CENTRAL BANK OF INDIA OFFICER EMPLOYEES' (CONDUCT) REGULATIONS, 1976

(Including amendments/modifications adopted by the Board upto March 2004)

The following amendments have been incorporated in this file:-

- CO:PRS:(LEGAL)97-98:208 -26 DEC 1997
- CO:PRS:2001-2002:132 18/10/2001
- CO:PRS:2002-03;187 30/12/2002
- **CO:PRS:2003-04:196 18/03/2004**

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 Central Bank of India in consultation with the Reserve Bank and with the previous sanction of the Central Government
hereby makes the following regulations, namely:-

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1. SHORT TITLE COMMENCEMENT AND APPLICATION

1. These regulations may be called Central Bank of India Officer Employees'(Conduct) Regulations, 1976.

2. They shall come into force on 01.01.1977.

3. They shall apply to all officer employees of the bank, recruited in India whether working in India or outside India but shall not apply to-

   i. The Chairman of the Bank;

   ii. The Managing Director of the Bank;

   iii. Any whole time Director, if any;

   iv. Those who are in casual employment or paid from the contingencies;

   v. Award Staff;

2. DEFINITIONS:

a) **"Act"** means the Banking Companies (Acquisition and Transfer of undertakings) Act, 1970 (5 of 1970)

b) "award staff" means the persons covered by the "award" as defined in the Industrial Disputes (Banking Companies) Decisions Act, 1955 (41 of 1955);

c) "bank" means Central Bank of India;

d) "Board" means the Board of Directors of the bank;

e) "**competent authority"** means the authority appointed by the Board for the purpose of these regulations;

f) "family" means:-

i. In the case of male officer employee his wife, whether residing with him or not, but does not include a legally separated wife and in the case of woman officer employee her husband, whether residing with her or not, but does not include a legally separated husband;

ii. Children or step-children of the officer employee, whether residing with the officer employee or not, and wholly dependent on such officer employee but does not include children or step-children of whose custody the officer employee has been deprived of by or under any law; and

iii. any other person related to, by blood or marriage, to the officer employee or to the spouse and wholly dependent upon such officer employee.

g) "Government" means the Central Government;

h) "Managing Director" means the Managing Director of the Bank;

i) "Officer Employee" means a person who holds a 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 designation called and includes person whose services are temporarily placed at the disposal of the Central Government or a State Government or any other Government undertakings 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;**

j) "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 (Acquisition and Transfer of undertaking) Act, 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);

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.

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3.GENERAL

~~1. Every officer employee shall at all times take all possible steps to ensure and protect the interests of the bank and discharge his duties with utmost integrity, honesty, devotion and diligence and do nothing which is unbecoming of a bank officer.~~

Regulation 3 (1) first amended vide CO:PRS:2001-2002:132 Dtd. 18/10/2001
Regulation 3(1) again amended vide CO;PRS:03-04:196 dtd. 18/03/2004.
In both the amendment the contents are same. But effective date given as 28/04/2001 for Regulation 3(1) and the amended version is as under:

Regulation 3(1) (Effective from 28/04/2001)

(1) **Every officer employee shall at all times take all possible steps to ensure and protect the interests of the bank and discharge his duties with utmost integrity, honesty, devotion and diligence and do nothing which is unbecoming <u>of an officer employee.</u>**

(2) Every officer employee shall maintain good conduct and discipline and show courtesy and attention to all persons in all transactions and negotiations.

~~(3) No officer employee shall, in the performance of his official duties or in the exercise of powers conferred on him, act otherwise than in his best judgment except when he is acting under the direction of his official superior.~~

Regulation 3 (3) first amended vide CO:PRS:2001-2002:132 Dtd. 18/10/2001
Regulation 3(3) again amended vide CO;PRS:03-04:196 dtd. 18/03/2004.
In both the amendment the contents are same. But effective date given as 28/04/2001 for Regulation 3(1) and the amended version is as under:

(3) No officer employee shall, in the performance of his official duties or in the exercise of powers conferred on him, act otherwise than in his best judgment except when he is acting under the direction of his official superior. "Provided wherever such directions are oral in nature the same shall be confirmed in writing by his superior office" (Effective from 28.04.2001)

(4) Every officer employee shall take all possible steps to ensure the integrity and devotion to duty of all persons for the time being under his control and authority.

