be substantiated,

(iv) a copy of statement of the witness, if any,

(v) evidence proving the delivery of articles of charges under sub-regulation (3),

(vi) a copy of the order appointing the 'Presenting Officer' in terms of sub-regulation

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

(7) The officer employee may take assistance of any other officer employee but may not engage a legal practitioner for the purpose, unless the Presenting Officer appointed by the Disciplinary Authority is a legal practitioner or the Disciplinary Authority having regard to the circumstances of the case so permits.

Note : The officer employee shall not take the assistance of any other officer employee who has two pending disciplinary cases on hand in which he is to give assistance.

(8) (a) The inquiring authority shall by notice in writing specify the day on which the officer

(Reg. 6 contd.)

employee shall appear in person before the inquiring authority.

(b) On the date fixed by the inquiring authority, the officer employee shall appear before the inquiring authority, at the time, place and date specified in the notice.

(c) The inquiring authority shall ask the officer employee whether he pleads guilty or has any defence to make and if he pleads guilty to any of the articles of charge, the inquiring authority shall record the plea, sign the record and obtain the signature of the officer employee concerned thereon.

(d) The inquiring authority shall return a finding of guilt in respect of those articles of charges to which the officer employee concerned pleads guilty.

(9) If the officer employee does not plead guilty, the inquiring authority shall adjourn the case to a later date not exceeding 30 days or within such extended time as may be granted by the inquiring authority.

(10) (a) The inquiring authority shall, where the officer employee does not admit all or any of the articles of charge, furnish to such officer employee a list of documents by which, and a list of witnesses by whom the articles of charge are proposed to be proved.

(b) The inquiring authority shall also record an order that the officer employee may for the purpose of preparing his defence.

(i) inspect within five days of the order or within such further time not exceeding five days as the inquiring authority may allow, the documents listed,

(Reg. 6 contd.)

(ii) submit a list of documents and witnesses that he wants for the inquiry,

(iii) be supplied with copies of statements of witnesses, if any, recorded earlier and the inquiring authority shall furnish such copies not later than three days before the commencement of the examination of the witnesses by the inquiring authority,

(iv) give a notice within ten days of the order or within such further time not exceeding ten days as the inquiring authority may allow for the discovery or production of the documents referred to in item (ii)

Note : The relevancy of the documents and examination of the witnesses referred to in item (ii) shall be given by the officer employee concerned.

(11) The inquiring authority shall, on receipt of the notice for the discovery or production of the documents, forward the same or copies thereof to the authority in whose custody or possession the documents are kept with a requisition of the production for the documents on such date as may be specified.

(12) On receipt of the requisition under sub-regulation (11), the authority having the custody or possession of the requisitioned documents shall arrange to produce the same before the inquiring authority on the date, place and time specified in the requisition ;

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

(13) On the date fixed for inquiry, the oral and documentary evidence by which the articles of charges are proposed to be proved shall be

(Reg. 6 contd.)

produced by or on behalf of the Disciplinary Authority. The witnesses produced by the Presenting Officer shall be examined by the presenting officer or by another officer duly nominated by the Disciplinary Authority to act on behalf of the Presenting Officer and may be cross examined by or on behalf of the officer employee. The Presenting Officer or the officer nominated to act on his behalf shall be entitled to re-examine his witnesses on any point 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 question to the witness as it thinks fit.

(14) Before the close of the case, the support of the charges, 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 officer 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. The Inquiring Authority may also allow the officer employee to produce new evidence, if it is of opinion that the production of such evidence is necessary in the interest of justice.

(15) When the case in support of the charges is closed, the officer employee may be required to state his defence, orally or in writing, as he may prefer. If the defence is made orally, it shall be recorded and the officer 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.

(16) The evidence on behalf of the officer employee

(Reg. 6 contd.)

shall then be produced. The officer employee may examine himself in his own behalf, if he so prefers. The witnesses produced by the officer employee shall then be examined by the officer employee and may be cross-examined by the Presenting Officer. The officer employee shall be entitled to re-examine any of his witnesses on any points on which they have been cross-examined, but not on any new matter without the leave of the inquiring authority.

