

DEELHI TRANSPORT UNDERTAKING
(OF THE MUNICIPAL CORPORATION OF DELHI)
SCIDIA HOUSE, NEW DELHI.

No.

Dated : 30th Dec. 1959

Office Order No. 196

It is notified for the information and necessary action by all concerned that all officers who are competent to take disciplinary action against employees, shall without prejudice to any other action, be competent to impose fines upon the drivers and conductors of this Undertaking for their acts of omission and commission as mentioned in annexures 'A' and 'B' separately for the two categories of staff constituting offences for which fines can be imposed under Section 7(2) (a) and section(8) of the payment of wages Act read with clause 15(2) of D.R.T.A. (Conditions of Appointment and Service) Regulations, 1952 and section 516(2) of the D.M.C. Act 1957. The provisions of section 7(2) (a) and section 8 of payment of Wages Act are reproduced below for information and guidance of all concerned:—

“7(2) (a) Deduction from the wages of an employed person shall be made only in accordance with the provisions of this Act, and may be of the following kinds only, namely:—

(a) Fines,”

“8. Fines(1) No fine shall be imposed on any employed person save in respect of such acts and omissions on his part as the employer, with the previous approval of the (Provincial Govt.) or of the prescribed authority, may have specified by notice under sub-section (2).

(2) A notice specifying such acts and omissions shall be exhibited in the prescribed manner on the premises in which the employment is carried on or in the case of persons employed upon a railway (otherwise than in a factory) at the prescribed place or places

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- (3) No fine shall be imposed on any employed person untill he has been given an opportunity of showing cause against the fine, or otherwise than in accordance with such procedure as may be prescribed for the imposition of fines.
 - (4) The total amount of fine which may be imposed in any one wage-period on any employed person shall not exceed an amount equal to half an-anna in the rupee of the wages payable to him in respect of that wage period.
 - (5) No fine shall be imposed on any employed person who is under the age of fifteen years.
 - (6) No fine imposed on any employed person shall be recovered from him by instalments or after the expiry of sixty days from the day on which it was imposed.
 - (7) Every fine shall be deemed to have been imposed on the day of the act or omission in respect of which it was imposed.
 - (8) All fines and all realisations thereof shall be recorded in a register to be kept by the person responsible for the payment of wages under section 3 in such form as may be prescribed; and all such realisations shall be applied only to such purposes beneficial to the persons employed in the factory or establishment as are approved by the prescribed authority."

All officers concerned shall invariably keep the above provisions of law in view while imposing fines on the said category of employees. The list of acts of omissions and commissions constituting offences for which fines can be imposed upon drivers and conductors shall be exhibited in English, Hindi and Urdu prominently in a conspicuous place at the permises of all the units where those categories of employees are employed.

A record of all the fines and all realisations thereof shall be maintained by all the officers incharge competent to impose fines, in a register

in the form attached as annexure 'C'. All fines and all realisations thereof shall be credited to the account of D.T.U. Labour Welfare Fund at the end of each financial year and shall be expended for the welfare of the employees. The approval of the Chief Inspector of Factories wherever it was required has already been obtained.

The action for imposition of fines upon the said categories of employees where-ever necessary shall be initiated in the attached annexure 'D'.

Sd/-
(P.K.J. Menon),
General Manager (Transport)

DELHI TRANSPORT UNDERTAKING
(OF THE MUNICIPAL CORPORATION OF DELHI)

(
Name of the unit)

No.

Dated :

Annexure 'D'

Subject : IMPOSITION OF FINES

Part I

Shri _____

It has been complained against you by

Shri _____ designation _____

B. No. _____ of _____ that you at
(unit)

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_____ on _____ at _____
(time) (date) (place)

.....
(Specify the act of commission or omission amounting to an offence

.....
mentioned in the list of acts and omissions for imposition of fines) which
is an offence requiring impositions of fines under the rules as well as
section 7 (2) (c) and 8 of the payment of wages Act 1936.

Please explain why you should not be fined

.....
(the amount should not be more than $\frac{1}{2}$ an anna in the reference to the
wages of the accused employee)

Also take notice that the case against you will be tried on _____

_____ (date)
at _____ by the undersigned at _____
time (place)

Signature _____

Designation _____

Part II

Plea advanced by the accused
.....
.....

Part III

Order
.....
.....

Signature _____

Designation _____

Part IV

Dated : Noted the aforesaid order.

Signature of the
accused employee

.....Factory.....