4. OBSERVANCE OF SECRECY-

Every officer employee shall maintain the strictest secrecy regarding the bank's affairs and the affairs of its constituents and shall not divulge directly or indirectly any information of a confidential nature either to a member of the public or to an outside agency or to any other employee of the bank not entitled to such information unless-

i. divulging of such information is in accordance with the law or in accordance with the practices and usages customary amongst banks;

ii. he is compelled to divulge such information by judicial or other authority;

iii. instructed to do so by a superior officer in the discharge of his duties.

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5. EMPLOYMENT OF MEMBERS OF FAMILY OF BANK OFFICERS IN FIRMS ENJOYING THE BANK'S CLIENTAGE AND GRANT OF FACILITIES TO SUCH CONCERNS.

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

2) No officer employee shall, except with the prior permission of the competent authority permit his son, daughter or any other member of his family to accept employment in any private undertaking with which he has official dealings or in any other undertaking having to his knowledge official dealings with the bank;

Provided that where the acceptance of the employment cannot await prior permission of the competent authority or is otherwise considered urgent, the matter shall be reported to the competent authority within three months from the date of receipt of offer of employment.

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3) No officer employee shall, in the discharge of his official duties, knowingly grant or authorise the grant of any advance or banking facilities to or enter into or authorise entering into by or on behalf of the bank any contract, agreement, arrangement or proposal in any matter or give or sanction any contract or loan to any undertaking or person if any member of his family is employed in that undertaking or under that person or if he or any member of his family has interests in such matters or contracts in any other manner and the officer employee shall refer every such matter or contract or loan to his superior officer and the matter or contract or loan shall thereafter be disposed of according to the instructions of the authority to whom such reference is made.

Explanation:A person is not deemed to have any interest in any undertaking for the purpose of the sub-regulation, if he is only a shareholder having not more than 2 per cent of the paid up capital of the undertaking in his name.

6. TAKING UP OUTSIDE EMPLOYMENT

1) No officer employee shall, except with the previous sanction of the bank, engage directly or indirectly in any trade or business or undertake any other employment;

Provided that an officer employee may, without such sanction, undertake honorary work of a social or charitable nature or occasional work of a literary, artistic, scientific, professional, cultural, educational, religious or social character, subject to the condition that his official duties do not thereby suffer, but he shall not undertake,

or shall discontinue such work if so directed by the competent authority-**after recording reasons for the same.** (Letters in bold are the amendments done dated 18/10/2001 and 18/03/2004 with effective date given as **28/04/2001 for Reg 6(1) amendments.**

Explanation: Canvassing by an officer employee in support of the business of insurance agency or commission agency, owned or managed by a member of his family shall be deemed to be a breach of this sub-regulation.

2) Every officer employee shall report to the bank if any member of his family is engaged in a trade or business or owns or manages an insurance agency or commission agency.

3) No officer employee shall, without the previous sanction of the bank 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 or any co-operative society for commercial purposes.

Provided that an officer employee may take part in registration, promotion or management of a co-operative society registered under the Co-operative Societies Act, 1912 (2 of 1912) or any other law for the time being in force, or of a literary, scientific or charitable society registered under the Societies Registration Act, 1860 (21 of 1860) or any corresponding law in force.

~~4) No officer employee shall accept any fee for any work done by him for any public body or any private person without the sanction of the competent authority.~~

Regulation 6(4) first amended vide CO:PRS:2001-2002:132 Dtd. 18/10/2001. Regulation 6(4) again amended vide CO;PRS:03-04:196 dtd. 18/03/2004. In both the amendment the contents are same. But effective date given as **28/04/2001** for Regulation 6(4) and the amended version is as under:

"No officer employee shall accept any payment in the form of fee, remuneration, honorarium and the like in cash or kind for any work done by him for any public body or any private person without the sanction of the competent authority".

5) No officer employee shall act as an agent of, or canvass business in fvour or, an Insurance Company or Corporations in his individual capacity.

7. CONTRIBUTION TO NEWSPAPERS, RADIO, ETC.

1) No officer employee shall, except with the previous sanction of the competent authority, own wholly or in part or conduct or participate in the edition or management of any newspaper or any other periodical publication.

2) No officer employee shall, except with the previous sanction of the competent authority or except in the bonafide discharge of his duties participate in radio broadcast or contribute any article or write any letter either in his own name or anonymously or in the name of any other person to any newspaper or periodical or make public, or publish or cause to be published or pass on to others any document, paper or information which may come into his possession in his official capacity.