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

(18) The inquiring authority may after completion of production of evidence hear the Presenting Officer, if any appointed and the officer employee or permit them to file written briefs of the respective case within 15 days of the date of completion of the production of evidence, if they so desire.

(19) If the officer employee does not submit the written statement of defence referred to in sub regulation (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 regulations, the inquiring authority may hold the inquiry ex-parte.

(20) Whenever any inquiring authority, after having heard and recorded the whole or any part of the evidence in an inquiry ceases to exercise

(Reg. 6 contd.)

jurisdiction therein, and is succeeded by another inquiring authority which has, and which exercises, such jurisdiction, the inquiring authority so succeeding may act on the evidence so 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 witnesses whose evidence has already been recorded is necessary in the interest of justice, it may recall, examine, cross-examine and re-examine any such witness as herein before provided.

(21) (i) On the conclusion of the inquiry the inquiring authority shall prepare a report which shall contain the following:

(a) a gist of the articles of charge and the statement of the imputations of misconduct or misbehaviour,

(b) a gist of the defence of the officer employee in respect of each article of charge,

(c) an assessment of the evidence in respect of each article of charge,

(d) the findings on each article of charge and the reasons there for;

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

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

(Reg. 6 contd.) himself against such article of charge

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

(a) the report of the inquiry prepared by it under clause (i);

(b) the written statement of defence, if any, submitted by the officer employee referred to in sub-regulation (15);

(c) the oral and documentary evidence produced in the course of the inquiry;

(d) written briefs referred to in sub-regulation (18), if any; and

(e) the orders, if any, made by the disciplinary Authority and the inquiring authority in regard to the inquiry.

Reg. 7. Action on the inquiry report :

(1) The Disciplinary Authority, if it is not itself the inquiring authority, may, for reasons to be recorded by it in writing, remit the case to the inquiring authority for fresh or further inquiry and report and the inquiring authority shall thereupon proceed to hold the further inquiry according to the provisions of regulation 6 as far as may be.

(2) The Disciplinary Authority shall, if it disagrees with the findings of inquiring authority on any article of charge, record its reasons for such disagreement and record its findings on such charge, if the

Regulation 8

evidence on record is sufficient for the purpose.

(3) If the Disciplinary Authority, having regard to its findings on all or any of the articles of charge, is of the opinion that any of the penalties specified in regulation 4 should be imposed on the officer employee it shall, not withstanding anything contained in regulation 8, make an order imposing such penalty.

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

Reg. 8. Procedure for imposing minor penalties:

(1) Where it is proposed to impose any of the minor penalties specified in clauses (a) to (e) of regulation 4, the officer employee concerned shall be informed in writing of the imputations of lapses against him and given an opportunity to submit his written statement of defence within a specified period not exceeding 15 days or such extended period as may be granted by the Disciplinary Authority and the defence *statement if any submitted by officer employee shall* be taken into consideration by the discipline Authority before passing orders.

(2) Where, however, the Disciplinary Authority is satisfied that an enquiry is necessary, it shall follow the procedure for imposing a major penalty as laid down in regulation 6.

(3) The record of the proceeding in such cases shall include -

(i) a copy of the statement of imputation of lapses furnished to the officer employee;

(ii) the defence statement, if any of the officer employee; and

(iii) the orders of the disciplinary authority together with the reasons thereof.

Reg. 9. Communication of orders:

Orders made by the Disciplinary Authority under regulation 7 or regulation 8 shall be communicated to the officer employee concerned, who shall also be supplied with a copy of the report of inquiry, if any.

Reg. 10. Common proceedings:

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

Reg. 11. Special procedure in certain cases:

Notwithstanding anything contained in regulation 6 or regulation 7 or regulation 8, Disciplinary Authority may impose any of the penalties specified in regulation 4 if the officer employee has been convicted on a criminal charge, or on the strength of facts or conclusions arrived at by a judicial trial.

