

CERTIFIED STANDING ORDERS

OF

MAHANAGAR TELEPHONE NIGAM LIMITED

These standing orders have been framed under section 3(1) of the Industrial Employment(Standing Orders) Act, 1946.

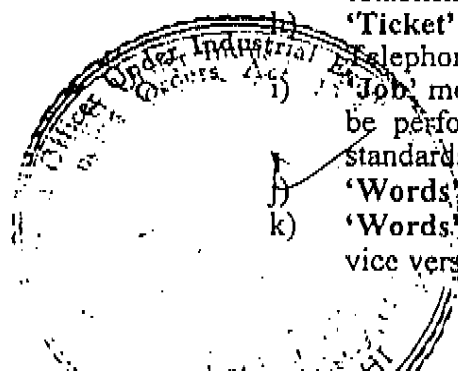
CLAUSE NO. 1: SCOPE OF ORDERS.

These orders shall apply to all the workmen employed to do manual, clerical, technical, operative or supervisory nature of work in Mahanagar Telephone Nigam Limited. These orders shall come into force in accordance with Section 7 of the Industrial Employment (Standing Orders) Act, 1946. This will apply to all workmen on the rolls of Mahanagar Telephone Nigam Limited, Delhi & Mumbai and any other station where Mahanagar Telephone Nigam Limited may decide to extend its operations/ activities.

CLAUSE NO. 2: DEFINITION.

'Act' means Industrial Employment(Standing Orders) Act, 1946 amended from time to time.

- a) The 'Company' means the Mahanagar Telephone Nigam Limited.
 - b) 'Management' means the Company's Chairman and Managing Director and / or any officer of the Company so authorized, to act on his behalf and / or on behalf of the Company.
 - c) 'Department' means any part of the Company declared as such by the Management.
 - d) 'Division' means any part of the Department declared as such by Management.
 - e) 'Sub Division' means any part of the Division. Section means any part of Sub-division of the Establishment serving as distinct Administrative, Technical unit and declared as such by the Management.
 - f) 'Muster Roll' means any register or registers or other records maintained by the Management for the purpose of keeping a list of workman employed by the Mahanagar Telephone Nigam Limited from time to time for the purpose of marking attendance of such workman or workman as prescribed under the Law.
 - g) 'Notice Board' means the board or boards maintained in a conspicuous place for the purpose of displaying notices at the Time-Keeper's office and near entrance through which the majority of the workman enter the industrial establishment including telephone exchanges etc.
- 'Ticket' means a card, pass or token issued to workman of the Mahanagar Telephone Nigam Limited as a means of their identification.
- 'Job' means a group of related tasks, duties and responsibilities expected to be performed by the incumbent assigned to that job as per norms and standards.
- 'Words' denoting the masculine gender shall include the feminine gender
- k) 'Words' denoting the singular number shall include the plural number and vice versa.



- 1) 'Habitual' means misconduct repeated more than thrice over a period of one year in respect of Para 35 (vi), 35 (xii) and 35 (xiii).
- (m) 'Wages' & 'Workman' have the meanings assigned to them in clauses (rr) & (s) of Section 2 of Industrial Disputes Act, 1947 (14 of 1947)
- (n) 'Board' means the Board of Directors of MAHANAGAR TELEPHONE NIGAM LIMITED and includes, in relation to the exercise of powers, any committee of the Board / Management or any officer of the Company to whom the Board delegates any of its powers.
- (o) 'Chairman & Managing Director' means the Chairman and Managing Director of the Board of Mahanagar Telephone Nigam Limited.
- (p) 'Disciplinary Authority' means the authority to whom it is duly delegated by the Board of Directors or by an authority so empowered to do so and is competent to impose any of the penalties specified in Rule 37 of this Standing Order.
- (q) 'Competent Authority' means the authority empowered by the Board of Directors by any general or special rule or order to discharge the function or use the powers specified in the Rule or order.
- (r) 'Government' means the Government of India.
- (s) 'Appellate Authority' means the authority so empowered to decide the appeal against the punishment under these rules by general or special rule or order to discharge such functions.
- (t) 'Reviewing Authority' means the authority so authorized by general or special order to hear and decide the review application against the order of the appellate authority.
- (u) 'Family' in relation to an workman includes
- i) the wife or husband of the workman, as the case may be whether residing with him or not but does not include a wife or husband as the case may be separated from the workman by decree or order of a Competent Court.
 - ii) Sons or daughters or step-sons or step-daughters of the workman and wholly dependent on the workman, but does not include a child or step child who is no longer in any way dependent on the workman or of whose custody the workman has been deprived by or under any law.
 - (iii) Any other person related whether by blood or marriage to the workman or to such workman's wife or husband and wholly dependent on such workman.
[Exp : Any person as mentioned at (ii) & (iii) above is dependent upon the workman will cease to be so on attaining the age of 25 years or gets employed whichever is earlier except the unmarried and unemployed daughters.]
- (v) 'Public Servant' shall mean and include a person as mentioned in Section 21 of Indian Penal Code as amended from time to time.

CLAUSE NO. 3: CLASSIFICATION OF WORKMAN.

- a) Permanent
- b) Temporary
- c) Probationers
- d) Apprentices
- e) Casual

- f) Badli or substitute
- a) **Permanent:** A regular workman is a workman who has been engaged on a regular basis and includes any person who has satisfactorily completed a probationary period of three months - extended for another three months, if required, in the same or another occupation in the Industrial establishment including breaks due to sickness, accident, leave, lockout strike (not being an illegal strike) or involuntary closure of the establishment.
- b) **Temporary:** Temporary workman, means a workman who has been appointed for a limited period for work which is of an essentially non-permanent nature likely to be finished within a limited period.
- c) **Probationer:** Probationer means a workman who is provisionally employed to fill a permanent vacancy or post and who has not satisfactorily completed the prescribed period of probation on that post. He/she may at any time during the probationary period, be reverted to his previous permanent post or he/she can be removed from service of the Company, if he/she does not hold lien on any other post without assigning any reason.
- d) **Apprentice:** An apprentice is a learner who may or may not be given an allowance or stipend during the period of his training.
- e) **Casual workman:** Casual workman means a workman who is employed for work, which is essentially of an occasional or casual nature and may be employed on daily wages.
- f) **Badli:** Badli workman means a workman whose name is entered in the badli register and who is appointed in the post of a permanent or probationer, who is temporarily, absent.

Note:

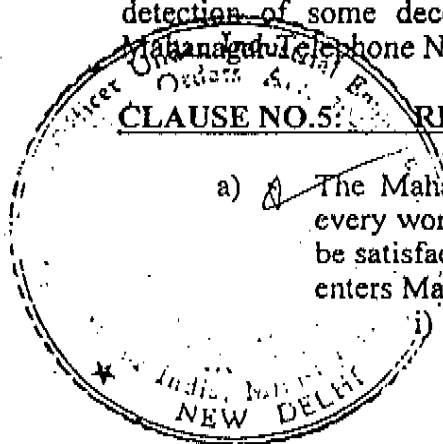
- i) Regular workman shall be monthly rated.
- ii) Temporary workman shall be either monthly rated or daily rated.
- iii) Casual workman shall be daily rated.

CLAUSE NO. 4: MEDICAL EXAMINATION.

Workman in service may be subjected to periodical medical examination by Mahanagar Telephone Nigam Limited's medical officer as may be stipulated by the Management to ensure physical fitness / good health. The cost incurred on medical examination will be borne by Mahanagar Telephone Nigam Limited. In case detection of some disease, the treatment will be available as per prevailing Mahanagar Telephone Nigam Limited Medicals Rules.

CLAUSE NO. 5: RECORD OF AGE.

- a) The Mahanagar Telephone Nigam Limited will record the age of every workman. Any of the following documents shall be deemed to be satisfactory proof of the age of workman at the time the workman enters Mahanagar Telephone Nigam Limited's service.
- i) Birth certificate from a Competent Authority.



