

URANIUM CORPORATION OF INDIA LIMITED
UCIL DISCIPLINE & APPEAL RULES, 1973 AND AMENDMENTS THERE OF.

1. **TITLE**

Those rules may be called 'UCIL Discipline & Appeal Rules, 1973' and shall come into force with effect from 30.06.1973.*

2. **APPLICABILITY**

Those rules shall apply to all employees except those governed by the Industrial Employment (Standing Orders) Act, 1946.

3. **DEFINITIONS**

In those rules, unless the context otherwise requires,

- (a) 'Appointing Authority' means,
- i) the authority, empowered to make appointment to the post which an employee for the time being holds ; or
 - ii) the authority which appointed the employee to a grade or post, as may be.
- (b) 'Board' means the Board of Directors of Uranium Corporation of India Limited.
- (c) 'Company' means Uranium Corporation of India Limited.
- (d) 'Disciplinary Authority' means the disciplinary authority in terms of rule 6(A).
- (e) 'Employee' means a person who holds a post under the Company.
- (f) 'Managing Director' means the Managing Director of the Company.

4. **PENALTIES**

Following penalties may, for good and sufficient reasons, be imposed for misconduct on an employee:

Minor Penalties

- (a) censure ;
- (b) debarring from promotion for a specified period;

*This will be the date on which approval to these rules is granted by President of India under the Articles of Association. **President's approval accorded vide DAE No: 4/4(2)73-Misc Dated 30.6.1973.**

- (c) recovery from salary of the whole or part of any pecuniary loss caused by the employee to the Company by negligence or breach of orders ;
- (d) withholding of increment(s) of pay ;

Major Penalties

- (e) reduction to a lower stage in the scale of pay ;
- (f) reduction to a lower scale of pay or post with or without further directions regarding conditions of restoration to the original scale of pay or post and regarding grant of original seniority and pay on such restoration ;
- (g) removal from service ;
- (h) dismissal from service.

Explanations :

The following shall not amount to penalty within the meaning of this rule :-

- i) Stoppage of increment(s) at the efficiency bar ;
- ii) Withholding of increment(s) for failure of an employee to earn the increment(s) in accordance with the rules or orders governing the cadre or post or the terms of appointment ;
- iii) Retirement of the employee in accordance with the rules relating to his superannuation or retirement ;
- iv) Termination of service of an employee, appointed on probation, during or at the end of probation period ;
- v) Termination of service of a temporary employee in accordance with the terms of his appointment ;
- vi) Termination of service of an employee under an agreement or contract in accordance with the terms of such agreement or contract ;
- vii) Termination of service of a permanent employee in accordance with the terms of his appointment and in the interest of the Company ;
- viii) Reversion to original post or cadre during or at the end of period of probation in a higher post or while officiating in a higher post or cadre ;
- ix) Removal from service when an employee is found medically unfit permanently ;
- x) Retrenchment due to reduction of establishment.

05. MIS-CONDUCT

Any violation of UCIL Conduct Rules as amended from time to time or any other rules or instructions issued by the Company in so far as they relate to the conduct of an employee will constitute a mis-conduct which may result in the imposition of any of the penalties mentioned in rule 4.

(A) CONTINUATION OF DISCIPLINARY PROCEEDINGS EVEN AFTER RETIREMENT

“The officer against whom disciplinary proceedings have been initiated will cease to be in service on the date of superannuation but the disciplinary proceedings will continue as if was in service until the proceedings are concluded and final order is passed in respect thereof. The concerned officer will not receive any pay and/or allowance after the date of superannuation. He will not be entitled for the payments of retirement benefits till the proceedings are completed and final order is passed thereon except his own contribution to CPF”.

