

DELHI TRANSPORT UNDERTAKING
(of the Municipal Corporation of Delhi)
SCINDIA HOUSE, NEW DELHI.

PLD. 1/3 (117)/63/12349

Dated

It has been decided that while stopping increments of employees in future with cumulative effect, a definite stipulation should be made to the effect that the leave without pay taken during the period of stoppage of the increments would not further postpone the grant of increments. All officers concerned are requested to indicate this clearly while stopping the increments of employees with cumulative effect.

Sd/- Personnel Officer.

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

No. PLD-1-3 (36)/10968

Dated : 13-10-1964

Memorandum

Shri X-Y-Z. a regular Senior Clerk was promoted to the post of Asstt. Incharge in 1956. His increment was stopped for two years in 1960 with commulative effect. With the stoppage of increment, he drew less pay than what he would have drawn as Senior Clerk during the period of stoppage of increment, the post he was holding on regular basis. The question of re-fixation of his pay on this account was under consideration.

As per the provisions of the note under F R.31 where the order imposing the penalty with-holding increments have been imposed without any reference to the increments that will accrue in the post held substantively, the employee is to be allowed his substantive pay if the same happens to be more than the officiating pay. The note under F.R.31 which

has been made applicable to the employees of this Undertaking, reads as under:-

Note:- "Where the increment of a Government Servant in the post in which he is officiating has been with-held under Rule 24 without any reference to the increment that will accrue to him in the post held by him substantively, the provisions contained in sub-rule (2) of this Rule shall not apply before the date from which the orders with-holding the increment finally cease to be operative. However, the Govt. servant may be allowed during the period of with-holding of increments, his substantive pay from time to time if the same happens to be more than the officiating pay."



In the order imposing the penalty of stoppage of increment for two years, no reference has been made to his substantive scale and pay. Therefore, in the light of the above note, he will be entitled to draw his increments in the scale of Senior Clerk. Accordingly his pay will be re-fixed as under:-

On 1-7-1962	Rs. 232/-
1-7-1963	Rs. 240/-
1-7-1964	Rs. 248/-

The arrears on account of this re-fixation of pay, be drawn through the supplementary payable and paid to him.

As a result of the re-fixation of pay as stated above the effect of the penalty will be completely washed off. This is, however, on account of the faulty orders issued at that time. Accordingly, all the unit officers and Departmental Heads are requested that while issuing such orders-viz. stoppage of increment, a reference should invariably be made in the office order to the increment that will accrue to the employee in the post held by him substantively.

Sd/-
(S.S. MARWAHA)
PERSONNEL OFFICER


Manager (Admn.) Hqr.
Delhi Transport Corporation
(Govt. of N.C.T. of Delhi)
I.P. Estate, New Delhi - 110002


All Unit Officers and
Departmental Heads.

DELHI TRANSPORT UNDERTAKING
(of the Municipal Corporation of Delhi)
I.P. ESTATE, NEW DELHI-1.

No. ADMI-21 (73)/64

Dated : 13th Oct., 65

MEMORANDUM

The proposal to simplify the existing procedure for the disciplinary cases has been under consideration for some time past and the G. M. has decided that the following instructions be kept in view while dealing with the cases of disciplinary nature.

1. Charge Sheet.

As far as possible the documents which are to be relied upon during the course of detailed investigation and oral enquiry may be indicated in the charge-sheet itself and the accused employee should be asked to inspect these documents within specified period, if he wishes to do so for the purpose of giving his reply to the charge sheet.

2. Written Explanation:

The written explanation of the accused employee to the charge sheet should not be awaited indefinitely, but the date for the oral enquiry should be fixed straight away to proceed further in the matter immediately after the expiry of the time limit given to the accused employee for submitting his written explanation. The written explanation can be submitted by him on or before the date fixed for the oral enquiry. The proforma of the charge sheet is being revised & will follow.

