

The Assam State Electricity Board Employees' (General Services) Regulations, 1960

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THE-ASSAM-STATE-ELECTRICITY-BOARD-EMPLOYEES-GENERAL-S of 1960

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The Assam State Electricity Board Employees' (General Services) Regulations, 1960Last Updated 11th February, 2020

1. Short title.

(a)These Regulations may be called the 'Assam State Electricity Board (General Services) Regulations, 1960'.Application and date of effect. - (b) These Regulations shall apply subject to the provisions of any Act, or rule having the force of law, for the time being in force, and shall come into force with effect from the date notified by the Assam State Electricity Board.

2. Definitions.

- In these Regulations, unless the context otherwise requires or provides-(a)"Board" means the Assam State Electricity Board as constituted under Section 5 of the Electricity (Supply) Act, 1948 (Act 54 of 1948);(b)"Competent Authority" or Competent Officer means the authority or Officer declared or designated as such by the Board for the purposes of these Regulations;(c)"Authorised Medical Practitioner" means a registered medical practitioner designated as such, and where no such practitioner has been so designated, any registered medical practitioner in the service of Government or a Local Body;(d)"Employee" means any person employed by or in the name of the Board to do any work for hire or reward, whether the terms of employment be expressed or implied;(e)A "Permanent Employee" means an employee who has been engaged on a permanent basis against a post sanctioned without limit of time;(f)A "Temporary employee" means an

employee who has been engaged for work which is of an essentially temporary nature likely to be finished within a limited period, or is employed on temporary basis against a permanent post;(g)A "Casual Employee" means an employee whose employment is of a casual nature;(h)"A "Probationer" means an employee employed provisionally to fill a permanent post and whose service under the Board has not been confirmed;(i)"Day" means a period of twenty four hours beginning at midnight;(j)"Family" means-(i)dependent wife, in case of a male employee;(ii)dependent husband, in case of a female employee;(iii)parents, wholly dependent upon the employee, unmarried daughters and minor sons and wholly dependent on the employee;(k)"Pay" means the amount drawn monthly or otherwise by an employee as remuneration fixed in relation to the post held by him and includes personal pay, special pay and any other emoluments which may be specifically classed as pay by the Board.

3. Service classification.

- The services under the Board may be classified into many classes, grades, and/or categories as may be considered suitable by the grades and categories.

4. Service Record.

(a)The Board may prescribe the manner in which the record of service of its employees shall be maintained including the nature of the records that shall be maintained, and designate the authorities who will be responsible for maintaining such records.(b)All adverse remarks against an employee entered in the service record may be communicated to the employee concerned who will then be heard by a competent authority before the remark is ratified.

5. Recruitment.

(1)(a)All appointments shall be made by or in the name of the Board either by direct recruitment or by promotion in such manner as may be laid down by the Board.(b)For purposes of selection, the Board may lay down such tests and prescribe such educational, technical and other qualifications as may be considered suitable.(2)The Board may appoint any person or persons by special contract on such terms as may be considered necessary, and the provisions of those Regulations shall apply subject to the terms of such contract.(3)The Board may obtain the services of permanent Government servants and such Government servants shall be treated as on foreign service as defined in the Fundamental Rules, as applicable.(4)(a)Government servants whose services have been taken over by the Board and employees of private Electricity Undertakings whose ownership and management have been transferred to the Board shall continue to be governed by the terms and conditions of service applicable to them immediately before such taking over or transfer, as the case may be, if they so elect.(b)The past service rendered by such Government servants or private employees will count for purposes of leave and other benefits to which they may be entitled as if their service has not been interrupted by reason of the transfer.Explanation. - Nothing contained in the above regulation shall apply to persons in temporary service under the old employers after the expiration of the period of such temporary service, if the Board is pleased to retain their services thereafter.(5)(a)All appointments to permanent posts shall, in the first instance, be made on

probation for one year or such longer period according to the class and category of service as the Board may decide. The period of probation may be extended in special cases as may be considered desirable.(b)Every employee shall, at the time of appointment, or within six months from the date of appointment as the appointing authority may decide, satisfy such standards of physical fitness as may be prescribed by the Board from time to time.(6)The Board may make rules for filling up vacancies pending final selection and appointments. A person provisionally appointed to a post shall not thereby be deemed to have established a special claim for the post.