(SUBSTITUTED VIDE AI NO.UCIL/702 DATED 14.08.2008)

06. (A) APPOINTING, DISCIPLINARY & APPELLATE AUTHORITIES

The Appointing Authority, Disciplinary Authority and Appellate Authority for various posts excluding those appointed by the President of India in terms of the Articles of Association shall be as under :-

Sl. No.	Name of the post	Appointing Authority	Disciplinary Authority	Appellate Authority
1	All Officers in the pay scale of E0	C&MD	Concerned HOD	Director of concerned function
2	All Officers in the pay scale of E1 & E2		Executive Director/ Director of concerned function	Director of concerned function. C&MD, in case of Functional Director as Disciplinary Authority
3	All Officers in the pay scale of E3 to E5		Director of concerned function	C&MD
4	All Officers in the pay scale of E6 to E8	C&MD for E6 Board for E7 & E8	C&MD	Board

Modification made in BoD meeting No.252(20) dated 31.07.2018 and BoD meeting No.258(19) dated 24.05.2019 & notified vide A.I.No.UCIL/880 dated 07.06.2019.

(B) Imposition of Penalties

The penalties mentioned in Rule-4 shall not be imposed by any authority lower than the disciplinary authority mentioned in Rule-6(A).

(C) Appeal

An employee on whom any penalty is imposed shall have the right of appeal to the appellate authority specified in rule 6(A). The appeal shall be submitted within 30 days

of the receipt of the order imposing the penalty. The appellate authority may, however, grant extension of the time for submission of the appeal.

- (D) An authority which imposes, confirms or alters a penalty shall have the power to give orders on incidental or consequential matters.

07. PROCEDURE FOR DEALING WITH CASES OF MISCONDUCT

- (a) Where an employee is charged with misconduct, which may result in the imposition of a penalty, he shall be informed in writing of the charges against him and shall be given a reasonable opportunity to make a representation.
- (b) No major penalty shall be imposed on an employee except after an enquiry in which he is given a reasonable opportunity of being heard in respect of the charges against him and where it is proposed, after such enquiry, to impose on him any such penalty, until he has been given a reasonable opportunity of making representation on the penalty proposed, but only on the basis of the evidence adduced during such enquiry.

Provided that this rule shall not apply -

- i) Where a major penalty is imposed on an employee who has been convicted by a court of a criminal offence or an offence involving moral turpitude and has been sentenced in respect of the offence to imprisonment for not less than six months.
- ii) Where in the opinion of the appointing authority, either it is not practicable to hold the enquiry because of reasons to be recorded in writing, or it is not expedient to hold the enquiry in the interest of security of India.
- (c) Nothing contained in sub-rules (a) and (b) above shall prohibit a disciplinary authority (I) to order the holding of an enquiry even where the penalty to be imposed may be a minor one (ii) to order the holding of joint enquiry against more than one employee.
- (d) Nothing contained in sub Rule (a) & (b) above, shall prohibit a disciplinary authority to Continue holding of an Enquiry after retirement of an employee if same was initiated before his retirement.

(INSERTED VIDE AI NO.UCIL/594 DATED 29.12.2000)

8. THE ENQUIRY OFFICER

The enquiry referred to in rule 7 shall be conducted by an enquiry officer appointed in this behalf by the disciplinary authority. The Enquiry Officer should not be a person:-

- i) who has made the first report about the alleged misconduct
- ii) who may be a possible witness in the enquiry

- iii) who is in a scale of pay equivalent to or lower than the scale of pay of the officer enquired against or
- iv) who is, due to some known person, likely to adopt a prejudiced stand in the enquiry.

9. **ASSISTANCE IN PRESENTING A CASE**

- (a) The disciplinary authority may appoint an employee or a legal practitioner, to be known as 'Presenting Officer' to present on its behalf the case in support of the charges.
- (b) The employee charged against may take the assistance of another employee to present the case on his behalf but may not engage a legal practitioner for the purpose unless the Presenting Officer is a legal practitioner or unless the disciplinary authority, having regard to the circumstances of the case, so permits.