- ii) Matriculation or School leaving or University certificate.
(in the absence of above (i) & (ii) the competent authority at its discretion may refer the case to the Medical Board for deciding the age of the workman).
- b) Any workman who is unable to produce documentary evidence of his age shall state his age and make a written declaration on affidavit that the age as stated by him is correct. Such workman shall be examined by the Mahanagar Telephone Nigam Limited's Medical Officer at Delhi/Mumbai and his opinion as to the workman's age shall be binding on the workman, unless it is appealed against within 30 days and for this purpose the appeal shall be with the Civil Surgeon of Delhi/Mumbai, whose decision shall be final. The medical fee will be borne by the applicant.
- c) Where exact date of birth is not available and the year of birth is only established then the 1st July of the said year shall be taken as the date of birth.
- d) The age of a workman as recorded with the Mahanagar Telephone Nigam Limited at the time of his employment shall not be sought to be altered by the workman.

CLAUSE NO.6: ISSUE OF LETTERS OF APPOINTMENT CONFIRMATION ETC.

Every workman at the time of appointment, confirmation promotion or re-classification shall be given a written order specifying his appointment, confirmation, promotion or reclassification as the case may be and signed by the appropriate Officer.

CLAUSE NO.7: ADDRESS.

Every workman shall, at the time of entering the service, furnish his permanent home-town and local address. Any change in the local or permanent address must be notified immediately after the change. The communication forwarded to the last address given by the workman shall be regarded as sufficient compliance for the purpose of giving any notice or information to an workman.

CLAUSE NO.8: SERVICE RECORD.

The Mahanagar Telephone Nigam Limited will maintain service records for every workman giving particulars of his birth date, date of appointment pay, date of increment, leave, records of merits and performance, disciplinary action, if any, etc. Yearly verification facility will be extended to workman on their request.

CLAUSE NO.9: IDENTITY CARD AND PERMITS.

a) Every workman shall be issued an identity token or any identity card or a pass. The identity token shall bear the section and number of the workman as entered in the identity token register. Identity card or pass shall be signed by the 'manager' as appointed by the Management for this purpose or any such other person authorized by the Management. Identity cards, passes or token shall not be transferable and will

remain the property of Company.

b) Every permanent workman will be issued with a permanent identity card or token which will bear workman's name and number, designation, signature where necessary and his photograph.

c) A temporary pass will be issued to all workman other than permanent, which will contain all relevant information as in (b) above.

d) All permanent identity cards or token and temporary passes will serve as individual Gate passes to enter and remain within the precincts of the establishment in connection with the Mahanagar Telephone Nigam Limited's work.

e) Every workman shall keep in his possession the identity card or token/temporary passes issued in his favour and on demand the workman shall present his identity card or token/temporary pass while entering or leaving the premises or while he is inside the precincts of the establishment to any member of the Mahanagar Telephone Nigam Limited's Security staff of and above the rank of watchman/Security Guard.

f) The identity card or token/temporary pass issued to any workman will remain Mahanagar Telephone Nigam Limited's property and every workman must on termination, resignation or discharge from service or on suspension from service or on proceeding on leave preparatory to retirement, surrender his identity card or token/temporary pass to the officer-in-charge of his Section, Manager or Security Officer for which he shall be given a receipt. In the event of death of the workman identity card shall be surrendered to the Company by the successor of the deceased workman.

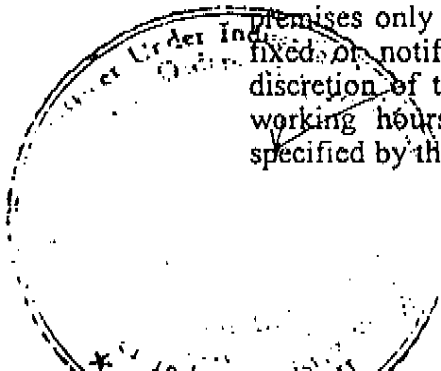
g) If any workman who surrenders his identity token or card as a result of suspension from service by the order of Management is required to attend the establishment at his request or under instructions from Management a temporary pass will be issued in his favour.

h) Any workman who loses his identity card/temporary permit shall report the loss immediately to the (i) Security Officer or (ii) the Manager or (iii) the officer-in-charge of the Section to avoid misuse of the same by unauthorized persons. Duplicate or new identity card will be issued on payment of the prescribed fee.

i) Every workman is responsible for obtaining a fresh identity token/card/temporary permit/ticket if the old one becomes indecipherable if this is due to fair wear and tear no charge will be made for issuing a fresh one.

CLAUSE NO.10: ENTRY AND EXIT.

All workman shall enter and leave the Mahanagar Telephone Nigam Limited premises only by gates fixed or notified for the purpose by the Management. The fixed or notified gates may be kept closed during the working hours at the discretion of the Management and workman must not leave the premises during working hours without prior permission of the Section Officer concerned as specified by the Management.



CLAUSE NO.11: SEARCH.

- a) Any workman may, when leaving premises of the establishment be searched at the point of Exit by watchman or gatekeeper appointed for the purpose by the Manager or Security Officer, provided
- b) Female workman will be searched like-wise by a female searcher.
- c) Every search shall be conducted in the place notified for the purpose at the Entry or Exit time. A women workman shall not be searched in the presence of any male person.

CLAUSE NO.12: INSTRUCTION REGARDING ATTENDANCE, DEPARTURE ETC.

All workman shall comply with instructions issued in English or Hindi / or Marathi from time to time relating to the recording of time of arrival for work and departure, place of work, period of duty, hour of work etc. which will be notified on the Notice Board.

CLAUSE NO.13: ATTENDANCE AND LATE COMING.

- a) All workman are required to report for duties at the time and place fixed / prescribed by the Management to sign in the Attendance Register, punch the card or deposit the ticket as the case may be at the time of reporting to duty and also on leaving duty, daily. Failure to comply with the provisions of this sub-clause may be in the absence of a certificate from the Head of the Department certifying the attendance of the workman concerned, render him liable to be marked absent for the period of his absence.
- b) Workman attending late shall be liable to the deductions as provided in the Payment of Wages Act, 1936.
- c) Any workman who is found absent from his proper duty place of work during working hours without permission or without sufficient reason shall be liable to be treated as absent for the period of his absence.
- d) Deductions from wages for the period of absence under clause (b) & (c) of this Standing Order may be made in accordance with the provisions of the Payment of Wages Act.

CLAUSE NO.14: WAGE RATES AND PAYMENT OF WAGES.

- a) Dates of payment of wages and rates of wages payable to all classes of workman and for each class of work shall be displayed on the Notice Board.
- b) Any wage, due to the workman but not paid on the usual pay day on account of their being unclaimed, shall be paid by the employer on an unclaimed wage pay day in each work, shall be notified on the Notice Boards as aforesaid.
- c) All workman will be paid wages on a working day before the expiry of the seventh or the tenth day after the last day of the wage period in respect of which the wages are payable accordingly as the total number of workman employed in the establishment does not or does exceed one thousand.
- d) An unclaimed wages may be notified on the Notice Board. An unclaimed wage may be claimed after a demand is made by a workman or on his behalf by his legal representative, in case of a deceased workman.

CLAUSE NO.15: HOLIDAYS.

a) Notice specifying holidays to be observed by the Mahanagar Telephone Nigam Limited shall be displayed on Notice Board before 15th December of preceding year. These holidays may be prefixed or sufficed to any kind of leave otherwise admissible under the relevant rules. The list of holidays shall be determined in advance in consultation with the representative of recognized union.

b) Notices specifying

- i) Weekly holidays
- ii) the dates on which compensatory holidays, if any, be allowed and; the days on which wages are to be paid, shall be displayed on Notice Boards.

CLAUSE NO.16: REGISTER OF SALARY.

A register specifying basic starting salary, grades and scales of pay, if any, for each class of workman and for each class of work shall be maintained and be open for inspection by any workman in respect of the entries pertaining to himself, on demand from him.