6. Transfer.

- Employees of the Board shall be liable to transfer from one place of work to another and assigned such duties as a competent authority may decide.

7. Resignation.

- No employee shall quit the service of the Board unless he gives the same notice as is required for the termination of his services as provided hereinafter or pays to the Board in lieu of such notice the amount of pay for the period of the notice :Provided that a competent authority may relax the restriction regarding the notice period of payment to the Board in lieu of the notice.

8. Retirement.

(a)Employees of the Board shall retire on attaining the age of superannuation :Provided that an employee may be re-employed on a temporary basis after retirement if such re-employment is in the interest of the Board's service.(b)The Board may lay down the age of superannuation applicable to different categories of its employees and where this is not so laid down the age of 55 years shall be deemed to be the age of superannuation.

9. Termination of employment.

- Except as otherwise specified at the time of appointment in writing, the service of an employee may be terminated-(a)without any notice-(i)at any time, in the case of casual employee;(ii)in the case of a probationer, during the period of probation or on its expiry;(iii)in the case of a temporary employee, if the period of temporary employment does not extend beyond 12 calendar months, before the expiry of the said period;(iv)in the case of all employees, if such termination is the result of disciplinary action or takes place under an agreement which specifies a date for the termination of service.(b)with notice-of not less than one calendar month on either side as may be specified in case of a permanent employee or a temporary employee not covered under (a)(i) above; provided that pay in lieu of notice may be ordered by a competent authority in any specific case.All dues of an employee whose service has been terminated shall be paid before the expiry of one week from the day on which his employment is terminated.

10. Disciplinary action and punishment.

- Every employee of the Board shall discharge the duties assigned to him with integrity, loyalty and promptitude; and carry out all reasonable and lawful orders of his superiors in respect of the work allotted to him. Without prejudice to the generality of the foregoing clause, the Board may prescribe such rules of conduct as may be deemed just and fair : Provided that the act and omissions listed below shall be treated as misconduct: (a) wilful insubordination or disobedience, whether alone or in combination with others, to any lawful and reasonable order of a superior; (b) theft, fraud or dishonesty in connection with the business of the Board or its property; (c) causing wilful damage to or loss of the Board's goods or property; (d) taking or giving bribes or illegal gratification; (e) absence without leave or overstay of sanctioned leave without sufficient cause; (f) habitual late attendance; (g) habitual breach of any law applicable to the establishment; (h) riotous or disorderly conduct in connection with his employment or any act subversive of discipline; (i) habitual negligence or neglect of duty; (j) striking work or inciting others to strike work in contravention of the provisions of any law, or rule having the force of law; (k) unauthorised divulgence of any official information or document; (l) being under the influence of alcohol on duty; (m) for acts involving moral turpitude. The Board may prescribe a procedure for dealing with cases of breach of discipline or acts of misconduct and appoint appropriate authorities to hold inquiries and to impose punishments/penalties and also to hear appeals. Without prejudice to the provisions of any law for the time being in force any of the following penalties may be imposed on an employee found guilty of misconduct- (i) Warning. (ii) Reprimand or Censure. (iii) Stoppage of increment for a specified period. (iv) Fine. (v) Recovery of loss caused to the Board through negligence or breach of orders from the pay of the employee up to such extent as may be decided by a competent authority. (vi) Reduction to a lower post or time scale or to lower stage in a time scale. (vii) Termination of employment. (viii) Dismissal. No orders imposing a penalty shall be made unless the employee concerned is informed in writing of the alleged misconduct and is given an opportunity to explain the circumstances alleged against him. Before passing orders awarding a punishment the competent authority may make such further inquiries and give such hearing to the employee against whom misconduct is alleged, as may be considered necessary; and shall take into account the gravity of the misconduct, the previous record, if any, of the employee, and any other extenuating or aggravating circumstances, that may exist. A copy of the order passed shall be supplied to the employee concerned. Provided that this clause shall not apply when penalty is imposed on an employee on the ground which led to his conviction on a criminal charge. An employee charged with misconduct is liable to be put under suspension pending enquiries, and the order of suspension shall take effect immediately on delivery to the employee concerned. Such order shall be in writing and shall set out in detail the alleged misconduct and the employee shall be given an opportunity to explain the circumstances alleged against him. If on enquiry, the order is confirmed, the employee shall be deemed to have been absent from duty for the period of suspension and shall not be entitled to any remuneration for such period. If, however, the order is rescinded, the employee shall be deemed to have been on duty during the period, if suspended and shall be entitled to the same remuneration as he would have received if he had not been suspended : Provided that in any case the employee concerned shall be entitled to a subsistence allowance not less than 25% of his pay.