10. **SUSPENSION**

- (a) An employee may be suspended from duty if he is charged with misconduct and, in the opinion of the appointing authority, the charges are serious and prima-facie plausible, and the authority considers that it would not be desirable that the employee should remain on duty while the matter is being enquired into. A charge-sheet shall be issued within 7 days of the issue of the orders of suspension. Otherwise, the employee shall be entitled to reinstatement.
- (b) An employee who is charged in a court of law of an offence of the nature referred to in proviso (I) to Rule-7, may be suspended from duty at the discretion of the appointing authority.

11. **SUBSISTENCE ALLOWANCE**

- (a) An employee under suspension shall be entitled to Subsistence Allowance for the period of his suspension. The allowance shall be equal to half his basic pay plus allowances normally admissible to compensate for rising cost of living. The quantum of these allowances shall be such as is payable on the reduced basic pay. If however, the period of suspension exceeds 90 days the Subsistence Allowance beyond such period, shall be three-fourth of his basic pay plus such allowances.

The Subsistence Allowance beyond such period may be reduced upto one-fourth of his basic pay plus such allowances if in the opinion of the Managing Director, for reasons to be recorded in writing, the employee can be held responsible for the delay in the finalisation of the proceedings against him.

- (b) The payment of Subsistence Allowance may be stopped or reduced suitably by the Managing Director if he is satisfied that the employee is engaged in other employment, business, profession or vocation during the period of his suspension.
- (c) If after enquiry, a major penalty is imposed on an employee, he shall not be entitled to any remuneration for the period of suspension other than the

subsistence allowance. Otherwise, the employee shall be paid for the period of suspension the emoluments which he would have received if he had not been suspended, after deducting the subsistence allowance already paid, the period of suspension being treated as duty.

Provided that in case a major penalty, other than removal or dismissal is imposed, the appointing authority or the appellate authority may grant any leave due to the employee for the period of suspension or a part thereof.

11(A) PRE-MATURE RETIREMENT

An executive who has attained the age of **50 years** and is considered to be medically unfit inefficient, or of doubtful integrity, may be prematurely retired by the Competent Authority.

The criteria for judging the inefficiency, medical unfitness or doubtful integrity of executives proposed to be prematurely retired are as below.

Inefficiency: Inefficiency shall be evaluated on the basis of executives' APRs. An employee who has secured consecutively **FAIR** grade for **three** years shall be deemed fit for premature retirement.

Doubtful Integrity: An executive who gets an adverse comment consecutively for **Three years** on his integrity in his APRs, as also on the basis of reports of Vigilance Authorities, can be recommended for premature retirement.

Medical unfitness:

(a) If an executive has been continuously on leave on medical grounds for a period of twelve weeks (including Sundays and holidays) or he has been on leave for reasons of sickness for a total period of 120 days (including Sundays and holidays) or more during a continuous period of six months or if a person though attending duties but is found to be mentally deranged, his departmental head may refer him to a medical board for his through medical check up and report :

- The disease he is suffering from ;
- Whether it is curable or incurable.
- Whether the disease is infectious/contagious ;
- In case of curable disease whether the person is likely to be fit to resume his normal duties within a period of twelve months ;

(b) If the person is not fit to resume his duties within a period of twelve months and in cases the employee suffers from incurable and infectious/contagious disease or suffering from lunacy or mental derangement and whose services cannot be utilized by the Company or whose attendance is likely to pose health hazard to others as may be certified by the medical board, Premature retirement can be considered on recommendations of Competent Authority.

(C) This premature retirement on medical grounds is independent of and without prejudice the right of the Company which presently exists for discontinuation of service of employees on medical ground without attaining the age of 50 years.

Benefits of the scheme

An employee who is prematurely retired shall be eligible for following benefits.