CLAUSE NO.17: OVERTIME

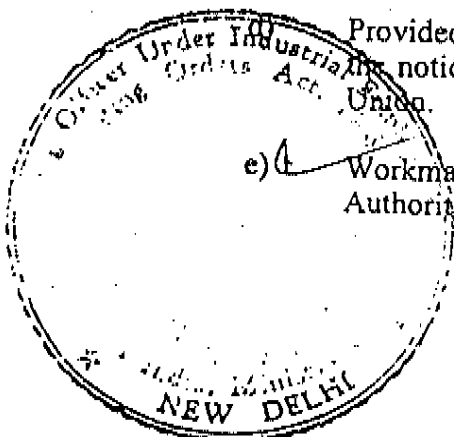
Subject to the provisions of law applicable for the time being, all workman are liable to work overtime whenever required by the Management for work in or outside the establishment as per relevant DPE guidelines.

CLAUSE NO. 18: SHIFT WORKING

- a) More than one shift may be worked in a Department or Department or any section of the establishment at the discretion of the Management. If more than one shift is worked, the workman shall be liable to be shifted from one shift to another shift.
- b) Whenever an additional shift is started or shifts are discontinued or altered, notice thereof shall be given in accordance with the provisions of law in force. If, as a result of discontinuance of shifts, any permanent workman or workman are to be retrenched such retrenchment shall be effected in accordance with provisions of the Industrial Disputes Act 1947 and the Rules made there under.
- c) Notice of starting, restarting alteration and discontinuance of shift working or closure and re-opening of Department or Sections or Establishment shall be given in accordance with law in force and will be displayed on the Notice Board.

Provided that where a recognized Trade Union of workman exists, a copy of notice shall also be served by registered post on the Secretary of such Union.

- e) Workman shall not change their shift without permission from Competent Authority.



CLAUSE NO. 19: TRANSFER BETWEEN DEPARTMENTS

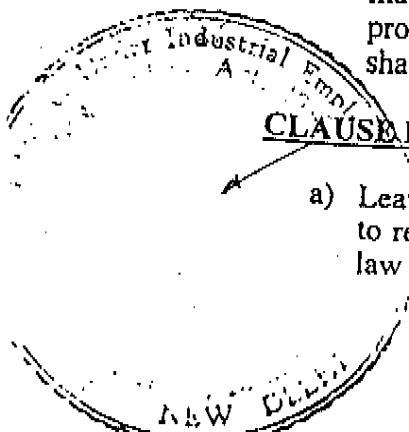
Workman shall be liable to be transferred according to exigencies of work at the discretion of the Management from one Department to another or from one job to another provided the pay, grade, seniority, continuity of service and other conditions of service of the workman concerned shall be protected.

CLAUSE NO. 20: DUTIES AND OBLIGATIONS OF WORKMAN DURING WORKING HOURS.

- a) Every workman shall carry out the work for which he has been employed conscientiously and to the best of his ability and in accordance with specific or general instructions given to him by the Mahanagar Telephone Nigam Limited or by its officers directly or through delegated authority.
- b) Workman shall not ordinarily enter or pass through Departments other than those in which they are employed unless this is necessary in the course of their duties.
- c) - Workman shall not engage themselves in any other work or trade excepting that of the Mahanagar Telephone Nigam Limited either for themselves or for any other person.
- d) Each workman is responsible for and shall take care of all machines, plants, gauges, jigs, fixtures, drawings etc. generally and specifically entrusted to him. Workman shall not take out of the premises, any articles, documents, drawings, materials etc. belonging to the Mahanagar Telephone Nigam Limited without a pass in the prescribed form issued by the Mahanagar Telephone Nigam Limited. Neither shall they conceal or attempt to conceal any such articles or material etc.
- e) Workman shall take precautions to safeguard the Mahanagar Telephone Nigam Limited's property and to prevent misuse of, accident or damage to it. A workman shall at once report to his superior or Department Head or Manager any defect which he may notice in any machinery / equipment connected with his work. He shall also immediately report any defect or occurrence which he may notice and which might endanger himself or any other workman/person or might result in damage to the Mahanagar Telephone Nigam Limited's or any workman's/person's property. It is the duty of every workman to see that his machine and or workplace is kept clean and tidy.
- f) Strict observance of all safety instructions including fire prevention and protection is obligatory on the part of the workman. Workman shall not, unless specifically authorized, interfere with any safety device or any machine running or idle. Where the Mahanagar Telephone Nigam Limited provides protective clothing or appliances for the safety to workman, those shall be worn by such workman while engaged in such jobs.

CLAUSE NO. 21: LEAVE

- a) Leave with or without pay and such allowance as the workman are entitled to receive will be granted to all classes of workman in accordance with the law relating to the subject or in accordance with the Rules issued by the



Management from time to time and in force for the time being. Ordinarily the following kinds of leave would be admissible to workman entitled to the same under the Mahanagar Telephone Nigam Limited Leave Rules. 9

- i) Earned Leave
- ii) Sick leave
- iii) Casual Leave
- iv) Maternity /Paternity leave
- v) Extra-ordinary leave without pay
- vi) Special Casual Leave
- vii) Accident leave
- viii) Half Pay Leave (HPL)

- b) Casual Leave shall be non-cumulative and no leave of any kind shall be combined with Casual Leave.
- c) Except for emergent reasons, Casual Leave shall be limited to six days at a time. Casual Leave is intended to meet special or unforeseen circumstances for which provision cannot be made by exact rules.
- d) Holidays declared by the Mahanagar Telephone Nigam Limited and weekly holidays or compensatory offs may be prefixed or suffixed to Casual Leave.
- e) Previous permission of the Manager or of the Head of the Department or Section Officer shall be obtained before taking such leave. When this is not possible, the Manager, Head of the Department or Section Officer, shall as soon as may be practicable, be informed in writing/within probable duration of such absence.
- f) Subject to any statutory provision relating to leave for the time being in force, all leave whether Earned, Casual or otherwise will be granted at the discretion of the Management, and revoke or curtail such leave as the exigencies of the Mahanagar Telephone Nigam Limited's business may require.
- g) If any workman after proceeding on leave desires extension thereof, he shall make an application in time for the purpose of the Management in writing, for which written reply either of the grant or refusal of leave shall be sent to him on the address given by him if such reply is likely to reach him before the expiry of leave originally granted to him.
- h) A workman remaining absent beyond the period of leave originally granted or subsequently extended, shall be liable to explain to the satisfaction of the authority granting leave of his/her inability to resume his/her duties immediately on the expiry of leave. A workman not reporting for duty within 10 days of the expiry of his/her leave originally granted or subsequently extended shall be treated as having voluntarily left the service from the date he/she was due to return to work and shall lose his/her lien on the appointment henceforth.

CLAUSE NO. 22: SAFETY

- a) Workman shall engage themselves only in operations at the machines or the duties to which they have been posted. The execution of their duties must be in the manner laid down for the operation etc. of the machine or duty

concerned, by the Company from time to time.

- b) Safety of guards or safety devices, damaging of machines while they are running or idle etc. expressly forbidden.
- c) Safety instructions given or posted on the Notice Board must be followed.
- d) Workman shall use the safety equipments and appliances provided for the respective jobs by the Mahanagar Telephone Nigam Limited.
- e) Safety equipments and protective equipments provided by the Mahanagar Telephone Nigam Limited are installed for use inside the factory premises only and shall not be taken out without permission. Violation of this rule shall be treated as theft of Mahanagar Telephone Nigam Limited's property.

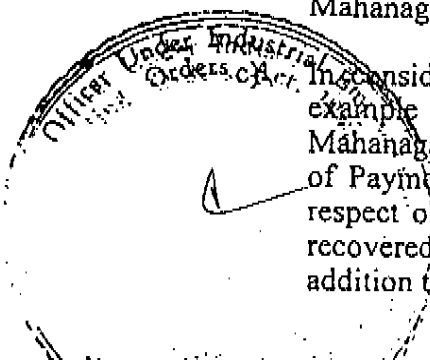
CLAUSE NO. 23: ACCIDENTS

- a) If any workman who meets with an accident during the course of employment, he or his immediate supervisor shall immediately report the accident, however slight it may be, to the Manager through his immediate superior or any other person duly authorized by the Management in the Department, Section or Plant in which the workman works.
- b) The Manager or any other persons duly authorized by the Management in the Department, to whom an accident is reported shall at once prepare an Accident Investigation Report in the prescribed form and ensure that the workman who has met with the accident is promptly attended to and report to the Mahanagar Telephone Nigam Limited's Medical Officer with the Accident Report.
- c) Payment of compensation, if any, to a workman shall be made in accordance with the provisions of the Workman's Compensation Act, 1923 or Insurance covers which Mahanagar Telephone Nigam Limited may take within the provisions of the said Act/or Scheme, as the case be.