Serial number	Name	Father's Name	Depart- ment	Act or omission for which fine imposed	Whether workman showed cause against fine or not. If so, enter date	Rate of wages	Date and amount of fine imposed	Date on which fine realised	Remarks
1	2	3	4	5	6	7	8	9	10

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DELHI TRANSPORT UNDERTAKING
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SCINDIA HOUSE, NEW DELHI.

ADMII/C/737

Dated : 20-5-60

Office Order No. 103

In Continuation of this office order No. 196 dt. 30-12-59, regarding imposition of fines upon drivers and conductors for acts of omission and commission, it has been decided that the proforma sent with O.O. vide annexure 'D' should be filled in duplicate and one copy thereof handed over to the employee concerned then and there against his signatures if a fine is imposed.

Sd/-
General Manager

DELHI TRANSPORT UNDERTAKING
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SCINDIA HOUSE, NEW DELHI.

No. ADMII-5(10)/60

Dated : 4th August, 60

Office Order No. 139

In partial modification of Office Order No. 196 dated 30 Dec., 1959 it is notified for the information and necessary action by all concerned that the list of offences for the categories of drivers and conductors as contained in annexure 'A' & 'B' to the Office Order referred to above have been condensed and accordingly a revised list of offences as can be imposed on drivers and conductors are attached hereto as annexures 'A' & 'B'. These revised lists will replace the existing lists annexed to the previous office order with immediate effect.

All other conditions will remain the same as in the previous office order quoted above.

Sd/-
(P.K. J. MENON)
GENERAL MANAGER (TRANSPORT)

LIST OF OFFENCES—CONDUCTORS**Cash**

1. Failure to return passenger's balance in sufficient time.
2. Misappropriation of excess cash, if any.
3. Failure or delay to deposit lost property and/or unauthorised disposal thereof.
4. Delay in depositing cash collection or Bag Money immediately on completion of duty.
5. Not endorsing passenger's balance on the waybill and on the back of the tickets, if required.

Duty

1. Leaving duty before reaching terminus and/or without proper relief.
2. Losing attendance card.
3. Not calling out Bus stops.
4. Not reporting to ATI (Time Keeper) at starting time.
5. Not marking closing or opening Nos. of tickets in the waybill.
6. Not checking tickets issued by Advance Booker or passes.
7. Losing any property of the Undertaking entrusted to him.
8. Remaining idle and not issuing tickets when required.

Insubordination

1. Disobeying the orders of a superior officer.

Manners & Behaviour

1. Being rude or insolent to passengers.
2. Smoking in Bus when on duty.
3. Being drunk while on duty.
4. Sleeping while on duty.
5. Reading books or Magazines while on duty.
6. Occupying seat in bus to exclusion of paid passengers.
7. Failure to hand over complaint book on demand by a passenger.

Running

1. Running with wrong rear Destination Boards.
2. Running without rear Destination Board when available.

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3. Failure to give signal at Bus Stop where required.
4. Giving starting signals carelessly, when passengers are boarding or alighting.
5. Delaying bus without cause.
6. Not guiding driver properly, while reversing vehicle.
7. Not reporting accidents and breakdowns in time.
8. Not stopping bus to look after persons injured by bus.
9. Using a whistle or thumping the panels of bus to give signals to driver.

Tickets

1. Wrong punching of tickets passes etc.
2. Issuing tickets from middle of tickets block or non-consecutively.
3. Not handing over detached or wrong clipped tickets to checking officials.
4. Advance, wrong and double punching of tickets.
5. Issuing tickets from spare ticket block.
6. Being in possession of used and/or old tickets.

Uniforms and equipment.

1. Being without complete and proper uniform while on duty, even though issued with the same.
2. Performing duty without waybill.
3. Being without bag money and ticket bag.
4. Being without a complaint book.

LIST OF OFFENCES—DRIVERS

Cash

1. Failure to deposit lost property or unauthorised disposal thereof.
2. Keeping unauthorised private cash or refusal to have his body checked on demand by authorised person.

Duty

1. Refusal to perform duty or work allotted.
2. Losing attendance card or drivers' memo.
3. Allowing unauthorised person to drive.
4. Refusing to accept challans.

5. Leaving duty without proper relief.

Insubordination

1. Disobeying the orders of a superior officer.

Manners & Behaviour

1. Being rude or insolent to passengers.
2. Being drunk while on duty.
3. Chatting with passengers or staff while driving.
4. Smoking in Bus when on duty.