Provided that the officer employee may be given an opportunity of making representation on the penalty proposed to be imposed before any order is made (Amended w.e.f. 14/11/88).

Reg. 12. Suspensions:

(1) An officer employee may be placed under suspension by the competent authority-

(a) where a disciplinary proceeding against him is contemplated or is pending; or

(b) where a case against him in respect of any criminal offence is under investigation, inquiry or trial.

(2) An officer employee shall be deemed to have been placed under suspension by an order of the competent authority.

(a) with effect from the date of his detention, if he is detained in custody, whether on a *criminal charge or otherwise, for a period* exceeding forty-eight hours;

(b) with effect form the date of conviction if in the event of a conviction for an offence he is sentenced to a term of imprisonment exceeding forty-eigth hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction.

Explanation : The period of forty-eight hours referred to in clause (b) of this sub-regulation shall be computed from the commencement of the imprisonment after the conviction and for this purpose, intermittent periods of imprisonment, if any, shall be taken into account.

(3) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon an officer employee under suspension is set aside in appeal or an review under these regulations and the case is remitted for further inquiry or action or with any directions, the order of his suspension

(Reg. 12 contd.)

shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in force until further orders.

(4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon an officer employee under suspension 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 further inquiry against him on the allegations on which the penalty of dismissal, removal or compulsory retirement was originally imposed, the officer employee shall be deemed to have been placed under suspension by the competent authority from the date of the original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders.

(5) (*a*) An order of suspension made or deemed to have been made under this regulation shall continue to remain in force until it is modified or revoked by the authority competent to do so.

(b) An order of suspension made or deemed to have been made under this regulation may at any time be modified or revoked by the authority which made or is deemed to have been made the order.

Reg.13. Leave during suspension :

No leave shall be granted to an officer employee under suspension.

Reg.14. Subsistence allowance during suspension :

(1) An officer employee who is placed under suspension shall, during the period of such suspension and subject to sub-regulation (2) to (4) be entitled to receive payment from the bank by way subsistence allowance on the following scale, namely;

(a) Basic pay :

(i) For the first three months of suspension 1/3 of the basic pay which the officer employee was receiving on the date prior to the date of suspension irrespective of the nature of inquiry.

(ii) For the subsequent period after 3 months from the date of suspension -

(1) Where the inquiry is held departmentally by the bank, 1/2 of the basic pay, the officer employee was drawing on the date prior to the date of suspension; and

(2) Where the inquiry is held by an outside agency 1/3 of the basic pay for the next three months and 1/2 of the basic pay for the remainig period of suspension.

(b) Allowances :

(1) For the entire period of suspension dearness allowance and other allowances excepting conveyance allowance and other allowance and special allowance will be calculated on the reduced pay as specified in items (i) and (ii) of clause (a) and at the prevailing rates or at rates applicable to similar category of officers.

(2) During the period of suspension an officer employee shall not be entitled to occupation of a

(Reg. 15 contd.) rent-free house or free use of the bank's car or receipt of conveyance or entertainment allowance or special allwance.

(3) No officer employee of the bank shall be entitled to recieve payment of subsistence allowance unless he furnishes a certificate that he is not engaged in any other employment, business, profession or vocation.

(4) If, during the period of suspension an officer employee retires by reason of his attaining the age of superannuation, no subsistence allowance shall be paid to him from the date of his retirement.

Reg.15. Pay, allowances and treatment of service on termination of suspension :

(1) Where the competent authority holds that the officer employee has been fully exonerated or that the suspension was unjustifiable, the officer employee concerned shall be granted the full pay to which he would have been entitled, had he not been suspended, together with any allowance of which he was in receipt immediately prior to his suspension, or may have been sanctioned subsequently and made applicable to all officer employees.

(2) In all cases other than those referred to in sub-regulation (1), the officer employee shall be granted such proportion of pay and allowances as the Competent Authority may direct.

Provided that the payment of allowances under this sub-regulation shall be subject to all other conditions to which such allowances are admissible. Provided further that the pay and allowances granted under this sub-regulation shall not be less than the subsistence and other allowances admissible under regulation 14.