CLAUSE NO. 24: HOUSING

- a) Workman, who have been allotted Mahanagar Telephone Nigam Limited Quarters and are in enjoyment of the service provided with the quarters, shall observe all rules, regulations and conditions made by the Management from time to time for the use by workman of such Quarters.
- b) In consideration of the permission granted to use Mahanagar Telephone Nigam Limited's accommodation, the workman shall pay rent as per Mahanagar Telephone Nigam Limited's rules determined from time to time.

In consideration of the services provided with such accommodation, for example water, electricity and such other amenities from time to time, the Mahanagar Telephone Nigam Limited shall deduct, subject to the provisions of Payment of Wages Act, along with house rent, appropriate charges in respect of such services from the workman's pay. These charges shall be recovered at source through the pay bill of the workman concerned in addition to the damages assessed by the Estate Officer.



- d) The permission to use the Mahanagar Telephone Nigam Limited's quarter is conditional upon the workman being in the service of the Mahanagar Telephone Nigam Limited. On termination of the service of an workman, for any cause whatsoever or having voluntarily left the service or having resigned from service or having died during service period, he/she shall surrender his/her quarter to the Management through the Estate Officer within a stipulated period from the date of intimation of the termination of the service and if he fails to do so, he will be evicted, apart from recourse to any remedy open under law. Certification of vacation will, however, be granted to the workman or his legal heir or successor in case of death after taking over possession of the quarter by the Estate Officer.

CLAUSE NO. 25: MEDICAL

- a) For the purpose of Medical benefits the workman will be governed by such Rules or Orders as are issued by the Management from time to time and in force for the time being or the law in force in consultation with the Recognised Unions.
- b) In the interest of general health and in the interest of health of any workman in particular any workman may at any time be required to submit himself to medical examination by the Mahanagar Telephone Nigam Limited's Medical Officer.
- c) In respect of workman residing at Delhi/Mumbai the Mahanagar Telephone Nigam Limited will recognize only the medical certificate issued by its own Medical Officer or by any Registered Medical Officer so authorized by Mahanagar Telephone Nigam Limited. If the workman is out of station, the Mahanagar Telephone Nigam Limited will recognize medical certificate issued by the Medical Officer-in-charge of a Civil Hospital / Dispensary or by any registered medical practitioner.
- d). It is a condition of employment that all workman must notify the Management immediately on the occurrence in their household of any infectious disease. The workman may be required to abstain from duty by the Mahanagar Telephone Nigam Limited's Medical Officer and when so required he will be given quarantine leave with pay as calculated in the case of an Earned Leave.

CLAUSE NO. 26: CONNECTION WITH PRESS OR RADIO OR TV

No Mahanagar Telephone Nigam Limited workman shall participate in a radio broadcast or contribute any article or write a letter either in his own name or anonymously, pseudonymous or in the name of any other person to any newspaper or periodical which may have the effect of defaming the Mahanagar Telephone Nigam Limited or any of its officers.

Provided that no such sanction will be required if such broadcast or such contribution is of a purely literary, artistic or scientific character or concerns purely trade union activities.

CLAUSE NO. 27: UNAUTHORISED COMMUNICATION OF INFORMATION

No Mahanagar Telephone Nigam Limited workman, shall, except in accordance with any general or special order of the Mahanagar Telephone Nigam Limited or in the performance in good faith of the duties assigned to him, communicate, directly or indirectly, any official document or any part thereof or information to any Company, workman or any other person to whom he is not authorized to communicate such document or information.

CLAUSE NO. 28: PRIVATE TRADE OR EMPLOYMENT

No Mahanagar Telephone Nigam Limited workman shall, except with the previous sanction of the Company, engage directly or indirectly in any trade or business or undertake any other employment while in service of the Company.

Provided that a Company workman may, without such sanction undertake honorary work of a social or charitable nature or occasional work of a literary, artistic or scientific character subject to the condition that his official duties do not thereby suffer.

CLAUSE NO. 29: PAYMENT OF WAGES ON TERMINATION OF EMPLOYMENT OR DEATH

- a) Where the employment of any person is terminated by the Company, the wages due to the workman shall be paid to him before the expiry of the second working day from the date of termination of his employment, in such cases where the concerned workman is governed by the Payment of Wages Act, and in other cases, before the expiry of the tenth day from such termination provided that in either case he has vacated the Company's quarters which he may be in possession of and the No Demand Certificate from the Head of his Department or Section, the Estate Officer, the Librarian etc. has been received indicating that no dues are outstanding to the Company.
- b) Any wages due to deceased workman shall be paid to his nominee who has been nominated by him at the time of appointment or subsequently, within 10 days of demise after adjusting the dues to the Mahanagar Telephone Nigam Limited.

CLAUSE NO. 30: CERTIFICATE OF TERMINATION OR SERVICE.

Every workman other than a casual workman will be entitled to service certificate in the prescribed form at the time of his dismissal, discharge or retirement from service or on his leaving the service, which will be issued under the signature of any officer authorized by the Management.

CLAUSE NO. 31: SUPERANNUATION

- a) Every workman shall retire from service on attaining the age of 60 (Sixty) years.
- b) Any leave due to a workman which is not availed of by him before his superannuation will be paid at usual rates in accordance with Mahanagar

Telephone Nigam Limited Leave Rules.

CLAUSE NO. 32: STOPPAGE OF WORK

- a) The Management may at any time or times stop without notice any Department, plant or section wholly or partially in the event of:
Fire, catastrophe, breakdown of machinery, stoppage of power or water supply, epidemics, civil commotion or any other cause beyond the control of and unforeseen by the Company.
- b) When stoppage occurs under this clause, the workman affected shall be informed by a notice put up on the Notice Board of the Department or Section concerned as soon as practicable, stating how long the stoppage is expected to continue and when the work is likely to be resumed. Immediately on the stoppage of work, all workman affected by such stoppage shall leave the Mahanagar Telephone Nigam Limited premises, except those who are expressly asked to remain on duty. No other compensation will be admissible in case of such except as provided for in the Industrial Disputes Act, 1947 as amended from time to time.
- c) When stoppage under this Standing Orders occurs, a permanent or a probationer workman affected will not be considered to have been discharged, but his period of unemployment owing to the stoppage shall be treated as compulsory leave which should be without pay unless and to the extent the workman concerned desires to avail of his leave with wages during such period, and he will be given prior rights on resumption of normal work to the post previously occupied, provided that he then presents himself for work within a week's time of notice of re-starting the work. When, however, workman have to be laid off for an indefinitely long period their services may be terminated with due notice in accordance with the terms and conditions of their employment.
- d) All matters connected with 'Lay Off and Retrenchment' will be dealt with in accordance with the provisions of the Industrial Disputes Act, 1947.

CLAUSE NO. 33: CLOSURE DUE TO STRIKE AND RESUMPTION OF WORK.

The Management may close down either wholly or partially any Department or Section of Plant, which is, affected either directly or indirectly by workman striking work. The workman concerned shall be given as much notice as possible both of closing down and of the resumption of work. The notice of closure or resumption of work under this order shall be displayed on Notice Board and a copy of such notice will be given to the recognized Union.

(Note: The above Clauses 32 & 33 will also be dealt with in accordance with relevant provisions of the Industrial Disputes Act, 1947.)