11. Pay and increments.

(1)Pay. (a) The pay applicable to different categories of services under the Board shall be as fixed by the Board from time to time.(b)Employees of the Board shall be entitled to pay according to the categories of service to which they belong.(2)Initial pay. (a) The principles governing the fixation of initial pay of a Board's employee in respect of ex-employees of private undertakings or of the Government may be laid down by the Board; provided that the pay drawn prior to joining the Board's services is duly protected.(b)The initial pay of a Board's employee on a time scale of pay may be fixed at a higher stage by grant of advance increments in deserving cases as may be decided by the Board or a competent authority.(3)Increments. (a) Increments on a time scale of pay shall be drawn on the due date as a matter of course unless withheld by orders of a competent authority as a measure of punishment.(b)Increments falling due while an employee is on leave shall be drawn with effect from the date of his rejoining duty. This will not, however, affect the date on which the next increment falls due.(c)Any period spent on extraordinary leave without pay, period of absence, without leave, and any period during which an employee is on suspension; provided such suspension is proved to be justified, shall not count towards increments.(d)Where an efficiency bar is prescribed in a time scale of pay, the increment next above the bar shall not be drawn without the specific sanction of a competent authority and unless the employee concerned has passed such test as may be laid down for the purpose.

12. Travelling allowance.

- Employees of the Board required to undertake journeys in connection with their duties or on transfer shall be entitled to Travelling Allowance (including Daily Allowance) at such rates as may be laid down by the Board :Provided that no Travelling Allowance will be admissible for journeys within a radius of five miles of the place of work.The Board may make such arrangements for the conveyance of its employees who are required to move about in the interest of the Board's work or pay them such conveyance allowance, as may be considered necessary.

13. Leave.

(1)All applications for leave shall be made to a competent officer in such manner as may be laid down, and no leave shall be granted except by the said officer.If leave is refused or postponed, the competent officer shall record the reasons for such refusal or postponement, as the case may be, and send a copy of the order to the employee concerned.An employee of the Board may not accept any employment under any other employer while in the enjoyment of leave except as may be permitted by the Board.Holidays shall not be prefixed or suffixed to any leave without the prior sanction of the competent officer.A holiday including a weekly day of rest, intervening during and leave granted under these regulations shall form part of the period of leave.An employee who has availed himself of leave for reasons of health may be required to produce a medical certificate of fitness from an authorised medical practitioner before he resumes duty :Provided that in respect of an employee (except) menial staff working in Educational Institutions of the Board, no earned leave is admissible to him in respect of duty performed in any year in which he avails of the full vacation. Earned leave is admissible to such an employee in respect of any year in which he is prevented from availing

himself of the full vacation in such proportion of 30 days as the number of days of vacation not taken bears to full vacation. Provided further that L.P. Schools which do not enjoy a continuous vacation of a month in a year or total vacation of 60 days in a year shall not be regarded as a vacation department and in these establishments normal leave rules shall apply. Earned Leave. (2) (a) All permanent employees of the Board shall be entitled to earned leave of full pay calculated at the rate of 1/11th of the period spent on duty : Provided that he shall cease to earn such leave when the earned leave due amounts to 180 days : Provided further that he shall not be entitled to take leave for more than 120 days at a time on full pay within India or 180 days if the entire leave so granted or any portion thereof is spent outside India, Burma, Ceylone, Daman, Diu, Goa, Nepal and Pakistan or 180 days for reasons of health. Explanations I. - "Pay" for the purpose of this regulation means the substantive pay drawn immediately before the date on which leave is availed or average pay for the previous 12 months, whichever is higher.

