

PEC SERVICE REGULATIONSC O N T E N T S

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PEC LIMITED : NEW DELHI

SERVICE REGULATIONSG E N E R A L

In exercise of the powers conferred on the Board of Directors under Article of the Articles of Association of the THE PEC LIMITED, the Board of Directors hereby makes the following Regulations namely:-

"THE PEC SERVICE REGULATIONS"TITLE

1. These Regulations may be called "PEC Ltd Service Regulations".

COMMENCEMENT

2. The Regulations will come into force with effect from the date of issue of the Regulations.

DEFINITIONS:

3. In these Regulations, Unless the context indicates otherwise:-
 - a) "Corporation" means the THE PEC LIMITED.
 - b) "Board" means the Board of Directors of the Corporation.
 - c) "Regulations" means the THE PEC LTD SERVICE REGULATIONS.
 - d) "Chairman/Executive Director/Director" shall have same meaning as are defined in the Articles of Association of the Corporation.
 - e) "Regional/Branch Manager" means a person appointed as Regional/Branch Manager to manage the affairs of Regional/Branch Office.
 - f) "Secretary" means the Secretary of the Corpn.
 - g) "Chief Finance Manager" means the Chief Finance Manager of the Corporation.

- h) "Employee" means any person appointed to Service or post in connection with the affairs of the Corporation but will not include a labourer/worker in a factory/industrial undertaking under the control of the Corporation to whom the provisions of Factories Act, 1948 apply except that the Board may by a special resolution decide to apply these rules with such modifications as they may make from time to time.
- i) "Service" means service in connection with the affairs of the Corporation.
- j) "Office" includes Headquarters Office, Regional/Branch Office or any other offices that the Corporation may establish anywhere in India or elsewhere.
- k) "Approved Medical Officer" means a doctor approved under the Central Government Health Service Scheme or approved by Chief Personnel Manager/Branch Manager for issuing medical certificate or reports.

Note: Words and phrases not defined above will in case of doubt have the same meaning as given to them in Fundamental Rules and Supplementary Rules of the Government of India.

SCOPE

4. These Regulations have been framed by the Board of Directors of the Corporation to define the terms and conditions of service of the employees of the Corporation including their pay and allowances and shall apply to every person in the employment of the Corporation.

Exceptions:-

- 1) Employees, whether of the Union or the State Government or State Owned Undertaking, whose services are placed at the disposal of the Corporation on Foreign Service shall be governed by such terms as may be laid down for the purpose.
- 2) i) The Board may, for recorded reasons, waive or modify the operation of any of these Regulations in respect of any employee.

ii) Unless expressly provided for in these Regulations to the contrary the terms and conditions of service of the Corporation employees their increments leave and leave salary, joining time joining time pay, travelling and other allowances and other allied matters will, mutatis mutandis, be governed by the Govt. of India Fundamental and Supplementary Rules which shall include Govt. of India orders and decisions, Audit Instructions and Audit Rules issued by the controller and Auditor General of India from time to time relating thereto.

4. Disciplinary proceedings and penalties prescribed in the PEC Employees (Conduct, Discipline and Appeal) Rules, 1975 as amended from time to time and such other rules which may be prescribed by the Board of Directors from time to time in this regard will also be applicable to the employees.

5. DELEGATIONS

The Board may confer on the Chairman/Executive Director /any other officer any of its powers in these Regulations by Resolution. The Chairman/Executive Director may with the approval of the Board confer on any officer of the corporation any of his powers including his delegated powers by written authorisation. Delegated powers shall be exercised, subject to such conditions and limits as may be prescribed in the resolution or authorisation by the Board.

6. RECRUITMENT RULES:

In regard to the matters concerning classification of post, scales of pay seniority, promotion and allied matters etc. the provisions of the Recruitment Rules of the Corporation as amended from time to time shall be applicable to the employees of the Corporation.

7. CREATION OF POSTS, SELECTION AND APPOINTMENT

i) Consistent with requirements of the Corporation, the Board may create posts from time to time, and prescribe the scale of pay of each post or class of posts or number of posts in each category. Appointment shall be made after considering the cases of all the suitable candidates available. A properly constituted Selection Committee shall

consider the candidates and recommend their appointments.

- ii) The composition of Selection Committee (to be known as Personnel Committees) which will deal specifically with recruitment of new personnel and selection and promotion of the departmental candidates will be:-

MANAGERIAL POSTS SCREENING:

Director (Personnel)	Chairman
Head of Division concerned	Member

FIRST TIER (PROVISIONAL SELECTION)

Director (Personnel)	Chairman
Other Executive Director	Members
Co-opted Specialists	Members

SECOND TIER:

Chairman and Executive Directors.

II. STAFF POSTS - FIRST TIER:

Head of the Division concerned	Chairman
Head of another Division	Members
Personnel Manager	Member
One Co-opted member for specialised posts, if necessary.	

SECOND TIER: FINAL SELECTION

Director (Personnel)	Chairman
Executive Director	Members
Personnel Manager	Member

Note:

The composition of the "First" and the "Second" tier Selection Committee for Managerial posts and of the "Second" tier Selection Committee for staff posts should inter-alia include a minimum of two Directors who may also be non-Executive Directors.