CLAUSE NO. 34: CONDUCT

- a) A workman shall devote his whole time and energy exclusively to the work and interest of the Mahanagar Telephone Nigam Limited. An workman shall not even while on leave, directly or indirectly, engage in any other profession or business or enter into the services of or be employed himself

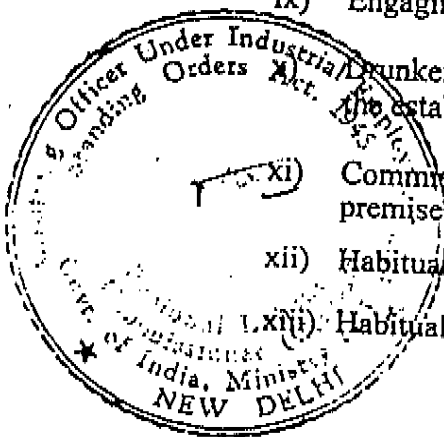
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in any capacity or for any purpose whatsoever and for any part of his time, by any other person, Government Department, firm or Company etc. shall not have any financial dealing with the persons or firms etc. having business relation with the Company for sale or purchase of materials, equipment or supply of labour, if any, other purpose.

- b) A workman shall at all times conduct himself soberly and temperately while on Company premises and shall show proper respect and civility to all concerned and shall use his best endeavour to promote the interest of the Company and to maintain and promote the good reputation thereof.

CLAUSE NO. 35: ACT AND OMISSION CONSTITUTING MISCONDUCT.

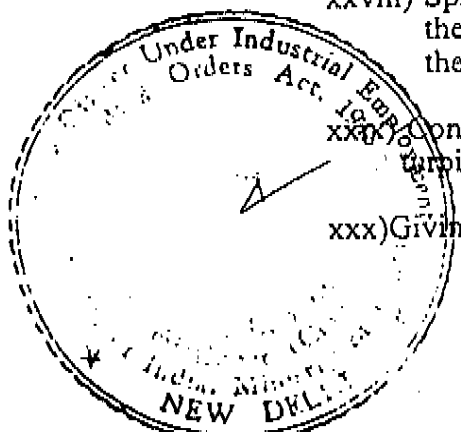
The following acts and omissions shall be treated as misconduct:

- i) Wilful insubordination or disobedience whether or not in combination with another, of any lawful and reasonable order of superior;
- ii) Going on an illegal strike or abetting, inciting/ instigating or acting in furtherance thereof;
- iii) Wilful slowing in performance of work or abetment or instigation thereof;
- iv) Theft, fraud, misuse or dishonestly in connection with the employer's business or property or the theft or misuse of property of another workman within the premises of the establishment.
- v) Taking or giving bribe or any illegal gratification in connection with the Company's business or property.
- vi) Habitual absence without leave, or absence without leave for more than ten consecutive days or overstaying the sanctioned leave without sufficient grounds of proper or satisfactory explanation.
- vii) Collection, without the permission of the Management, of any money thereof the establishment except as sanctioned by any law for the time being in force.
- viii) Holding meetings within the boundaries of the establishment or any part thereof or in any of the premises owned by the Company in its estates or elsewhere without the previous sanction of the Management.
- ix) Engaging in trade within the premises of the establishment
- x) Drunkenness, riotous, disorderly or indecent behaviour on the premise of the establishment.
- xi) Commission of any act subversive of discipline or good behaviour on the premises of the establishment.
- xii) Habitual neglect or work, or gross or habitual negligence.
- xiii) Habitual breach of any rules or instructions for the maintenance of and



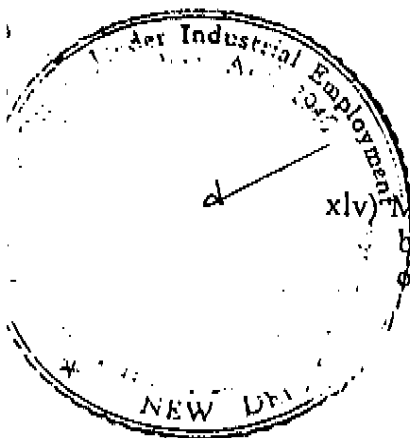
running of any Department or the maintenance of the discipline of any portion of the establishment.

- xiv) Canvassing for Union Membership or the collection of union dues within the premises of the establishment except in accordance with any law or with the permission of the Management.
- xv) Wilful damage to work in process or to any property of the establishment.
- xvi) Disclosing to any unauthorized person any information in regard to the processes of the establishment, which may come into the possession of the workman in the course of his work.
- xvii) Gambling within the premises of the establishment.
- xviii) Smoking or spitting on the premises of the establishment where it is prohibited.
- xix) Failure to observe Safety Instructions or 'Fire Standing Orders' notified by the Management or interference with any safety device or equipment installed within the establishment.
- xx) Distributing or exhibiting within the premises of the establishment hand bills, pamphlets, posters and such other things or causing to be displayed by means of signs or writings or other visible representation of any matter without previous sanction of the Management.
- xxi) Refusal to accept a charge sheet, order or other communication served in accordance with these Standing Orders.
- xxii) Unauthorised possession of any lethal weapon in the establishment.
- xxiii) Sleeping on duty
- xxiv) Unauthorised use of Company's quarters, land or property.
- xxv) Acceptance of gifts from subordinate workman.
- xxvi) Lending or borrowing money to or from subordinate workman within the company's premises.
- xxvii) Writing of anonymous or pseudonymous letter criticizing superiors of the Company.
- xxviii) Spreading false rumours or giving false intimation, which tends to bring the company or its workman into disrepute or spreading panic among the workman.
- xxix) Conviction in any court of law for any criminal offence involving moral turpitude.
- xxx) Giving false information intentionally regarding his name, date of birth,



father's name, qualifications or previous service at the time of employment. 16

- xxxix) Threatening or intimidating or assaulting any workman within the premises of the establishment or the estate belonging to the Company.
- xxxii) Leaving work without permission.
- xxxiii) Late attendance on not less than four occasions within a month.
- xxxiv) Habitual repetition of any act or omission of which fine may be imposed and which have been approved by the Competent Authority.
- xxxv) Refusal to work overtime at the time of exigencies whenever asked by the Management to do so.
- xxxvi) Wilful or irresponsible action resulting in damage to any goods or property of the Company.
- xxxvii) Interfering with the record of attendance or means of recording attendance of himself or any other workman or wilful falsification, defacement or destruction of any records of the Company.
- xxxviii) Trespassing or forcible occupation of Company's quarters or committing nuisance in the Company's quarters.
- xxxix) Loitering, idling or wasting time during working hours either singly or in groups, within the establishment or staying after the authorised hours of work without permission.
- xl) Interference in the duties of the other workman of the Company.
- xli) Breach of any rules or instructions for the maintenance and working of any Department, Section or for the maintenance of its cleanliness, discipline, safety of workman.
- xlii) Offences punishable under the Indian Penal Code committed inside the premises on conviction by the Criminal Court.
- xliii) Taking part in politics and Political Elections.
- xliv) Sexual harassment or / and any such unwelcome sexually determined behaviour (whether directly or by implication) as :
 - . Physical contact and advances
 - . A demand or request for sexual favours
 - . Sexually coloured remarks
 - . Showing pornography
 - . Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
- xlv) Managing or assisting in managing any organization(s) which have been banned under the provisions of Rule 33 of Defence and Internal Security of India Rules 1971 or promoting a meeting or assisting in promoting a



meeting of any members of such an organization or attending any such meeting in any capacity and publishing any notice or advertisement relating to any such meeting or inviting persons to support such an organization or otherwise in any way assisting the operations of such an organization.