3) No officer employee shall, except with the previous sanction of the competent authority publish or cause to be published any book or any similar printed matter of which he is the author or not or deliver talk or lecture in public meetings or otherwise:

Provided that no such sanction is, however, required if such broadcast or contribution or publication is of a purely literary, artistic, scientific, professional, cultural, educational, religious or social character.

8. DEMONSTRATIONS

No officer employee shall engage himself or participate in any demonstration which is prejudicial to the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign states, public order, decency or morality or which involves contempt of court, defamation or incitement to an offense.

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9. JOINING OF ASSOCIATIONS PREJUDICAL TO INTERESTS OF THE COUNTRY.

No officer employee shall join, or continue to be a member of an association, the objects or activities of which are prejudicial to the interests of the sovereignty and integrity of India or public order or morality.

10. GIVING EVIDENCE

1) Save as provided in sub-regulation (3) no officer employee shall, except with the previous approval of the competent authority, give evidence in connection with any enquiry conducted by an person committee or authority.

2) Where any approval has been accorded under sub-regulation (1) no officer employee giving such evidence shall criticise the policy or any action of the Government or of a State Government or of the bank.

3) Nothing in this regulation shall apply to any evidence given:-

(a) at an enquiry before an authority appointed by the Government, State Government, Parliament or a State Legislature; or

(b) in any judicial enquiry; or

(c) at any departmental enquiry ordered by the competent authority.

11. PUBLIC DEMONSTRATIONS IN HONOUR OF BANK OFFICERS

1) No officer employee shall, except with the previous sanction of the competent authority, receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour, or in the honour, or in the honour of any other employee of the bank.

Provided that nothing in this sub-regulation shall apply to-

(a) a farewell entertainment of substantially private and informal character held in honour of the officer employee or any other employee of the bank on the occasion of his retirement or transfer or any person who has recently quitted the service of the bank; and

(b) the acceptance of simple and inexpensive entertainment arranged by association of employees of the bank.

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2)

(a) No officer employee shall either directly or indirectly exercise pressure or influences on any employee of the bank to induce or compel him to subscribe towards any farewell entertainment.

(b) No office employee shall collect subscription for farewell entertainment from any intermediate or lower grade employee for the entertainment of any employee belonging to any higher grade.

12. SEEKING TO INFLUENCE

No officer employee shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the bank.

13. ABSENCE FROM DUTY

1) No officer employee shall absent himself from his duty or be late in attending office or leave the station without having first obtained the permission of the competent authority;

Provided that in the case of unavoidable circumstances where availing of prior permission is not possible or is difficult, such permission may be obtained later subject to the satisfaction of the competent authority that such a permission could not have been obtained.

2) No officer employee shall ordinarily absent himself in case of sickness or accident without submitting a proper medical certificate;

Provided that in the case of temporary indisposition or sickness of a casual nature, the production of a medical certificate may, at the absolute discretion of the competent authority, be dispensed with.

14. ACCEPTANCE OF GIFTS

1) Save as otherwise provided in these regulations, no officer employee shall accept or permit any member of his family or any person acting on his behalf to accept any gift.

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

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Note 1: A casual meal, lift or other social hospitality shall not be deemed to be a gift.

2) On occasions such as marriages, anniversaries, funerals or religious functions when the making of gifts is in conformity with the prevailing religious or social practice, an officer employee may accept gifts from his near relatives but he shall make a report to the competent authority if the value of the gifts exceeds Rs. 500/-

3) On such occasions as specified in sub-regulation (2) an officer employee any also 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 such gifts exceeds Rs.200/-

4) In any other case, the officer employee shall not accept any gifts without the sanction of the competent authority if the value of the gifts exceeds Rs.75/-

Provided that when more than one gift has been received the matter shall be reported to the competent authority if the aggregate value thereof exceeds Rs.500/-

Note: As a normal practice an officer employee shall not accept any gift from any person or institution having official dealings with the officer employee.