2. The period spent on duty includes the weekly day of rest, holidays, casual leave and quarantine leave.

(b) A 'probationer' and a temporary employee whose service is terminated on the expiry of, or during the period of probation and a casual employee shall not earn such leave otherwise than as provided hereinafter. (c) Subject to the first proviso under Regulation 13(2) (a), probationer and a temporary employee whose service extends for more than one year shall be entitled to earned leave as though they are permanent employees. (d) An employee who is either a probationer, a casual or a temporary employee, and who is governed by the Factories Act, 1948, shall not by dint of these regulations be deprived of any leave to which he may be entitled under the said Act. Casual Leave. (3) (a) All employees of the Board except daily rated casual employees employed by the Board shall be eligible for casual leave at the discretion of the competent authority up to a maximum of fifteen days in any calendar year : Provided that not more than ten days casual leave shall be taken at any one time and such leave shall not be combined with any other leave. The Board may under special circumstances allow casual leave up to 15 days at a time at its discretion. (b) Casual leave not availed of during a calendar year will not be carried forward to the following year. (c) An employee on casual leave shall be entitled to pay as if he was on duty. Leave on medical certificates. (4) (a) An employee shall be entitled to leave on medical certificate on one half of his pay at the rate of 20 days for each completed year of service : Provided that he shall cease to earn such leave when the leave on medical certificate amounts to 120 days unless otherwise ordered by the Board. (b) The medical certificate shall be from an authorised medical practitioner. (c) Leave on medical certificate be taken in continuation with earned leave and vacation; provided that the total duration of earned leave and vacation and leave on medical certificate taken together shall not exceed a hundred and eighty days at any one time. (d) An employee shall be entitled, at his option, to convert leave on medical certificate on one half pay to half the amount of leave on full pay. Maternity Leave. (5) (a) A female employee who has put in one year's service under the Board shall be granted maternity leave on full pay for a period which may extend up to the end of the three months from the date of its commencement or six weeks from the date of confinement, whichever is earlier. (b) Leave of any other kind may be granted in case of miscarriage, including abortion subject to the condition that the leave does not exceed six weeks. Quarantine Leave. (6) Quarantine leave on full pay may be granted to an employee (except casual employees) for a period not exceeding twenty one days on the

certificate of an authorised medical practitioner, or a district or municipal health officer, where there is no authorised medical practitioner designated as such. Any leave necessary for guarantee purposes in excess of that period may be adjusted against any other leave that may be due to the employee. Explanation. - "Quarantine leave" means leave of absence from duty by reasons of the presence of a notifiable infectious disease in the family or household of an employee. Extraordinary Leave. (7) An employee who has no leave to his credit may be granted extraordinary leave without pay at the discretion of the Board.

14. Holidays.

(1) Number of holidays in the year. An employee shall be entitled to such number of holidays in a calendar year not exceeding 15 days as may be declared for any office or undertaking by the Board. (2) Compensatory Holidays. (a) The Board may make regulations for the grant of a compensatory holiday or wages in lieu thereof to an employee who is required to work in a day which is declared to be a holiday. (b) An employee shall be entitled to pay on all holidays as if he was on duty.

15. Residential accommodation.

(a) The Board may provide residential accommodation to such class or classes of employees as may be decided. (b) Residential accommodation cannot be claimed by an employee as a matter of right. (c) The terms governing the occupation of residential accommodation shall be as laid down by the Board. (d) The Board may sanction house rent allowance to any class or category of its employees in the interest of the Board's work; provided that no such allowance shall be payable to an employee in whose case provision has been made for residential accommodation, otherwise than as may be decided by the Board in each particular case.

16. Medical facilities.

(a) Without prejudice to their rights, if any, for the time being in force, employees of the Board and their families shall be entitled to such medical facilities as may be laid down by the Board. (b) For the purpose of providing medical facilities, the Board may make arrangement with authorised medical practitioners and such hospitals, dispensaries and pharmacies as may be considered necessary.

17. Provident Fund, pension and gratuity.

(a) All employees of the Board not covered by the Employees' Provident Fund Act, 1952, shall be eligible for pension-cum-gratuity, in the same manner as Government servants who have opted for the revised Pension Rules of the Government of Assam. (b) The Board may operate a non-contributory P.F. Scheme for the benefit of its employees who are eligible for pensionary benefits.