CLAUSE NO. 36: PUNISHMENT AND MISCONDUCT

The Following penalties may for good and sufficient reasons and as hereinafter provided be imposed on any workman found guilty of misconduct or breach of any rule or order made by the Company or by any other authority empowered in that behalf by the Company.

a) Minor Penalties

- i) Censure
- ii) Fine including recovery from pay or such amount as may be due to him of the whole or a part or any pecuniary loss caused to the Company by his/her negligence or breach of rule.
- iii) Withholding of increments without cumulative effect including stoppage at efficiency bar.
- iv) Suspension without pay up to four days (This does not include suspension pending enquiry).

b) Major Penalties

- i) Reduction in lower rank, grade or post.
- ii) Withholding of increments with cumulative effect including stoppage at efficiency bar.
- iii) Compulsory Retirement
- iv) Discharge or removal from service
- v) Dismissal

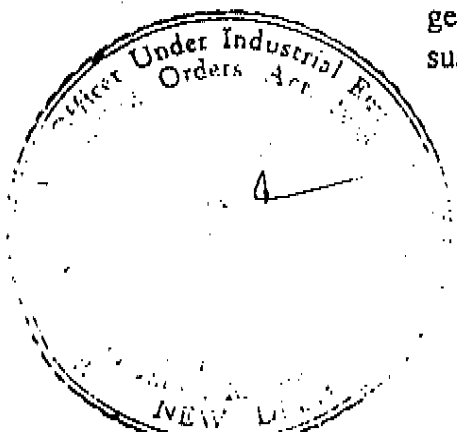
Note: Reversion to previous grade or post of a workman appointed on probation / or officiating to higher grade or post, during or at the end of the probation, in accordance with the term of his/her appointment shall not be construed to mean the punishment as referred to in Rule 37(b) (ii) of the Standing Order.

CLAUSE NO. 37: PROCEDURE FOR PUNISHMENT

(A) SUSPENSION

- (1) The Appointing Authority or any Authority to which it is subordinate or the Disciplinary Authority or any other Authority empowered in that behalf by the Management by a general or special order may place a workman under suspension:

- (a) Where a disciplinary proceeding against him is contemplated or is pending; or
- (b) Where in the opinion of the authority aforesaid he had engaged himself in activities prejudicial to the interest of the security of the Company/State,



(c) Where a case against him in respect of any criminal offence is under investigation or-trial.

(d) A workman connected with a dowry death case in the following circumstances shall be placed under suspension forthwith by invoking the provisions of relevant Rule.

(i) If a workman is connected with the registration of a Police case under Sec. 304 B of IPC viz. involvement in case of "dowry death", he shall be placed under suspension immediately irrespective of the period of detention.

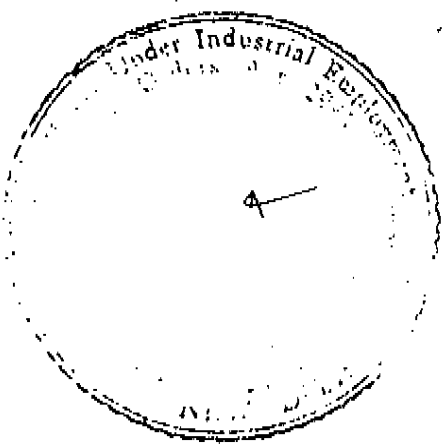
(ii) If he is not arrested by the Police in "dowry death" case, he shall be placed under suspension on submission of a Police Report under sub section (2) of Section 173 of the Code of Criminal Procedure, 1973 to the Magistrate, if the report prima facie - indicates that the offence has been committed by the workman.

Explanation: For the purpose of this sub sec., dowry death shall have the same meaning as in Section 2 of the Dowry Prohibition Act, 1961."

2. A workman who is detained in custody, whether on a criminal charge or otherwise, for a period exceeding 48 hours shall be deemed to have been suspended with effect from the date of detention by an order of the appointing authority and shall remain under suspension until further orders.

3. Where a Penalty of dismissal or removal from service is imposed upon a workman under suspension is set aside on appeal or on review under these rules and the case is remitted for further enquiry or action or with any other direction, the order of his suspension shall deemed to have continued in force on and from the date of the original order of dismissal or removal and shall remain in force until further orders.

4. Where a penalty of dismissal or removal from service imposed upon a workman 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 a further enquiry against him on the allegations on which the penalty of dismissal or removal was originally imposed, he shall be deemed to have been placed under suspension by the appointing authority from the date of original order of dismissal or removal and shall continue to remain under



suspension until further orders. Provided that no such further inquiry shall be ordered unless it is intended to meet a situation where the court has passed an order purely on technical grounds without going into merits of the case.

5. An order of suspension made or deemed to have been made under this Rule may at any time be revoked by the authority, which made or is deemed to have made the order or by any authority to which that authority is subordinate.
6. The order of suspension should specify the headquarters of the workman during the period when the order will be in force. If a workman under suspension requests for change of Headquarters, the Competent Authority may take appropriate decision taking into consideration the additional expenditure that it may involve as well as difficulties in investigation or in processing Departmental proceedings. The workman under suspension is subject to conditions of service applicable to other workman and cannot leave headquarters without prior permission.

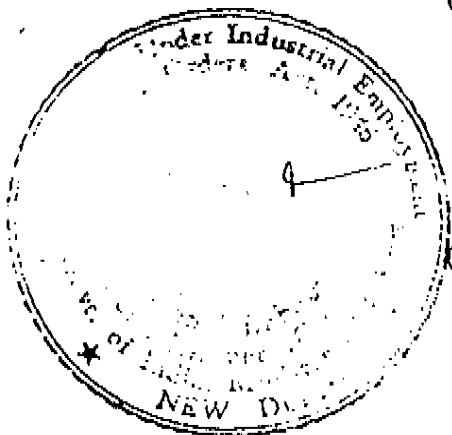
(B) SUBSISTENCE ALLOWANCE:

(1). A workman under suspension shall be entitled to draw subsistence allowance equal to 50% of his basic pay provided the Disciplinary Authority is satisfied that the workman is not engaged in any other employment or business or profession or vocation. In addition, he shall be entitled to dearness allowance admissible on such subsistence allowance and any other compensatory allowance of which he was in receipt on the date of suspension.

(2) Where the period of suspension exceeds three month, the authority which made or is deemed to have made the order of suspension, shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first three months as follows :

(i) the amount of subsistence allowance may be increased to 75% of basic pay and allowances thereon if, in the opinion of the said authority, the period of suspension has been prolonged for reasons to be recorded in writing not directly attributable to the workman under suspension.

(ii) the amount of subsistence allowance may be reduced to 25 per cent of basic pay and allowances thereon if ,



in the opinion of the said authority, the period of suspension has been prolonged due to the reasons to be recorded in writing, directly attributable to the workman under suspension.

- (3) If any dispute arises regarding the subsistence allowance payable to a workman under sub-section(1), the workman or the employer concerned may refer the dispute to the Labour Court constituted under the Industrial Disputes Act, 1947, within the local limits of whose jurisdiction the industrial establishment wherein such workman is employed is situate and the labour court to which the dispute is so referred shall, after giving the parties an opportunity of being heard, decide the dispute and such decision shall be final and binding on the parties.

(C) TREATMENT OF THE PERIOD OF SUSPENSION

When the workman under suspension is reinstated, the competent authority may grant him the following pay and allowances for the period of suspension:

- (a) If the workman is exonerated and not awarded any of the penalties mentioned in Rule 36 the full pay and allowances which he would have been entitled to, if he had not been suspended, less the subsistence allowance already paid to him is payable to him; and
- (b) If otherwise, such proportion of pay and allowances as the competent authority may prescribe.

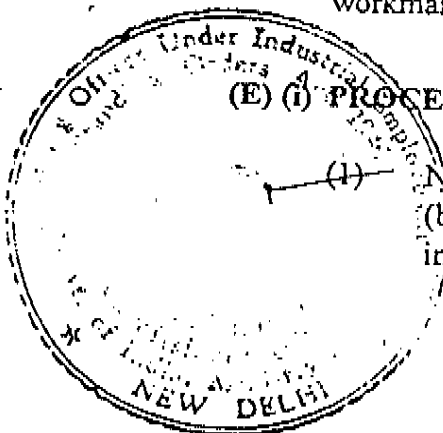
In a case falling under sub-clause (a), the period of absence from duty will be treated as a period spent on duty. In a case falling under sub-clause (b) it will not be treated as a period spent on duty unless the competent authority so directs.

(D) DISCIPLINARY AUTHORITY

The Disciplinary Authority, as specified in the Schedule, or any authority higher than it, may impose any of the penalties specified in Rule 36 on any workman.

(E) (i) PROCEDURE FOR IMPOSING MAJOR PENALTY

- (1) No order imposing any of the major penalties specified in sub clause (b) (i) to (v) of Rule 36 shall be made except after an inquiry is held in accordance with this Rule.