5) No Officer employee shall:-

(a) give or take or abet the giving or taking of dowry; or

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

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

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15. LENDING AND BORROWINGS

No officer employee shall, in his individual capacity:-

i. **b**orrow or permit any member of his family to borrow or otherwise place himself or a member of his family under a pecuniary obligation to a broker or a money lender or a sub-ordinate employee of the bank or any person, association or persons, firms, company or institution, whether incorporated or not, having dealings with the bank;

ii. buy or sell stock, shares or securities of any description without funds to meet the full cost in the case of purchase of scrips or delivery in the case of a sale;

iii. incur debts at a race meeting;

iv. lend money in private capacity to a constituent of the bank or have personal dealings with such constituent in the purchase or sale of bills of exchange, Government paper or any other securities; and

v. guarantee in his private capacity the pecuniary obligations of another person or agree to indemnity in such capacity another person from loss except with the previous permission of the competent authority.

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Provided that an officer employee may, give to or accept from a relative or personal friend a purely temporary loan of a small amount free of interest, or operate a credit account with a bonafide tradesman or make an advance of pay to his private employee:

Provided further that an officer employee may obtain a loan from a co-operative credit society of which he is a member or stand as a surety in respect of a loan taken by another member from a co-operative credit society of which he is a member.

16. ADVANCE DRAWAL OF SALARY

No officer employee shall draw his salary in advance or over draw his account with the bank against security or otherwise without the previous sanction of the competent authority.

17. SUBSCRIPTIONS

No officer employee shall, except with the previous sanction of the competent authority, ask for or accept contributions to or otherwise associate himself with the raising of any funds or other collections in cash or in kind in pursuance of any objective whatsoever.

18. SPECULATIONS IN STOCKS & SHARES & INVESTMENTS

No officer employee shall speculate in any stock, share or securities or commodities or valuables of any descriptions or shall make investments which are likely to embarrass or influence him in the discharge of his duties:

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Provided that nothing in this regulation shall be deemed to prohibit an officer employee from making a bonafide investment of his own funds in such securities as he may wish to buy.

NOTE: Frequent purchase or sale or both of shares or securities or other investments shall be deemed to be speculation for the purpose of this regulation.

19. INDEBTEDNESS

An officer employee shall so manage his private affairs as to avoid habitual indebtedness or insolvency. An Officer employee against whom any legal proceedings are instituted for the recovery of any debt due from him or for adjudging him as an insolvent shall forthwith report the full facts of the legal proceedings to the bank.

20. MOVABLE, IMMOVABLE AND VALUABLE PROPERTY

1) Every officer employee, on his first appointment, and every other employee of the bank, on promotion to a post of an officer employee in the bank, shall submit a return of his assets and liabilities giving full particulars regarding:-

   (a) the immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage, either in his name or in the name of any member of his family or in the name of any other person;

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

(c) Other movable property inherited by him or similarly owned or acquired or held by him; and

(d) debts and other liabilities incurred by him directly or indirectly:

Provided that in the case of an officer employees who is already in service in the bank on the date these regulations come into force, shall submit a return in terms of this regulation within three months of coming into force of these regulations, the return being with reference to the assets and liabilities as enumerated above of the officer employee on the date these regulations come into force.

Provided that in the case of an officer employee who is already in service in the bank on the date these regulations come into force, shall submit a return in terms of this regulation within three months of coming into force of these regulation,s the return being with reference to the assets and liabilities as enumerated above of the officer employee on the date these regulations come into force.

2) Every officer employee shall, every year submit a return of his movable, immovable and valuable property including liquid assets like shares, debentures, as on 31st March of that year, to the bank before the 30th day of June of that year.

3) No officer employee shall except with the previous knowledge of the competent authority acquire or dispose of any immovable property by lease, mortgage, purchase, sale. Gift or otherwise either in his own name or in the name of any member of his family:

Provided that the previous sanction of the competent authority shall be obtained by the officer employees if any such transaction is:

(a) with a person having official dealings with the officer employee;

(b) otherwise than through a regular or reputed dealer.

~~4) Every officer employee shall report to the competent authority every transaction concerning movable property owned or held by him either in his own name or in the name of a member of his family if the value of such property exceeds Rs.5000/-~~

Regulation 20(4) first amended vide CO:PRS:2001-2002:132 Dtd. 18/10/2001. Regulation 20(4) again amended vide CO;PRS:03-04:196 dtd. 18/03/2004. In both the amendment the contents are same. But effective date given as **04/08/2001** for Regulation 20(4) and the amended version is as under:

Every officer employee shall report to the competent authority every transaction concerning movable property owned or held by him either in his own name or in the name of a member of his family if the value of such

property exceeds Rs.25,000/-

Provided that the previous sanction of the competent authority shall be obtained if any such transaction is:-

(a) with a person having official dealings with the officer employee; or

(b) otherwise than through a regular or reputed dealer.