(Reg. 15 contd.) (3) (a) In a case falling under sub-regulation (1) the period of absence from duty shall, for all purposes, be treated as a period spent on duty;

(b) In a case falling under sub-regulation (2) the period of absence from duty shall not be treated as a period spent on duty unless the Competent Authority specifically directs, for reasons to be recorded in writing, that it shall be so treated for any specific purpose.

Reg. 16. Employees on deputation from the Central Government, State Government etc.

(1) Where an order of suspension is made or disciplinary proceeding is taken against an officer employee, who is on deputation to the bank from the Central Government or the State Government or Reserve Bank of India or another public sector bank or banking company or a public financial institution or an institution wholly or substantially owned by the Reserve Bank of India or a public financial institution or public undertaking, or a local authority the authority lending his services (hereinafter referred to as the 'Lending Authority') shall forthwith be informed of the circumstances leading to the order of his suspension, or the commencement of the disciplinary proceedings, as the case may be.

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

(Reg. 16 contd.)

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

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

(3) If the officer employee submits an appeal against an order imposing a minor penalty on him under clause (a) of sub regulation (2), 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 officer employee shall be placed at the disposal of the Lending Authority, and the proceeding of the case shall be transmitted to that authority for such action as it deems necessary.

Reg. 17. Appeals :

(i) An officer employee may appeal against an order imposing upon him any of the penalties specified in regulation 4 or against the order of suspension referred to in regulation 12. The appeal shall lie to the Appellate Authority.

(ii) An appeal shall be preferred within 45 days from the date of receipt of the order appealed against. The appeal shall be addressed to the Appellate Authority and submitted to the authority whose order is appealed against. The authority whose order is appealed against shall forward the appeal together with its comments and the records of the

(Reg. 17 contd.) case to the Appellate Authority. The Appellate Authority shall consider whether the findings are justified or whether the penalty is excessive or inadequate and pass appropriate orders. The Appellate Authority may pass an order confirming, enhancing, reducing or setting aside the penalty or remitting the case to the authority which imposed the penalty or any other authority with such direction as it may deem fit in the circumstances of the case.

Provided that --

(i) if the enhanced penalty which the Appellate Authority proposed to impose is a major penalty specified in clauses (f), (g), (h), (i) and (j) of regulation 4 and an inquiry as provided in regulation 6 hasnot already been held in the case, the Appellate Authority shall direct that such an inquiry be held in accordance with the provisions of regulation 6 and thereafter consider the record of the inquiry and pass such orders as it may deem proper.

(ii) if the Appellate Authority decides to enhance the punishment but an inquiry has already been held as provided in regulation 6, the Appellate Authority shall give a showcause notice to the officer employee as to why the enhanced penalty should not be imposed upon him and shall pass final order taking into account representation, if any, submitted by the officer employee.

Reg. 18. Review :

Notwithstanding anything contained in these regulations, the Reviewing Authority may call for the record of the case within 6 months of the date

(Reg. 18 contd.) of the final order and after reviewing the case pass such orders thereon as it may deem fit provided that --

(i) if any enhanced penalty, which the Reviewing Authority proposes to impose, is a major penalty specified in clause (f), (g), (h) (i) or (j) of regulation 4 and an inquiry as provided under regulation 6 has not already been held in the case, the Reviewing Authority shall direct that such an inquiry be held in accordance with the provisions of regulations 6 and thereafter consider the record of the inquiry and pass such orders as it may deem proper ;

(ii) if the Reviewing Authority decides to enhance punishment but an enquiry has already been held in accordance with the provisions of regulation 6, the Reviewing Authority shall give show cause notice to the officer employee as to why the enhanced penalty should not be imposed upon him and shall pass an order after taking into account the representation if any, submitted by the officer employee.

Reg. 19. Consultation with Central Vigilance Commission :

The Bank shall consult the Central-Vigilance Commission whenever necessary, in respect of all disciplinary cases having a vigilance angle.