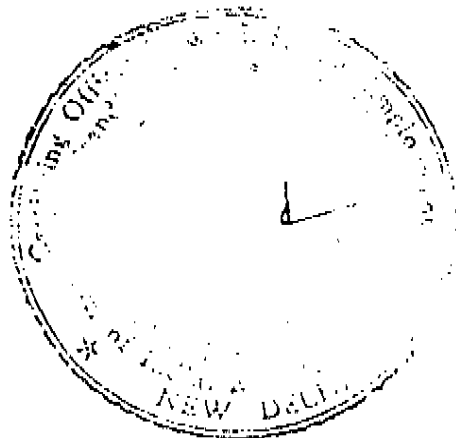


- (2) Whenever the Disciplinary Authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehaviour against a workman/employer, it may itself enquire into, or appoint any public servant (hereinafter called the Inquiring Authority) to inquire into the truth thereof.
- (3) Where it is proposed to hold an inquiry, the Disciplinary Authority shall frame definite charges on the basis of the allegations against the workman. The charges, together with a statement of the allegations, on which they are based, a list of documents by which and a list of witnesses by whom, the articles of charge are proposed to be sustained, shall be communicated in writing to the workman, who shall be required to submit within such time, as may be specified by the Disciplinary Authority (not exceeding 15 days), a written statement whether he admits or denies any of or all the Articles of charge.

Explanation:

It will not be necessary to show the documents listed with the charge sheet or any other document to the workman at this stage.

- (4) On receipt of the written statement of the workman, or if no such statement is received within the time specified, an enquiry may be held by the Disciplinary Authority itself, or by any other public servant appointed as an Inquiring Authority under sub-clause (2). Provided that it may not be necessary to hold an inquiry in respect of the charges admitted by the workman in his written statement. The Disciplinary Authority shall, however, record its findings on each such charge.
- (5) Where the Disciplinary Authority itself inquires or appoints an Inquiring Authority for holding an inquiry, it may by an order appoint a public servant to be known as the "Presenting Officer" to present on its behalf the case in support of the articles of charge.
- (6) The workman may take the assistance of any other public servant but may not engage a legal practitioner for the purpose. The engagement of retiree, as Defence Assistant will be subject to the following conditions:
- (i) If the retired MTNL workman is also a legal practitioner, he will not be allowed to assist the workman as Defence Assistant.
 - (ii) The retired MTNL workman concerned should not have, in any manner, been associated with the case at the investigation stage or otherwise in his official capacity.



(iii) The retired MTNL workman concerned should not act as Defence Assistant in more than five cases at a time. The retired MTNL workman should satisfy the Inquiring Officer that he does not have more than five cases at hand including the case in question.

(7) On the date fixed by the Inquiry Authority, the workman shall appear before the Inquiring Authority at the time, place and date specified in the notice. The Inquiring Authority shall ask the workman whether he pleads guilty or has any defence to make and if he pleads guilty to anyone of the articles of charge, the Inquiring Authority shall record the plea, sign the record and obtain the signature of the workman concerned thereon. The Inquiring Authority shall return a finding of guilt in respect of those articles of charge to which the workman concerned pleads guilty.

(8) If the workman does not plead guilty, the Inquiring Authority shall adjourn the case to a later date not exceeding thirty days, after recording an order that the workman may, for the purpose of preparing his defence:

- (i) inspect the documents listed with the charge-sheet; and copies of the inspected documents can be given free of cost, as per discretion of the Enquiry Officer.
- ii) submit a list of additional documents and witness that he wants to examine; and
- (iii) be supplied with the copies of the statements of witnesses, if any, listed in the charge-sheet.

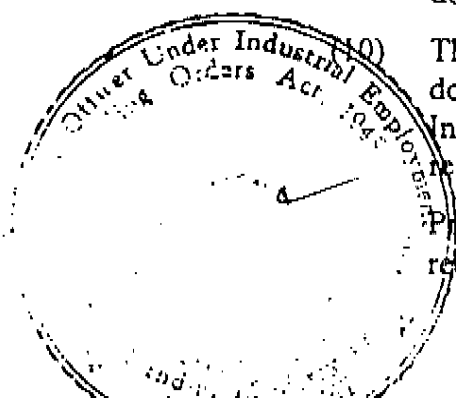
Note :

Relevancy of the additional documents and the witnesses referred to in sub-clause 8 (ii) above will have to be given by the workman concerned and the documents and the witnesses shall be summoned if the Inquiring Authority is satisfied about their relevance to the charges under inquiry.

(9) The Inquiry Authority shall ask the authority in whose custody or possession the documents are kept, for the production of the documents on such date as may be specified.

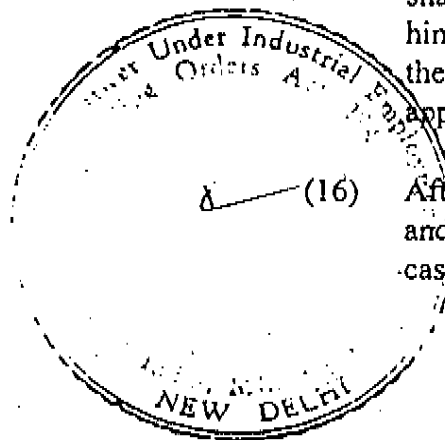
The authority in whose custody or possession the requisitioned documents are, shall arrange to produce the same before the Inquiring Authority on the date, place and time specified in the requisition notice.

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 Company. In that event, it shall inform the Inquiring Authority accordingly.

- (11) On the date fixed for the inquiry, the oral and documentary evidence by which the articles of charge are proposed to be proved shall be produced by or on behalf of the Disciplinary Authority. The witnesses shall be examined by or on behalf of the Presenting Officer and may be cross-examined by or on behalf of the workman. The Presenting Officer shall be entitled to re-examine the witnesses on any points on which they have been cross-examined, but not on a new matter, without the leave of the Inquiring Authority. The Inquiring Authority may also put such questions to the witnesses as it thinks fit.
- (12) Before the close of the prosecution case, 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 workman 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.
- (13) When the case for the Disciplinary Authority is closed, the workman 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 workman shall be required to sign the record. In either case a copy of the statement of defence shall be given to the Presenting Officer, if any, appointed.
- (14) The evidence on behalf of the workman shall then be produced. The workman may examine himself in his own behalf if he so prefers. The witnesses produced by the workman shall then be examined and shall be liable to cross-examination, reexamination and examination by the Inquiring Authority according to the provisions applicable to the witnesses for the Disciplinary Authority.
- (15) The Inquiring Authority may, after the workman closes his case, and shall, if the workman has not examined himself, generally question him on the circumstances appearing against him in the evidence for the purpose of enabling the workman to explain any circumstances appearing in the evidence against him.
- (16) After the completion of the production of the evidence, the workman and the Presenting Officer may file written briefs of their respective cases within 15 days of the date of the completion of the production



of evidence.

- (17) If the workman does not submit the written statement of defence for the charges and allegations as referred to in sub rule (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 rules, the Inquiring Authority may hold the inquiry ex-parte.
- (18) Whenever any Inquiring Authority, after having 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 so succeeding may act on evidence so recorded by its predecessor or partly recorded by itself.

Provided that if the succeeding Inquiring Authority is of the opinion that further examination of any of the witness whose evidence has already been recorded is necessary in the interest of justice, it may recall, examine, cross-examine and re-examine any such witness as herein before provided.

- (19) (i) After the conclusion of the inquiry, report shall be prepared and it shall contain:
- (a) a gist of the articles of charge and the statement of the imputations of misconduct or misbehaviour;
 - (b) a gist of the defence of the workman 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 thereof.