(a) The term every transaction concerning movable property referred to in Regulation 20(4) shall include all transactions of sale or of purchase.

(b) For the purpose of this sub-regulation, the definition of movable property would include:

(a) Jewelery, Insurance policies the annual premia of which exceeds Rs/2500/- or one-sixth of the total annual emoluments received from the Bank, whichever is less, shares, securities and debentures:

(b) Loans advance by such employee whether secured or not;

(c) Motor Cars, Motor Cycles, Horses or any other means of conveyance; and

(d) refrigerators, radios (radiograms and television sets), etc;

(c) Transactions entered into by the spouse or any other member of family of an Officer employee of the Bank out of his or her own funds (including stridhan, gifts, inheritance etc.) as distinct from the funds of the Officer employee of the Bank himself/herself in his or her own name and in his or her own right, would not attract the above provisions.

5) The bank may at any time, by general or special order, require an officer employee to furnish within a period to be specified in the order a full and complete statement of such moveable or immovable 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 a statement shall, if so required by the bank, include the details of the means by which or the sources from which such property was acquired.

21. VINDICATION OF ACTS & CHARACTER OF AN OFFICER EMPLOYEE

No officer employee shall, except with the previous sanction of the bank, have recourse to any court or to the press for the vindication of any official act which has been the subject matter of adverse criticism or an attach of a defamatory character:

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Provided that nothing in this regulation shall be deemed to prohibit an employee from vindicating his private character or any act done by him in his private capacity and where any action for vindicating his private character or any act done by him in private capacity is taken the office employee shall submit a report to his immediate superior within a period of three months from the date such action is taken by him.

22. RESTRICTIONS REGARDING MARRIAGE

1) .

(a) No officer employee shall enter into, or contract, a marriage with a person having a spouse living and

(b) No officer employee, having a spouse living, shall enter into, or contract, a marriage with any person:

Provided that the bank may permit an officer employee to enter into, or contact, any such marriage as is referred to in clause (i) or clause (ii) if it is satisfied that -

(a) such marriage is permissible under the personal law applicable to such officer employee and the other party to the marriage; and

(b) there are other grounds for so doing.

2) An officer employee who has married or marries a person other than of India Nationality shall forthwith intimate the fact to the bank.

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23 CONSUMPTION OF INTOXICATING DRINKS & DRUGS

An Officer employee shall:-

a) strictly above by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being;

b) not be under the influence of any intoxicating drink or drug during the course of his duty and shall also take due care that the performance of his duties at any time is not affected in any way by the influence of such drink or drug;

c) refrain from consuming any intoxicating drink or drug in a public place;

d) not appear in a public place in a state of intoxication;

e) not use any intoxicating drink or drug to excess.

Explanation: For the purpose of this rule 'public place' means any place or premises (including clubs, even exclusively meant for members where it is permissible for the members to invite non-members as gusts, bars and restaurants, conveyance) to which the public have or are permitted to have access, whether on payment or otherwise.

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24 ACTS OF MISCONDUCT.

A breach of any of the provisions of these regulations shall be deemed to constitute a misconduct punishable under the Central Bank of India Officer Employees' (Discipline and Appeal) Regulations, 1976.

Regulation 24 A included in the amendment Co:PRS:2001-2002:132 dated 18/10/2001. Regulation 24 A with effective date included vide CO:PRSl03-04:196 dated 18/03/2004 with effective date for Regulation **24 A as 18/10/2001** and the amended version is as under:

24 (A) Prohibition of Sexual Harassment of working women:

1) No officer employee shall indulge in any act of sexual harassment of any woman at her work place.

2) Every officer employee who is in-charge of a work place shall take appropriate steps to prevent sexual harassment to any woman at such work place.

EXPLANATION- For the purpose of this Regulation, "sexual harassment"includes such unwelcome sexually determined behaviour (whether directly or otherwise) as-

(a) physical contact and advances'

(b) a demand or request for sexual favors;

(c) sexually coloured remarks;

(d) showing pornography;

(e) any other unwelcome physical verbal or non-verbal conduct of a sexual nature"

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25. INTERPRETAION

If any question arises as to the application or interpretation of any of these regulations, it shall be referred to the Board for its decision.