Reg. 20. Service of orders, notices etc.,

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

Reg. 21. Power to relax time limit and to condone delay :

Save as otherwise expressly provided in these

(Reg. 21 contd.) regulations, the authority competent under these regulations to make any order may, for good and sufficient reasons or if sufficient cause is shown, extend time specified in these regulation for anything required to be done under these regulations or condone any delay.

Reg. 22. Repeal and Saving :

1. *Every rule, regulation, bye-law or every provision* in any agreement or a resolution corresponding to any of the regulations herein contained and in force immediately before the commencement of these regulations and applicable to the officer employees *is hereby repealed.*

2. Notwithstanding such repeal --

(a) any order made or action taken under the provisions so repealed shall be deemed to have been made or taken under the corresponding provisions of these Regulations ;

(b) nothing in these regulations shall be construed as depriving any person to whom these regulations apply, of any right of appeal which had accrued to him under any of the provisions so repealed ;

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

(d) any proceedings which have already been initiated but not yet been completed at the commencement of these regulations shall be continued and disposed as far as may be, in accordance with the provisions, of these regulations, as if such proceedings were proceedings under these regulations.

SCHEDULE OF DISCIPLINARY / APPELLATE / REVIEWING AUTHORITIES
Under Regulations - 3 (Ref. Circular No. A XI/ST/DM-1/cir-1/95 dt.2/1/95)

1. OFFICERS UPTO MIDDLE MANAGEMENT SCALE III

SR. NO.	OFFICERS UPTO MMGS- III WORKING AT	DISCIPLINARY AUTHORITY	APPELLATE AUTHORITY	REVIEWING AUTHORITY
01	OFFICES UNDER CONTROL OF GENERAL MANGER, BOMBAY			
	I) SCALE I AND II	CHIEF MANAGER OF G.M.O. BOMBAY	DY. G.M. B.C.R.	G.M. BOMBAY
	II) SCALE III	A.G.M. / D.G.M. - BCR	DY.G.M. B.C.R. / GEN. MANAGER, BOMBAY	G.M. BOMBAY / EXECUTIVE DIRECTOR
02	VERY LARGE BRANCHES/ BRANCHES AND OFFICE OF -BOMBAY CITY REGION (INCLUDING TRAINING CENTRE)			
	I) SCALE I AND II	A) V. L. BS - CHIEF MANAGER B) OTHERS - CHIEF MANAGER R.M.OFFICE	A.G.M. / DY. G.M. B.C.R.	DY. G.M. B.C.R. G.M. BOMBAY
	II) SCALE III	A.G.M. / D.G.M. - BCR	DY.G.M. B.C.R. / GEN. MANAGER, BOMBAY	G.M.BOMBAY / EXECUTIVE DIRECTOR.
03	FORT BRANCH, BOMBAY			
	I) SCALE I AND II	CHIEF MANAGER	AGM, FORT BR. BOMBAY	G.M. BOMBAY
	II) SCALE III	A.G.M. FORT BR.,	DY. G.M., B.C.R.	G.M., BOMBAY
04	RECOVERY CENTRE BOMBAY			
	I) SCALE I AND II	CHIEF MANAGER, RECOVERY BOMBAY	A.G.M., B.C.R. / Dy. G.M. B.C.R.	DY. G.M. B.C.R. / G.M. BOMBAY
	II) SCALE III	A.G.M. / D.G.M. - BCR	Dy. G.M., B.C.R. / GEN. MANAGER, BOMBAY	G.M. BOMBAY / EXECUTIVE DIRECTOR.