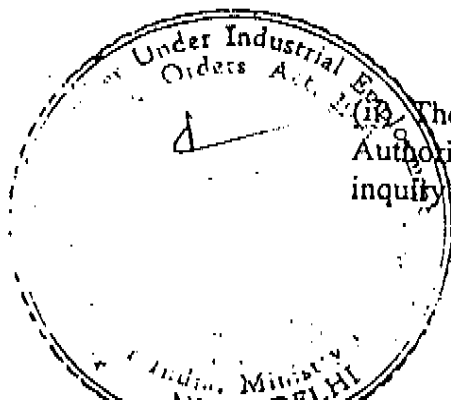
Explanation:

If in the opinion of the Inquiring Authority the proceedings of the inquiry establish any article of charge different from the original articles of the charge, it may record its findings on such article of charge:

Provided that the findings on such article of charge shall not be recorded unless the workman has either admitted the facts on which such article of charge is based or has had a reasonable opportunity of defending himself against such article of charge.

(19) (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 sub-clause (i) above;



- (b) the written statement of defence, if any submitted by the workman, referred to in sub-rule (13);
- (c) the oral and documentary evidence produced in the course of the inquiry;
- (d) written briefs referred to in sub-rule (16), if any, and
- (e) the orders, if any, made by the Disciplinary Authority and the Inquiring Authority in regard to the inquiry.

ii) ACTION ON THE ENQUIRY REPORT

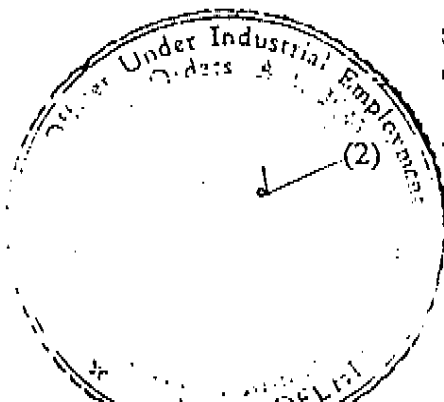
- (1) The Disciplinary Authority, if it is not itself the Inquiring Authority may, for reasons to be recorded by it in writing remit the case to the Inquiring Authority for fresh or further inquiry and report and the Inquiring Authority shall thereupon proceed to hold the further inquiry according to the provisions of Rule 37 (E) (i) 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 dis-agreement 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 rule 36 should be imposed on the workman it shall give an opportunity to the delinquent workman to submit his version, if any, [notwithstanding anything contained in rule 37(F)] and on receipt of the reply from the workman, shall pass an order in the matter.
- (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 workman concerned.

(F) PROCEDURE FOR IMPOSING MINOR PENALTIES

- (1) Where it is proposed to impose any of the minor penalties specified in clauses 36, the workman concerned shall be informed in writing of the imputations of misconduct or misbehaviour against him and given an opportunity to submit his written statement of defence within a specified period not exceeding 15 days. The defence statement, if any, submitted by the workman shall be taken into consideration by the Disciplinary Authority before passing order.

The record of the proceedings shall include:

- (i) a copy of the statement of imputations of misconduct or misbehaviour delivered to the workman;



- (ii) his defence statement, if any; and
- (iii) the orders of the Disciplinary Authority together with the reasons thereof.

(G) COMMUNICATION OF ORDERS

Orders made by the Disciplinary Authority under Rule 37 (E) (ii) or Rule 37 (F) shall be communicated to the workman concerned, who shall also be supplied with a copy of the report of inquiry, if any.

(H) COMMON PROCEEDINGS

Where two or more workmen are concerned in a case, the authority competent to impose a major penalty on all such workmen may make an order directing that disciplinary proceedings against all of them may be taken in common proceedings and the specified authority may function as the Disciplinary Authority for the purpose of such common proceedings.

(I) SPECIAL PROCEDURE IN CERTAIN CASES:

Notwithstanding anything contained in Rule 37(E)(i) or 37 (E)(ii) or 37(F), the Disciplinary Authority may impose any of the penalties specified in Clause 36 in any of the following circumstances:

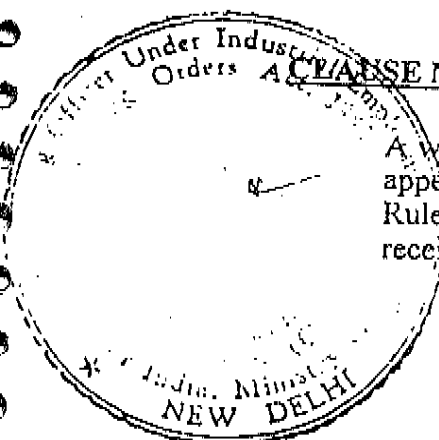
- (i) the workman has been convicted on a criminal charge, or on the strength of facts or conclusions arrived at by a judicial trial; or
- (ii) where the Disciplinary Authority is satisfied or reasons to be recorded by it in writing that it is not reasonably practicable to hold an enquiry in the manner provided in these rules; or
- (iii) where the Board is satisfied that in the interest of the security of the Company, it is not expedient to hold any inquiry in the manner provided in these rules;
- (iv) The workers of MTNL are covered by the provision of the Industrial Disputes Act, 1947.

(J) When workman refuses to accept a charge sheet.

If a workman refuses to accept a charge-sheet, order or other communication served on him in accordance with these standing orders, a copy thereof shall be sent by the registered post to his address by the Management and another copy posted on the Notice Board and this shall constitute adequate service.

CLAUSE NO. 38: APPEAL

A workman on whom any of the penalties is imposed shall have the right of appeal to the Appellate Authority duly nominated by the Management as per Rule of the Company. Such appeal shall be submitted within 30 days of receipt of the order of the punishing authority and the appellate authority



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shall dispose of the appeal within 30 days of receipt of that appeal. The appellate authority shall decide the appeal keeping in view gravity of charge, legal infirmity if any in conduct of enquiry, observance of principle of natural justice ensured or not, and punishment is not disproportionate to the gravity of charge. Appellate Authority can increase or decrease the quantum of punishment.

CLAUSE NO. 39: REVIEW OF CASES AFTER APPEAL

An Authority higher than the Appellate Authority may review the case after appeal at any time or on the application of the workman concerned

CLAUSE NO. 40: COMPLAINT

All complaints arising out of the workman's employment service and working conditions including those relating to unfair treatment or wrongful exaction on the part of the Company or any of its agents or servants, shall be dealt with according to Grievance Procedure as separately notified by the MTNL.

CLAUSE NO. 41: RESIGNATION/TERMINATION OF SERVICE

Any Permanent/Temporary/Substitute/Casual workman before leaving the services of the Company shall give in writing the notice or wages in lieu thereof as per scale given below:

1. For monthly paid workman (Permanent) - 1 Month
2. For weekly paid workman (Temporary) - 14 days
3. Substitute/Casual Workman - No notice

However, workman can withdraw his resignation before receiving the communication of acceptance of resignation.

Similarly, Management can also terminate the services of Permanent Workman having less than one year of continuous service as per notice period mentioned above. However, the services of a workman having more than 1 year of continuous service can be terminated by following due process of law i.e, by following procedure of punishment provided in the Standing Orders.

Note: The safeguard available to DOT workman permanently absorbed in MTNL as per Para 5 of Ministry of Personnel, Public Grievance & Pensions (Department of Pension & Pensioners' Welfare) Office Memorandum No. 4/18/87-P & PW (D) dated 5th July, 1989 will be honoured by MTNL.

CLAUSE NO. 42: EXHIBITION OF STANDING ORDERS

A copy of the Certified Standing Orders in English, Hindi & Marathi shall be pasted on the Notice Board within the precincts of the establishment.

CLAUSE NO. 43: INTERPRETATION OF STANDING ORDERS

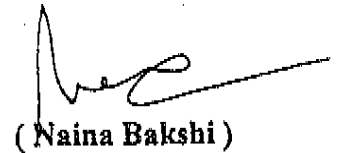
If there is any conflict of meaning between the Standing Orders in English,

Marathi and Hindi, the English version of these Standing Orders as certified by the Certifying Officer or the Appellate Authority as the case may be, shall be deemed to be authentic.

CLAUSE NO. 44: OBSERVANCE OF RULES

The Employer of the Establishment shall be held personally responsible for the proper and faithful observance of the Standing Orders.

Given under my hand and seal this 28th day of February, 2007.



(Naina Bakshi)

Regional Labour Commissioner(Central) and
Certifying Officer under
Industrial Employment(Standing Orders) Act, 1946
New Delhi.