26. REPEAL AND SAVING

3) Every rule, regulation, bye-law or every provision in any agreement or resolution corresponding to any of the regulations herein contained and in force immediately before the commencement of these regulations and applicable is hereby repealed:

4) Notwithstanding such repeal any order made or action taken under the provision so repealed

shall be deemed to be made or taken under the corresponding provisions of these regulations.

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CENTRAL BANK OF INDIA OFFICER EMPLOYEES' (DISCIPLINE AND APPEAL) REGULATION, 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 Central Bank of India in consultation with the Reserve Bank and with the previous sanction of the Central Government hereby makes the following regulations, namely:-

1. SHORT TITLE AND COMMENCEMENT:

a) These regulations may be called Central Bank of India Officer Employees' (Discipline and Appeal) Regulations, 1976.

b) They shall come into force on 1.1.1977.

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2. APPLICATION

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

i. the Chairman of the Bank;

ii. the Managing Director;

iii. any whole time Director, if any;

iv. those who are in casual employment or paid from contingencies;

v. the award Staff; and

vi. the officers on contract.

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 of appeals;

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 Central Bank of India;

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 a 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 and 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);

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 (3 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 Banks" 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 (Acquisition and Transfer of Undertakings) Act, 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;

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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 regulation.

4. PENALTIES:

The following are the penalties which may be imposed on an officer employee, for acts of misconduct 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 amount 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 cumulative effect and not adversely affecting the Officer's Pension.

Major Penalties:

f) Save as Provided for in (e) above reduction to a lower stage in the 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 disqualification for future employment;

j) Dismissal which shall ordinarily be a disqualification for future employment.

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

a) 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;

b) 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;

c) 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;

d) 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;

e) 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;

f) reversion of an officer employee to his parent organisation in case he had come on

deputation;

g) termination of the service:-

i. 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;

ii. 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;

iii. of an officer employee appointed under a contract or agreement, in accordance with the terms of such contract or agreement; and

iv. of an officer employee on abolition of post;

h) retirement of an officer employee on his attaining the age of superannuation in accordance with the rules and orders governing such such superannuation;

i) termination of employment of a permanent officer employee by giving 3 months' notice or on payment of 3 months' pay and allowances in lieu of notice;

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5. AUTHORITY TO INSTITUTE DISCIPLINARY PROCEEDINGS AND IMPOSE PENALTIES:

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.

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 enquiry is held in accordance with this Regulation.

~~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 enquire into, or appoint any other public servant (hereinafter referred to as the inquiring Authority) to enquire into the truth thereof.~~

Regulation 6(2) first amended vide CO:PRS:2001-2002:132 Dated. 18/10/2001. Regulation 6(2) again amended vide CO;PRS:03-04:196 dated. 18/03/2004. In both the amendment the contents are same. But effective date given as **03.03.2001** for Regulation 6(2) and the amended version is as under:

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 enquire into, or appoint any other person whi is, or has been, a public servant (hereinafter referred to as the Inquiring Authority) to inquire into the truth thereof,"**

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Explanation: When the Disciplinary Authority itself holds the enquiry any reference in sub-regulation (8) to the sub-regulation (21) to the Inquiring Authority shall be construed as 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 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.~~

Regulation 6(3) first amended vide CO:PRS:2001-2002:132 Dated. 18/10/2001. Regulation 6(3) again amended vide CO;PRS:03-04:196 dated. 18/03/2004. In both the amendment the contents are same. But effective date given as **30.06.2001** for Regulation 6(3) and the amended version is as under:

(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, list of documents relied on along with copy of such documents and list of witnesses along with copy of statement of witnesses, if any, 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:**

Provided that wherever it is not possible to furnish the copies of documents, Disciplinary Authority shall allow the officer employee inspection of such documents within a time specified in this behalf"

(4) On receipt of the written statement of the officer employee, or if no such statement is received within the time specified, an enquiry 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 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:

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 employees;

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 statements of the witnesses, if any;

v. evidence proving the delivery of articles of charge under sub-regulation(3);

vi. a copy of the order appointing the 'Presenting Officer' in terms of sub-regulation (6).

(6) Where the Disciplinary Authority itself enquires 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 the 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 has to give assistance.

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(8)

a) The Inquiring Authority shall be notice in writing specify the day on which the officer 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 charge 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.