III. CLASS IV POSTS:

FOR HEAD OFFICE

a) Head of Personnel	Chairman
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- b) Head of the Division concerned Member
- c) Head of any other Division Member including Finance.

(iii) Applications for appointment to vacancies in the Company should ordinarily be invited through advertisement in some of the prominent daily papers of India and also through the Government employment Exchange(s).

8. CONSULTATION WITH FINANCE

The Chief Finance Manager will be consulted in all cases where the fixation of pay is proposed at a stage higher than the minimum in the scale of pay.

9. CERTIFICATE OF HEALTH

No person shall be taken in service unless he/she furnishes to the Company a health certificate in the prescribed form from the approved Medical officer or Officers either before or within a week of the appointment, provided that the Board may in special circumstance grant exemption from the operation of this regulation in the case of an employee belonging to the Classes I and II and the Chairman in the case of an employee belonging to Classes III and IV.

EXPLANATION: A certificate of health shall not be required in the case of the following appointment:-

- a) Permanent employees of the Central or a State Government on deputation to the Company.
- b) Temporary Government Servants who have already been medically examined if transferred to the Company without a break in service provided the head of the office from which they are transferred has certified to the effect that the employees have already produced the requisite medical certificate of health.
- c) Persons appointed to a vacancy in Classes I, II and III posts not likely to last for more than 3 months.

- d) A person appointed to a post in Class IV services of less than six months duration.
- e) Retired Government Servants employed immediately on retirement without break in service.

10. PROHIBITION OF BIGAMOUS MARRIAGE.

Every person on appointment to the service of the Company shall sign a declaration that if married, he does not have more than one wife living and, that he will not contract another marriage without proper permission from the Company even if such subsequent marriage is permissible under the personal law applicable to him. Likewise a female employee will furnish a declaration to the effect that she is not married to and shall not marry a person who has one wife or more living at the time of appointment.

11. PROBATION

Persons recruited direct in any post and employees promoted from one post of any higher post shall be placed on probation for a period of one year from the date of appointment which may be extended or reduced at the discretion of the appointing authority and may be reverted under the orders of the appointing authority without notice or assigning any reason thereof, at any time during probation.

NOTE: the appointing authority may dispense with the above provision regarding probation in the case of purely temporary appointments, not likely to exceed a period of one year and such an employee shall be liable for reversion or termination of service at any time without notice.

- ii) During the period of probation, a person appointed direct shall be liable to be discharged at one month's notice. Similarly during the period of probation, if the person appointed direct desire to leave the service of the Company he shall give a month's notice in writing to the appointing authority for pay cash compensation equivalent to his pay for the period the actual notice falls short of one month unless the appointing authority relaxes the condition of notice either in full or in part in special circumstances.

Provided that the Company may terminate the service of any employee forthwith, without such notice on payment to him of a sum equivalent to the amount of his pay plus allowances at the same rates at which he was drawing immediately before the termination of his service, for the period of the notice, or as the case may be, for the period by which such notice falls short of one month.

12. SENIORITY:

The seniority in respect of employees of each category shall be determined according to the provision of the Recruitment rules. A gradation list will be drawn up and revised from time to time and the same shall be authenticated by the Chief Personnel manager.

13. RESIGNATION, DISMISAL OR TERMINATION OF SERVICE

Resignation Resignation tendered by an employee shall not become effective till it is accepted by the Company and the acceptance communicated to the employee. the Company shall have the right to refuse, for reasons to be communicated to the employee in writing, to accept resignation in a case where a disciplinary proceedings against the concerned employee is contemplated or has been initiated or is pending.

ii) Nothing in this regulation shall affect the right of the Company to terminate the service of an employee without notice or pay in lieu thereof on his being declared mentally or physically disabled for further continuance in a service by the approved medical officer. No appeal may lie against the opinion of of the Medical Officer Provided that it is preferred within a period of one month. The appeal shall be referred by the Company to such medical Authority as the Company may decide final and conclusive.

iii) The service of an employee who has completed his probation satisfactorily shall not be liable to termination except:

a) In the circumstances and in the manner laid down in the "PEC Employees (Conduct, Discipline and Appeal) Rules or

b) When the appointing authority concerned has certified that a reduction has occurred in the number of posts available for such employees who have completed their probation.

Provided that the service of such an employee shall not be liable to termination under clause (b) so long as any post of the same grade and under the same appointing authority, as the specified post held by him continue to be held by an employee junior to him.

Provided further that when the services of an employee who has completed his probation are terminated under clause (b) he shall be given three months notice and if, in any case, such notice is not given, then with the sanction of the authority competent to terminate the services of such employees, he shall be paid a sum equivalent to his pay plus allowances at the same rates at which he was drawing them immediately before the termination of his services for the period by which the notice actually given to him falls short of three months. If the employee is entitled to gratuity such gratuity shall not be paid for the period in respect of which he receives a sum in lieu of notice.