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अनुशासनिक/अपील/पुनरीक्षा प्राधिकारीयों की अनुसूची

1. मध्य प्रबंधन वेतनमान 3 तक के अधिकारी

क्र. सं.	कार्यरत मप्रश्रेवे-,3 तक के अधिकारी	अनुशासनिक प्राधिकारी	अपील प्राधिकारी	पुनरिक्षा प्राधिकारी
1.	**महाप्रबंधक , मुंबई के नियंत्रणाधीन कार्यालय**			
	1) वेतनमान 1 व 2	महाप्रबंधक , मुंबई कार्यालय के मुख्य प्रबंधक	उप महाप्रबंधक मुंबई शहर क्षेत्र	महाप्रबंधक मुंबई
	2) वेतनमान 3	स. म. प्र./उ. म. प्र. - मुंबई शहर क्षेत्र	उ. म. प्र. मुंबई श. क्षे. / महाप्रबंधक मुंबई	महाप्रबंधक मुंबई/ कार्यपालक निदेशक
2.	**अति विस्तृत शाखाएं , शाखाएं , कार्यालय -** मुंबई शहर क्षेत्र (प्रशिक्षण केन्द्र सहित)			
	1) वेतनमान 1 व 2	(क) अ. वि. शा. - मुप्र (ख) अन्य - मु. प्र. क्षे. प्र. कार्यालय	स. म. प्र./ उ. म. प्र. मुंबई श. क्षे.	उ. म. प्र. मुंबई शहर क्षेत्र महाप्रबंधक मुंबई
	2) वेतनमान 3	स. म. प्र. / उ . म. प्र. - मुंबई शहर क्षेत्र	उ. म. प्र.मुंबई श.क्षे./ महाप्रबंधक मुंबई	महाप्रबंधक मुंबई/ कार्यपालक निदेशक
3.	**फोर्ट शाखा, मुंबई**			
	1) वेतनमान 1 व 2	मुख्य प्रबंधक	समप्र,फोर्ट शाखा,मुंबई	महाप्रबंधक मुंबई
	2) वेतनमान 3	स. म. प्र. फोर्ट शाखा	उ. म. प्र. मुंबई श. क्षे.	महाप्रबंधक मुंबई
4.	**वसूली केन्द्र मुंबई**			
	1) वेतनमान 1 व 2	मुख्य प्रबंधक, वसूली मुंबई	स.म.प्र.,मुंबई श.क्षे./ उमप्र, मुंबई श.क्षे.	उमप्र , मुंबई श. क्षे. महाप्रबंधक मुंबई
	2)वेतनमान 3	स. म. प्र. /उ. म. प्र. मुंबई शहर क्षेत्र	उमप्र, मुंबई श. क्षे./ महाप्रबंधक , मुंबई	महाप्रबंधक मुंबई/ कार्यपालक निदेशक

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SR. NO.	OFFICERS UPTO MMBS- III WORKING AT	DISCIPLINARY AUTHORITY	APPELLATE AUTHORITY	REVIEWING AUTHORITY
05	VERY LARGE BRANCHES / BRANCHES & OFFICE OF PUNE CITY REGION (INCLUDING TRAINING CENTRE)			
	I) SCALE I AND II	A) V.L.BS - CHIEF MANAGER B) OTHERS - CHIEF MANAGER R.M. OFFICE	A.G.M. / DY. G.M. P.C.R.	G.M. (PER)
	II) SCALE III	A.G.M. / D.G.M. - PCR	DY. G.M., P.C.R. GEN. MANAGER, (PER)	G.M. (PER) EXECUTIVE DIRECTOR
06	RECOVERY CENTRE, PUNE & OVERSEAS CENTRE, PUNE.			
	I) SCALE I AND II	CHIEF MANAGERS OF RESPECTIVE CENTRES.	AGM/DGM P.C.R.	G.M. (PER)
	II) SCALE III	A.G.M. / D.G.M. - PCR	DY. G.M., P.C.R. / GEN. MANAGER, (PER)	G.M. (PER) EXECUTIVE DIRECTOR
07	VERY LARGE BRANCHES / BRANCHES & OFFICE OF - DELHI REGION (INCLUDING TRAING CENTRE)			
	I) SCALE I AND II	A) V.L.BS - CHIEF MANAGER B) OTHERS - CHIEF MANAGER R.M. OFFICE	AGM/DGM/ DELHI REG.	G.M. (PER)
	II) SCALE III	A.G.M. / D.G.M. -DELHI REGION	DY. GM. DELHI / DY. GM. PER/ GEN. MANAGER, (PER)	G.M. (PER) EXECUTIVE DIRECTOR