While driving buses

1. Delaying trips without cause.
2. Proceeding by wrong route without sufficient reason.
3. Failing to stop, where required.
4. Driving carelessly by starting when passengers still boarding or alighting.
5. Not picking up passengers to & from shed.
6. Rash and negligent driving.
7. Driving against traffic signals.
8. Not reporting accidents & breakdowns in time.
9. Starting without Conductor's bell and not stopping on conductors, bell.
10. Reversing vehicle carelessly.
11. Taking vehicle fast through deep water.
12. Bringing back bus from line into depot without sufficient cause.
13. Not stopping bus to look after person injured by his bus.
14. Not stopping close to kerb, where possible.
15. Not changing front Destination Board or driving bus with wrong Destination Board.
16. Parking vehicle away from proper bus stop, without sufficient cause.
17. Denying the right of way to the vehicular traffic following or overtaking other vehicles in a dangerous or reckless manner.
18. Inshedding a bus before time at the depot or wilful delay in outshedding the bus.

Uniforms

1. Not wearing proper uniform while on duty.

Signature
Manager (Admin.) Hqr.
Delhi Transport Corporation
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7/Jan

DELHI TRANSPORT UNDERTAKING
(OF THE MUNICIPAL CORPORATION OF DELHI)
SCINDIA HOUSE, NEW DELHI.

No.ADMI-5(63)/62

Dated : 12-11-62

Office Order No. 139

It has been observed that instructions issued vide office order No. 196 dated the 30th Dec., 59 are not being complied with strictly and the record of fines realised from the employees is not maintained in the prescribed form. This practice is highly irregular and contravention of the provisions of the Payment of Wages Act. It is notified for the information of and necessary action by all concerned that the record of the fines realised from the employees of the Undertaking for their acts of omission and commission as mentioned in Annexures 'A' and 'B' of office order No. 139 dated 4.8.60 should be maintained in the prescribed register. All such recoveries should be credited to the D.T.U Labour Welfare Fund.

Sd/-

P.D. Mehta,
ASSTT. GENERAL MANAGER (A)

All Officers of Units.
Traffic Supdts. H.Qrs.
A. G. M. (T) and A.G.M. (TII).

DELHI TRANSPORT UNDERTAKING
(OF THE MUNICIPAL CORPORATION OF DELHI)
SCINDIA HOUSE, NEW DELHI.

No. ADMI-5(11)/63

Dated July 22, 1963

Office Order No. 74

A doubt has arisen whether the fine imposed on an employee can be recovered in cash if the employee is prepared to pay it or this should only be recovered from his wages within 60 days of the act of omission or commission in respect of which it is imposed.

In continuation of office order No. 139 and 130 of 4.8.60 and 12.11.62 respectively, it is notified that as per provisions of Section 8(6) & (7) of the Payment of Wages Act, no fine imposed on any employee is recoverable from him by instalments or after the expiry of 60 days from the day on which the fine was imposed which is to be reckoned from the date of its commission.

It is therefore clarified for the information of all concerned that the proceedings of imposition of fine should preferably be completed in course of a fortnight. The workman should be communicated the decision of the authority concerned and be asked to pay the amount in cash immediately or within a day or two. If the employee fails to pay the amount in cash the fine should be recovered from the wages to be paid to him in the following month. It should, however, be ensured that the date of commission of the offence and the date of recovery should in no circumstances exceed the limit of 60 days and that the fine is to be recovered in one instalment only and there is no relaxation of the rules in this behalf.

It is also impressed that all fines are to be recorded in the prescribed register and the amount of fine is to be credited to the Labour Welfare Fund.

These instructions should be strictly followed by all concerned.

Sd/-

K.A. Khan

DEPUTY GENERAL MANAGER.

All Officers & Sections.

[Signature]
Manager (Admn.) Hqr.
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[Signature]

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DELHI TRANSPORT UNDERTAKING
(OF THE MUNICIPAL CORPORATION OF DELHI)
SCINDIA HOUSE, NEW DELHI.

No. ADMI-3(18)/61

Dated : 1/14-9-1961

MEMO

A copy of the award of the Industrial Tribunal, Delhi in industrial dispute No. 434 of 1959 as published vide notification No. F. 10(27)/59 I & L dated 9th November, 1959 of the Delhi Administration is forwarded herewith. It will be seen that the Industrial Tribunal has held that there was no case made out for putting an end to disposal of cases by summary trials in the D.T.U. All that the Tribunal had decided was that where the procedure relating to summary trial is adopted, the delinquent employee shall have the right to cross-examine the witnesses arrayed against him and also to examine such witnesses as he wishes to examine in his defence and the management shall give him suitable opportunity for the same. The management has preferred an appeal to the High Court against the award of the Industrial Tribunal. The case is still subjudice before the Circuit Bench of the Punjab High Court in Delhi. As it is not known how long it will take for this case to be decided by the Punjab High Court, it has been decided that where a decision may be taken to dispose of a disciplinary case by the method of summary trial, the case will be so disposed of. For this purpose, the following procedure will be adopted :