1. Pay for the notice period as may be applicable to him.
2. Leave salary of unattained earned leaves as per the existing rules for the same in UCIL.
3. Full provident Fund contribution of the employer with accretions thereto in the account of the employee subjected to the provisions of PF rules applicable to him.
4. Gratuity for each completed year of service or part thereof as admissible under the gratuity rule.
5. Transfer Benefits for self and family for proceeding to home town or to the place where he intend to settle, as per the applicable rules of the Company's TA rules.
6. Admissibility of benefits under any other scheme which are meant for superannuating employees such as Medical benefits, pension schemes etc. as per the terms and conditions and eligibility specified in the respective schemes.
7. The above is applicable for below Board level executives only.

In order to undertake the review of employees at Department level, Committees will be constituted. The constitution of the Committees to review the probity and efficacy of employees will be as under:

Level/Grade of Employees	Committee composition
Non Executive Employees	Head of Deptt. and Personnel Executive not below the level of E-5.
Executives in E0 to E4 grades	Cross functional committee headed by a G.M comprising of one D.G.M. and HoD of Personnel.
Executives in E5 and E6 grades	Committee headed by E.D. comprising of one G.M. , HoD of Personnel and Functional Head
Executives in E7 and E8 grade	Committee of Functional Directors

Representation on premature retirement order

When an employee is advised about his premature retirement, he may, if he so desires, give in writing a representation to the Chairman and Managing Director/Board of Directors against the decision of the Competent Authority within a period of one month of the passing of the order. The Chairman and Managing Director (In case of Officers from E0 to E4) and the Board (In case of Officers from E5 to E8) shall consider the representation of the concerned employee and take a decision within a period of three months of the receipt of the representation. Where the reviewing authority decides that the order passed by the Competent Authority is not justified, the reviewing authority shall direct

reinstatement of the employee and also issue directions regulating the intervening period from the date of termination till reinstatement as duty or as leave or dies non as the case may be taking into account the merits of each case.
(Approved in Bod Meeting No.254 (21) dated 19/09/2018)

12. **ACTION ON ENQUIRY REPORT**

- (a) The disciplinary authority, if it is not itself the Enquiry Officer may remit the case to the Enquiry Officer for further enquiry and report, or may itself hold a further enquiry. Reasons for doing so shall be recorded in writing.
- (b) The disciplinary authority shall if it disagrees with the findings of the Enquiry Officer on any charge, record its reasons for such disagreement and also record its own findings on such charge if the evidence on record is sufficient for the purpose.
- (c) Where a major penalty is proposed to be imposed on an employee, he shall, while being notified of the proposed penalty, also be furnished with a copy of the report of the Enquiry Officer including a statement of the findings on each of the charges (as well as a report of the further enquiry, if any, held by the disciplinary authority itself and a statement of the findings of the disciplinary authority together with reasons for its disagreement, if any, with the findings of the Enquiry Officer.

13. **DEPUTATIONISTS**

- (a) Where the services of a person are lent by an organisation to the Company or the Company has lent the services of a person to an organisation , the borrowing authority shall have the powers of appointing/disciplinary authority for the purpose of placing the person under suspension and for the purpose of conducting disciplinary proceedings. The borrowing authority shall keep the lending authority informed of the various steps taken against the person.
- (b) The borrowing authority may impose any minor penalty without consulting the lending authority. Provided that if the lending authority does not agree with the penalty imposed, the services of the person shall be replaced at the disposal of the lending authority.
- (c) If the borrowing authority is of the opinion that a major penalty should be imposed, it shall replace the services of the person at the disposal of the lending authority and transmit to it the proceedings of the enquiry and there-upon the lending authority shall take such action as may be deemed necessary.

14. **DELEGATIONS**

- (a) Managing Director may from time to time pass orders to lay down detailed instructions, procedures and forms within the frame work of these rules.
- (b) Without prejudice to the generality of the power delegated in

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sub-rule

- (a) the Managing Director may lay down detailed instructions, procedures and forms in respect of the following :-
 - i) recoveries to be made from subsistence allowance
 - ii) grant of allowances to an employee under suspension in respect of the journeys performed by him in connection with the enquiry or otherwise at the instance of the Company.
 - iii) procedure and manner of conducting an enquiry.