3. Detailed investigation and oral enquiry.

- (i) In charge sheet cases in which the punishment likely to be imposed is stoppage of increment, reversion to a lower post or time scale or a lower stage in a time scale or removal or dismissal from service, the presence of the Labour Officer or Labour Welfare Officer be arranged during the course of oral enquiry and detailed investigation to watch the interest of the employee.
- (ii) The report of the complainant alongwith the charge-sheet should be read out to the accused employee by the Enquiry

Officer. The statement of the reporting staff should be recorded and the accused employee given the opportunity to cross examine the witness(es), (Management). In case the accused employee declines to cross examine the Management Witness(es), remarks to this effect should be given (No cross examination by the accused employee).

- (iii) The Enquiry Officer can call any other witness, not mentioned in the complaint and the same procedure as mentioned above, should be followed for recording the statement and the cross examination.
- (iv) The signature of accused employee and the other witness — Management as well as Defence should be obtained on the day to day proceedings of the oral enquiry.
- (v) It will be within the rights of the Enquiry Officer to call for any evidence documentary or oral which is considered necessary by him in completing the enquiry.
- (vi) While giving his findings, the Enquiry Officer should discuss the evidence briefly, which need not be given verbatim. Only salient points should be commented upon and in case of more than one charge the findings should be given for each charge separately clearly indicating whether it is proved or not.
- (vii) After the accused employee has been found guilty, it should be kept in view by the punishing authority that the punishment to be imposed is commensurate with the gravity of the offence committed, taking into consideration all the circumstances as also the past record of the accused employee. It is always desirable to mention that the Enquiry Officer has seen the past record.

4. Calling of Witnesses:

All the Management witnesses should be called by the Enquiry Officer while the presence of the Defence Witnesses in the enquiry should be arranged by the accused employee himself. However, if the Defence witnesses happen to be employees of this Undertaking, they may be called by the Enquiry Officer.

[Signature]
Manager (Admn.) Hqr.
Delhi Transport Corporation
(Govt. of N.C.T. of Delhi)
I.P. Estate, New Delhi - 110002

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5. Recording of evidence of the witness at the address given by them.

The following procedure should be adopted for recording the evidence of a witness at the address given by him in the event of his failure to come after two repeated request and the case is getting delayed.

- (i) The evidence of the passenger (witness) be recorded at his residence in the presence of the accused employee by the officer deputed to record such statement. The L.O. or one of the L.W.Os. or the Asstt. Incharge in the Labour Section should accompany for the purpose of recording such a statement and cross examination of the witness.
- (ii) The intimation for calling the passenger (witness) to attend the enquiry should be sent by post and a copy of the same should also be got delivered through the A.T.I. of the respective Zone or the Motor Cycle Messenger and they should make sure whether the witness would be coming to participate in the enquiry. In case the date or the time, already fixed does not suit the witness, the fact should be brought to the notice of the Enquiry Officer and some other date or time be fixed.

(P.D. Mehta)
Asstt. General Manager(Admn)

All Officers & Sections.

CC: The Commissioner, M.C.D.
Dy. Chief Auditor, M.C.D. (2 Copies)
File No. AdmI—8(1)/65 and 3(18)/65

Confidential

DELHI TRANSPORT UNDERTAKING
(OF THE MUNICIPAL CORPORATION OF DELHI)
I.P. ESTATE, NEW DELHI.

No. ADMII—65(1)/66

Dated:—3-6-66

The question as to whether the disciplinary cases of serious nature against Daily Rated or Probationer employees be disposed of by framing regular charge-sheets or their cases be referred to Personnel Department for termination of their services has been under consideration for some-time past. The matter has been considered at length and the matter is clarified as below for the guidance of all concerned.

Since it is not possible to impose penalties beyond Warning, Reprimand, Censure, Fine and Recovery of damages on the employees engaged on daily rates of pay, it may not be appropriate to decide cases against them by following method of framing regular charge-sheets, as the penalties mentioned above can be imposed upon them by following methods of Summary Trial or the procedural instructions issued for imposition of fines or recovery of damages.

As far as employees on probation are concerned while there is no bar in disposing of the cases of disciplinary nature against them by following method of regular charge-sheet, it is considered more expedient to consider the termination of their services during the period of probation under para 9(a) of the D.R.T.A. (Conditions of Appointment & Service) Regulations in case of allegations or irregularities of serious nature against them specially keeping in view of course the merits of each case.