- iv) The expression "month" used in this regulation shall be reckoned according to the Gregorian Calendar and shall commence from the day following that on which notice is given by the employee of the Company as the case may be.

- 13.1 Notwithstanding any thing contained in Rule 13, in respect of employee joining the service of the Company in a Managerial grade i.e. as Deputy Marketing Manager Grade-II (or in an equivalent rank) and above on or after 21st March, 1975, the Company shall have the right to terminate, without assigning any reason, the services of any such employee after he has completed his probation satisfactorily, by giving three months notice or pay or pay in lieu thereof.

The power to terminate the service of any employee shall in all cases be exercised only by the appointing authority and for reason recorded in writing on the concerned employees personal file and shall always be with the prior written approval of COM.

14. RETIREMENT:

Notwithstanding any thing stated here in above in this regulation every employee shall ordinarily retire on attaining, the age of 60 years. The retention of an employee beyond the age of 60 years in the Company's

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service where such retention is considered to be in the interest of the Company, shall require the approval of the Board of Directors.

Provided/however, notwithstanding the provisions contained in the above Regulation, the Management may, if considered necessary, require an employee to retire after he attains the age of 50 years, on three months notice without assigning any reasons. Similarly, an employee may also, after attaining the age of 50 years, voluntarily retire after giving three months notice to the Company.

Employee who has attained the age of 50 years and against whom a disciplinary proceedings is contemplated or has been initiated, or is pending, may with the prior permission of the Company voluntarily retire after giving three month's notice to the Company. In cases where the said permission is refused, the Company will, within a reasonable time, inform the reasons therefore to the employee concerned.

15. PROVIDENT FUND

Every employee who is appointed in the service of the Company shall become member of the PEC Ltd Contributory Provident Fund in accordance with the rules on the subject.

16. SERVICE RECORD

A service Register in a suitable form to be prescribed shall be maintained by the Company at its Head Office in the case of employees in class I and II. This register shall contain the name of all such employees in alphabetical order, the substantive posts held by them the post in which they are officiating, their pay and the dates of next increment dates of birth, dates of joining service, amounts of leave availed of from time to time and the dates of their last return from leave to join their substantive or officiating posts in the Company.

- ii) A service book shall be maintained in the prescribed form in respect of each employee other than those for whom the service Register is maintained.
- iii) Every event in an employee's official career must be recorded in the service register or the service Book. In the latter case such entry must be attested by the Head of Office or an Officer authorised by him, care being taken to see that there are no erasures or overwriting.

17. CONDUCT AND DISCIPLINE

An employee shall serve the Company in its business in such capacity and at such places as he may be directed from time to time. Employees in class IV will ordinarily be required to serve at one specified station.

18. An employee shall serve the Company efficiently, honestly, loyally and faithfully and shall maintain the strictest secrecy regarding the affairs of the Company and its constituents. Every employee is a whole time servant of the Company and may be employed in such manner as he is directed without any claim for extra remuneration. He shall strive his best to promote the interest of the Company. No employee shall take part in politics or in any political demonstration.

19. An employee shall not absent himself from duty without prior permission of the Competent Authority. Nor shall he/she himself/herself absent from duty in case of sickness or accident without an immediate report duly supported by a medical certificate issued by the approved Medical Officer with a request as to the period for which leave is sought for. He shall then comply with the decision of the leave sanctioning authority. No employee shall leave the station where he/she is posted without obtaining previous permission from his/her immediate superior officer.

Provided that in case of temporary indisposition the production of a medical certificate may not be insisted upon.

20. The conduct of the employee while in service of the Company shall be governed by the provision of the PEC Employees (Conduct) Rules as amended from time to time.

21. APPLICATION OF OTHER RULES

Such of the rules which have not been referred to but are in force in the Company from time to time shall apply to the employee of the Company.

22. PENALTIES

Failure to observe discipline and to abide by the conditions of service to which he/she is subject under the service regulations will render an employee liable

to imposition of penalties as contained in the PEC Employees (Conduct, Discipline & Appeal) Rules.

23. GENERAL

- i) The Board may for reasons to be recorded in writing waive or modify the operation of any of these regulations in respect of any employees.
- ii) Whenever there is any doubt about the meaning or extent of application of any of these regulations, the decision of the Board thereon shall be final and binding.
- iii) In respect of matters concerning the service conditions of the employees of the Company not covered by these regulations or specific decisions of the Board, the rules and procedures set forth in the Government of India Fundamental Rules and Supplementary Rules including the Government of India orders and decisions and audit instructions there under shall apply.
- iv) No additions or alterations to these regulations shall have force until passed by a Resolution of the Board.

24. REPEAL AND SAVINGS

- i) Any Regulations or Rules corresponding to these regulations in force immediately before the commencement of these regulations and applicable to the Company employee to whom these Regulations apply are hereby repealed, provided that any order made or action taken under the Regulations or rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these regulations.
- ii) All appointments made in the Company prior to the enforcement of these Regulations shall be deemed to have been made under those Regulations and all the present employees of the Company shall be governed by these regulations.