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SR. NO.	OFFICERS UPTO MMBS- III WORKING AT	DISCIPLINARY AUTHORITY	APPELLATE AUTHORITY	REVIEWING AUTHORITY
08	VERY LARGE BRANCHES./ BRANCHES & OFFICES OF REGIONS (INCLUDING TRAINING CENTRES) 1) BOMBAY SUBURB 2) THANE 3) PUNE RURAL 4)NASIK 5) AURANGABAD 6) NAGPUR 7) BHOPAL			
	I) SCALE I AND II	A) V.L.BS - CHIEF MANAGER B) OTHERS - CHIEF MANAGERS OF RESPECTIVE REGIONS	A.G. Ms. OF RESPECTIVE REGIONS	DY.G.M. (PER)
	II) SCALE III	A.G.M. / D.G.M. - RESPECTIVE REGIONS	DGM, PERSONNEL	GEN. MANAGER (PER)
09	VERY LARGE BRANCHES, BRANCHES & OFFICES OF CALCUTTA REGION			
	I) SCALE I AND II	A) V.L.BS - CHIEF MANAGER B) OTHERS - A.G.M. CALCUTTA	A.G.M. CALCUTTA / DY. G.M. PERSONNEL	DY. G.M. (PERS.(/ G.M. (PER)
	II) SCALE III	A.G.M. CALCUTTA	DGM, PERSONNEL	G.M. (PER)
10	VERY LARGE BRANCHES, BRANCHES & OFFICES OF REGIONS - (INCLUDING TRAINING CENTRES) 1) THANE RAIGAD (R) 2) AHMEDNAGAR 3) JALGAON, DHULE 4) SOLAPUR 5) AKOLA 6)AMRAVATI 7) LATUR 8) CHANDRAPUR 9) SATARA 10) RATNAGIRI 11) KOLHAPUR 12) GOA 13) AHMEDABAD 14) JABALPUR 15) INDORE 16) BANGALORE 17) HYDERABAD			

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SR. NO.	OFFICERS UPTO MMGS- III WORKING AT	DISCIPLINARY AUTHORITY	APPELLATE AUTHORITY	REVIEWING AUTHORITY
	I) SCALE I AND II	A) V.L.BS - CHIEF MANAGER B) OTHERS - REGIONAL MANAGERS OF RESPECTIVE REGIONS	A.G.M. IR & HRD	DY. G.M. (PERS)
	II) SCALE III	A.G.M. (IR AND HRD)	DY. G.M. (PERS.)	GEN. MANAGER (PER)
11	CENTRAL OFFICE, PUNE. ALL DEPARTMENTS INCLUDING A) RECONCILIATION B) R.D.C. C) TRAINING COLLEGE			
	I) SCALE I AND II	CHIEF MANAGER, DISCIPLINARY MATTERS CENTRAL OFFICE, PUNE.	A.G.M. IR & HRD	DY. G.M. (PERS)
	II) SCALE III	A.G.M. (IR AND HRD.)	DGM, PERSONNEL	GEN. MANAGER (PER)
12	INSPECTING OFFICERS AND VIGILANCE OFFICERS WORKING AT DIFFERENT H.Q.			
	I) SCALE I AND II	CHIEF MANAGERS, (INSPECTION) & Z.V.Os. OF RESPECTIVE H.Q.	A.G.M. IR & HRD	DY G. M. (PERS)
	II) SCALE III	A.G.M. (IR & HRD.)	DGM, PERSONNEL	GEN. MANAGER (PER)
13	OFFICES NOT COVERED ABOVE			
	I) SCALE I AND II	CHIEF MANAGER, DISCIPLINARY MATTERS. CENTRAL OFFICE, PUNE.	A.G.M. IR & HRD	DY. G.M. (PERS)
	II) SCALE III	A.G.M. (IR AND HRD.)	DY. G.M. (PERS.)	GEN. MANAGER (PER)

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NOTES :-

1) The Disciplinary Authorities mean that the authorities under whose administrative jurisdiction the officers listed in the above schedule are working at the time of issuing of charge sheet. The concerned authorities will continue to act as such, irrespective of transfer of the chargesheeted officer after insurance of charge sheet. It is clarified that officers assigned for the work of more than one Region such as law Officer, Security Officer, Enquiry Officer, Presenting Officer will be considered to be under the administrative control of the Regions where their salary is drawn.