Sd/-

(P. D. MEHTA)

ASSTT. GENERAL MANAGER (ADMN.)

All Officers of Head Quarters/Units
& Sectional Heads.

Luo
Manager (Admn.) Hqr.
Delhi Transport Corporation
(Govt. of N.C.T. of Delhi)
I.P. Estate, New Delhi - 110002
Adh

DELHI TRANSPORT UNDERTAKING
(OF THE MUNICIPAL CORPORATION OF DELHI)
I.P. ESTATE, NEW DELHI-1.

No.

Dated :

Shri _____

Designation _____

Through _____

Charge-Sheet

You are required to explain as to why disciplinary action under clause 15(2) of the D.R.T.A. (Conditions of appointment & Service) Regulations 1957, read with Section 516 (2) & 95 of the Delhi Municipal Corporation Act, 1957, should not be taken against you for the following irregularities :—

Statement of allegations/copy of the checking report No.....
/complaint and the list of documents of reliance, on which this charge-sheet is based, are enclosed.

A copy of your past record is also attached. It will be taken into consideration at the time of passing the final orders in the case

If you desire to be heard in person, a request to that effect be made in your explanation.

Your explanation should reach the undersigned within 10 days of the receipt of this charge sheet by you. In case, you wish to inspect

any of the relevant documents of reliance available on record. You will be allowed to do so and for this purpose you should report to the undersigned within 24 hours of the receipt of this memo by you.

In the event of failure on your part to report to the undersigned for inspection of documents within 24 hours and thereafter to submit your explanation to the charge-sheet within 10 days, it will be assumed that you do not wish to avail of the opportunity of inspection of documents and that you have no explanation to submit in response to this charge-sheet and further action in the case pending against you will be taken in accordance with the regulations, without making any further reference to you.

Signature of the
Enquiry Officer _____

Designation _____

Delete if not applicable

You are also allowed to bring along with you any employees of this Undertaking for the purpose of helping you in the inspection documents, in case you do not know how to read and write.

**DELHI TRANSPORT UNDERTAKING
(OF THE MUNICIPAL CORPORATION OF DELHI)
I.P. ESTATE, NEW DELHI.**

No. ADMI-3(18)/66

Dated : 9-11-66

Office Order No. 98

The proposal to introduce a standard proforma for 'Charge-Sheet' has been under active consideration for sometimes past and it has now

[Signature]
Manager (Admin.) Hqr.
Delhi Transport Corporation
(Govt. of N.C.T. of Delhi)
I.P. Estate New Delhi - 110002

been decided by the Addl. General Manager that charge-sheet proforma as Annexed hereto be adopted henceforth in place of charge-sheet proforma already in vogue. It is, therefore, notified for the information and necessary action by all concerned that in all future cases revised charge-sheet proforma be used.

Sd/-

(P. D. Mehta)

Asstt. General Manager (A).

All Officers & Sections.

c.c.:— Dy. Chief Auditor, M.C.D. (2 copies)

File No. ADMI—8(1)/66

**DELHI TRANSPORT UNDERTAKING
(OF THE MUNICIPAL CORPORATION OF DELHI)
I.P. ESTATE, NEW DELHI.**

No. ADMI-8(14)/67

Dated :— 9-3-1967

Office Order No. 32

In exercise of the powers conferred on me by section 49I read with section 504(1) (a) (ii) of the D.M.C Act, 1957, I hereby direct that the powers vested in me under section 64 and 95 of the said Act mentioned in column 3 of the schedule annexed hereto shall, subject to my supervision, control and revision be also exercised by the Officers of the D.T.U. and in respect of the officers and other employees mentioned in columns 2 and 4 respectively of the said schedule subject to their strictly observing and following all the regulations, standing orders, procedures etc. in force from time to time.

This office order, supercedes all the office order issued on th subject from time to time and will not be applicable in the cases of damage/loss and cases of declaring employees as absconders.

Sd/-

(K.L. Rathee)

General Manager (Transport)

All Officers & Sections.

CC:— Dy. Chief Auditor, MCD (2 copies)

Files Nos. AdmI—8(24)/67, AdmI—8(1)/67 and AdmII—67(1)/65.