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Regulation 6 .10(a) and 6.10 (b) amended as per CO:PRS: 2001:2002:132 dated 18th October, 2001 and vide circular PRS:03-04;196 dated 18/03/2004, the effective date for this amendment is given as 30.06.2001 and the amended version is given below: (Since the old version 10 (a) and 10(b) are combined in the new amendment the old version is not shown above)

(10 The Inquiring Authority while adjourning the case as in sub-regulation (9), shall also record by an order that the officer employee may for the purpose of preparing defence:-

i. Complete inspection of the documents as in the list furnished to him immediately and in any case not exceeding 5 days from the date of such order if he had not done so earlier as provided for in the proviso to sub-regulation (3);

ii. submit a list of documents and witnesses, that he wants for the inquiry;

iii. give 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 the 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 for the production of documents on such date as may be specified.

(12) On the receipt of the requisition under sub-regulation (11), the authority having the custody or possession the 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 or 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 the enquiry the oral and documentary evidence by which the Articles of Charges are proposed to be proved shall be produced by or on behalf of the Disciplinary Authority. The witnesses produced by the Presenting Officer or by another officer duly nominated by the Disciplinary Authority to act on behalf of Presenting Officer shall be examined by the Presenting Officer or by the officer 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 points on which they have been cross-examined, but not on a new matter without the leave of the Enquiring Authority. The Enquiring Authority may also put such questions to the witnesses as it thinks fit.

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(14) Before the close of the case, in 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 interests 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 wither 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 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 of 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 closed 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 the completion of the production of evidence, hear the Presenting Officer, if any appointed and the Officer Employee, or permit them to file written briefs of their 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 exparte.

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

Provided that if the succeeding inquiring Authority is of the opinion that further examination of an 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 witnesses 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 imputation 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 therefor,

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 change:

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 a reasonable opportunity of defending himself against 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.

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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 the Inquiring Authority on any article of charge, record its reasons for such disagreement and record its own findings on such charge, if the 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, notwithstanding 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.

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 the Officer employee shall be taken into consideration by the Disciplinary 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 proceedings in such cases shall include-

   a) a copy of the statement of imputations of lapses furnished to the officer employee;

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

   c) the orders of the Disciplinary Authority together with the reasons therefor.

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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.

10. COMMON PROCEEDINGS:

Where two or more officer employees are concerned in a 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 a common proceeding.

11. SPECIAL PROCEDURE IN CERTAIN CASES:

Notwithstanding anything contained in Regulation 6 or Regulation 8 the 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.

12. SUSPENSION:

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 offense 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-after

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 from the date of **conviction,** if in the event of conviction for a offence, he is sentenced to a term of imprisonment exceeding forty-eight 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.

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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 on review under these regulations and the case is remitted for further inquiry or action or with any directions, the order of his suspension 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 made the order.

13. LEAVE DURING SUSPENSION:

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

14. SUBSISTENCE ALLOWANCE DURING SUSPENSION:

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

a) Basic Pay:

i. For the first three months of suspension $^1/_3$ of basic pay which the officer employee was receiving on the date prior to the date of suspension irrespective of the nature of enquiry.

ii. For the subsequent period after 3 months from the date of suspension:-

1. Where the enquiry 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 enquiry is held by an outside agency $^1/_3$ of basic pay for the next three months and $^1/_2$ of the basic pay for the remaining period of suspension.~~

Regulation 14(1)(a)(ii)(2) first amended vide CO:PRS:2001-2002:132 Dated. 18/10/2001. Regulation 14(1)(a)(ii)(2) again amended vide CO;PRS:03-04:196 dated. 18/03/2004. In both the amendment the contents are same. But effective date given as **19/08/2000** for Regulation 14(1)(a)(ii)(2) and the amended version is as under:

"**Where the enquiry is held by an outside agency $^1/_3$ of basic pay which the officer employee was drawing on the date prior to the date of suspension for the next three months and $^1/_2$ of the basic pay which the officer employee was drawing on the date prior to the date of suspension for the remaining period of suspension."**

b) ALLOWANCES:

For the entire period of suspension, dearness allowance and other allowances excepting conveyance allowance/entertainment 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. If an officer under suspension continued to occupy the rent free quarters provided to him by the Bank, a rent equal to ten per cent of the subsistence allowance payable to the officer may be collected as monthly rent for the premises occupied by him.