2) The authorities mentioned above shall include officers then officiating or holding the charge of that post.

3) Where any decision to institute disciplinary action has been taken and the charge sheet is not served, then the appropriate Disciplinary authority will be in terms of this schedule.

4) Where Disciplinary proceedings have been initiated and the charge sheet is served by the Disciplinary Authority as per earlier schedule, effective from 28.08.92 the new Disciplinary Authority from the effective date of this schedule will be as per this schedule. The new Disciplinary Authority shall take over the case from the stage where it is pending and continue onwards. In case where departmental action is completed by Disciplinary Authority as per the earlier schedule but the appeal is pending, the Appellate Authority shall be in accordance with this schedule. However if the present Appellate Authority has heard the chargesheeted officer employee then he shall dispose off the case.

5) Where disciplinary proceedings have been initiated and charge sheet is served by the Disciplinary Authority, as per this schedule and subsequently the branch is upgraded as very large Branch / Exceptionally Large Branch, the Chief Manager / Assitant General Manager of that branch will be the Disciplinary Authority and he will take over the case from the stage it is pending with the earlier Disciplinary Authority. If such upgraded branch is in a Region headed by Assistant General Manager or Deputy General Manager, such Assistant General Manager / Deputy General Manager, will be the Appellate Authority and mother cases Asstt. Gen. M.I.R & HRD, C.O. will be the Apellate authority. In case of downgradation of a branch, the Disciplinary Authority and the Appellate Authority will be in consonance with this schedule. In case the branch is attached to another region, the new Disciplinary Authority as per this schedule will take over from the stage it pending. The Appellate Authority will be changed according to this schedule.

6) The powers to institute disc. action / proceedings delegated and vested herein shall include the power to issue show cause notices and / or to issue charge sheet, to suspent the employee concerned, to decide about the treatment to be given on revocation/ termination of suspension in terms of Regulation 12 & 15 respectively, as also the powers under regulation 21, of Bank of Maharashtra Officer Employees' (Discipline and Appeal Regulation 1976.

7) The above changes shall be effective from the date of circulation of this schedule. However, any disciplinary proceedings initiated or completed prior to the date of this schedule shall not be invalid due to the change in schedule.

8) Where two Authorities are shown as Appellate Authority, the Appellate Authority will depend upon the grade of Disciplinary Authority i.e. Deputy General Manager for Assitant General Manager and General Manager (P&IR) for Deputy General Manager.

II. EXECUTIVES IN SENIOR MANAGEMENT SCALE IV & ABOVE (IRRESPECTIVE OF PLACE OF POSTING)

S. NO	SCALE OF EXECUTIVE	DISCIPLINARY AUTHORITY	APPELLATE AUTHORITY	REVIEWING AUTHORITY
1	IV	DY. GENERAL MANAGER PERSONNEL, C.O. PUNE	GENERAL MANAGER PERSONLEL & IR CENTRAL OFFICE	EXECUTIVE DIRECTOR.
2	V	GENERAL MANAGER PERSONNEL	EXECUTIVE DIRECTOR	CHAIRMAN & M.D.
3	VI	EXECUTIVE DIRECTOR	CHAIRMAN & MANAGING DIRECTOR	COMMITTEE OF BOARD OF DIRECTORS
4	VII	EXECUTIVE DIRECTOR / CHAIRMAN & MANAGING DIRECTOR	CHAIRMAN & MANAGING DIRECTOR / COMMITTEE OF BOARD OF DIRECTORS	COMMITTEE - BOARD OF DIRECTORS / FULL BOARD OF DIRECTORS

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