- (a) As soon as a decision has been taken to dispose of a disciplinary case by summary trial, date and time for such trial will be fixed and notified to the employee concerned. He will be asked to bring any witnesses that he might be having in his defence at the same time. Prosecution witnesses will also be summoned and notice issued to them at the same time.
- (b) Parts (A) and (B) of the summary trial form (Annexure 'A') will be completed before the enquiry begins and kept ready.
- (c) When the delinquent employee turns up for the trial, Parts (A) and (B) will be read out by the Enquiry Officer and part (C) of the summary trial form will be completed. At this stage, neither

the Prosecution Witnesses nor the Defence Witnesses will be allowed to be present.

(d) The delinquent employee will then be asked as to whether he would like to cross examine the prosecution witnesses and also whether he would like to produce any defence witness. If he would like to examine the prosecution witnesses, and opportunity will be given to him to do so. Each prosecution witness will be examined at a time and evidence recorded. Thereafter if the delinquent employee wants to produce his defence witnesses, their evidence will also be recorded, and after the examination of prosecution witnesses and defence witnesses, the Enquiry Officer could also put questions to them and obtain any information or clarification that he might like to have.

(e) Finally the Enquiry Officer could also interrogate the delinquent employee in case he would like to do so to arrive at the truth. He could pass final orders then and there and take the signature of the delinquent employee thereon or pass the orders later on and communicate the same to the delinquent employee. It would be preferable to pass the orders then and there and get the employee's signatures. Invariably the proceedings will be sent to the Unit at which the employee may be working together with a copy of the order, if any, separately issued so that necessary entries in the service record of the employee could be made. Ordinarily if the delinquent employee does not produce his defence witnesses at the time fixed for summary trial, he will not be given another chance.

(f) The signatures of prosecution witnesses, defence witnesses and the delinquent employee will be taken on all proceedings as is being done in the case of detailed enquiries.

A question was also raised by some officers in a meeting held in A.G.M(A)'s office sometime back as to the procedure to be adopted in cases where as verbal caution or a verbal warning is proposed to be given. In all such cases, the employee concerned will be summoned by the officer concerned, a record of the irregularities made and the fact that a verbal warning has been administered will also be recorded by means of a note. The signature of the employee concerned will also be taken on the same note.

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4/11/12

It is not possible to have a revised summary trial form printed. Annexure 'A' indicates the various steps to be followed in a summary trial case. The requisite columns etc. will be typed by the typist on each occasion, a summary trial case is held. In view of the indeterminable nature of the length of the proceedings, it will not be possible to devise a printed form for this purpose.

Sd/-

(P.K.J. Menon),

General Manager (Transport)

All Officers of the Undertaking

Annexure 'A'

**DEELHI TRANSPORT UNDERTAKING
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SCINDIA HOUSE, NEW DELHI.**

A. Employee involved in the case.

1. Name.....
2. Designation
3. Badge No.....

B. Particulars of the case.

1. Date on which the irregularity etc. was observed.....
2. Name and designation of the official/officer who noticed or reported the irregularity etc.....
.....
3. Brief note of the charge told or communicated to the employee.....
.....

C. Plea (Statement) put in by the delinquent employee.....

.....

D. Cross examination by the delinquent employee of the prosecution witnesses

E. Evidence of Defence Witnesses.

F. Interrogation by the Enquiry Officer of the delinquent employee.

G. Order of the Enquiry Officer (brief).

Signature and designation
of the enquiry officer.

Date

**DELHI TRANSPORT UNDERTAKING
(OF THE MUNICIPAL CORPORATION OF DELHI)**

No. ADMI-3 (18)/58

Dated 17th Feb., 1959

Office Order No. 16

It has been decided that the punishments imposed in summary trial cases should not be communicated separately in writing to the employees concerned but should be got noted then and there by them on the left hand bottom corner of the summary trial form. The employees who have been awarded punishment by the method of summary trial may prefer an appeal to the prescribed authority within a period of 30 days from the date of imposition of penalty.

The summary trial forms after completion should be sent to the Section keeping the personal files and service books of the employees concerned for making the entry in the service book, if required, the form should be added to the personal file of the employee concerned.

Sd/-

P. D. Mehta,

ASSTT. GENERAL MANAGER (ADM.)

All Officers and Sections at HO, Depots and C. Workshop.

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