3. No officer employee of the bank shall be entitled to receive 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.

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

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.

16. EMPLOYEES ON DEPUTATION FROM THE CENTRAL GOVERNMENT, STAT

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 Lending Authority:

      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 the proceedings of the enquiry 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 proceedings of the case shall be transmitted to that authority for such action as it deems necessary.

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 withing **45 days from the date of receipt of the order appealed against.** The appeal shall be addressed to the appellate Authority and submitted t the authority whose order is appealed against. The authority whose order is appealed against shall forward the appeal together with

its comments and the records of the case to the Appellate Authority. 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 to 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 a major penalty specified in Clauses (f), (g),(h),(i) and (j) of Regulation 4 and an enquiry as provided in Regulation 6 has not already been held in the case, the Appellate Authority shall direct that such an enquiry be held in accordance with the provision of regulation 6 and thereafter consider the record of the enquiry and pass such orders as it may deem proper.

ii. If the Appellate Authority decides to enhance the punishment but an enquiry has already been held as provided in Regulation 6, the appellate Authority shall give a show cause notice to the officer employee as to why the enhanced penalty should not be imposed upon him and shall pass final order after taking into account the representation, if any, submitted by the officer employee.

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18. REVIEW: Amended vide Cir :CO:PRS:02-03:187 dated 30/12/2002 and the same was given effective date as 02/11/2012 vide CO:PRS:03-04:196 dated 18/03/2004 and the amended version is given under:

Notwithstanding anything contained in these regulations, the Reviewing Authority may at any time within **six** months from the date of the final order, either on his own motion or otherwise review the said order, when any new material or evidence which could not be produced or was not available at the time of passing the order under review and which has the effect of changing the nature of the case, has come or has been brought to his notice and 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 clauses (f), (g), (h), (i), or (j) of Regulation 4 and an enquiry as provided under Regulation 6 has not already been held in the case, the Reviewing Authority shall direct that such an enquiry be held in accordance with the provisions of Regulation 6 and thereafter consider the record of the enquiry and pass such orders as it may deem proper:

ii. if the Reviewing Authority decides to enhance the punishment but an enquiry has already been held in accordance with the provision 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.

19. CONSULTATION WITH CENTRAL VIGILANCE COMMISSION:

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

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.

21. POWER TO RELAX TIME-LIMIT AND TO CONDONE DELAY:

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

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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 provision 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 regulation shall be considered and order thereon shall be made, in accordance with these regulation;

d) any proceeding 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

CENTRAL BANK OF INDIA OFFICE EMPLOYEES' (DISCIPLINE AND APPEAL) REGULATIONS, 1976

1. DISCIPLINARY AUTHORITY:

Any Officer of the Bank, not lower in rank and status than a Chief Manager/Regional Manager (Scale IV), shall be competent to act as the Disciplinary Authority under these Regulations, in regard to disciplinary proceedings against any officer employee lower in rank and status than himself. PROVIDED that if such Disciplinary Authority chooses to entrust the enquiry to any other public servant, in terms of Regulation 6(2), he shall, as far as possible, entrust such enquiry to one of the Officer employees of the Bank not lower in rank and status than a Manager or /Branch Manager, Medium Category or any other officer equivalent rank.

The Disciplinary Authority shall be competent to transfer any enquiry, at any stage, from one Enquiring Authority to another with instruction either to hold the enquiry [1]***de novo*** or to continue the enquiry from the stage at which it was pending with the previous Enquiring Authority.

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2. APPELLATE AUTHORITY

Any Officer employee of the Bank higher in rank and status than the Disciplinary Authority but no lower in rank and status than an Assistant General Manager shall be competent to act as the Appellate Authority within the meaning of Regulation 17.

3. REVIEWING AUTHORITY

Any officer employee of the Bank, not lower in rank and status, than a Deputy General Manager, shall be competent to act as the Reviewing Authority in respect of any enquiry held against an Officer employee lower in rank and status than such Reviewing Authority.

4. COMPETENT AUTHORITY

Any Officer of the Bank, not lower in rank and status, than a Regional Manager/ Chief Manager (Scale IV), shall act as the competent authority under the regulations in respect of Officer employees lower in rank and status than such Competent Authority.

1 In general usage, de novo is a Latin Expression meaning "from the begining","affresh", "anew","begining again"