

EXTRACT OF CLAUSE NO. 15 OF THE D.R.T.A.  
(CONDITIONS OF APPOINTMENT AND SERVICE)  
REGULATIONS, 1952.

**15. Conduct, Discipline and Appeal :-**

1. **Conduct :-** (a) The Delhi Road Transport Authority may from time to time issue standing orders governing the conduct of its employees. A breach of these orders will amount to misconduct.

2. **Discipline :-** The following penalties may, for misconduct or for a good and sufficient reason be imposed upon an employee of the Delhi Road Transport Authority:-

- (i) censure including reprimand and warning.
- (ii) With-holding of increments or promotion, including stoppage at an efficiency bar.
- (iii) Reduction to a lower post or time scale or to a lower stage in a time scale.
- (iv) Recovery from pay or the security or any other dues of the whole or part of any pecuniary loss caused to the Delhi Road Transport Authority by negligence, default or breach of orders. The term pecuniary loss shall include damage to or loss of stores expressly entrusted to the person concerned for custody.
- (v) Suspension.
- (vi) Removal from the service of the Delhi Road Transport Authority.
- (vii) Dismissal from the service of the Delhi Road Transport Authority.
- (viii) Fines as provided in the payment of Wages Act.

**Explanation :-**

**The Discharge :-** (a) of a person during or at the end of the period of probation except when such discharge is due to any cause which would justify removal from service of an employee.

- (b) of a person appointed otherwise than under contract to hold a temporary appointment for a specified period on the expiration of the period of appointment or any extension thereof,
- (c) of a person engaged under contract, in accordance with the terms of his contract does not amount to removal within the meaning of this rule.

(b) The disciplinary action referred to above shall be taken by the General Manager or such other officer as may be authorised by him in this behalf subject to such order or instructions as may be issued by the Delhi Road Transport Authority from time to time.

(c) Without prejudice to the foregoing provisions no order of dismissal, removal, or any other punishment except censure shall be passed against an employee of the Authority other than an order based on facts before a Criminal Court unless he has been informed in writing of the grounds on which it is proposed to take action and has been afforded an adequate opportunity of rebutting them. The grounds on which it is proposed to take action shall be reduced to the form of a separate charge or charges, which shall be communicated to the person charged and of any other circumstances which it is proposed to take into consideration in passing orders on the case. The employee shall be required within a specified time to submit a written reply to the charges and to state whether he desires to be heard in person also. If he so desires and if the competent authority so directs, an oral enquiry shall be held. The officer conducting the enquiry may record facts brought out in such enquiry and may utilise them for coming to a finding on the truth or otherwise of the charge or charges levelled against the employee. The Welfare Officer if any employed with the Authority may attend such enquiry to watch the interest of the employees but shall not intervene or obtrude in proceedings at any stage. The proceedings shall contain a statement of the finding and grounds thereof.

Provided (i) that the provisions of this sub-clause shall not apply where the employee concerned has absconded or where it is for other reasons impracticable to communicate with him.

(ii) all or any of the provisions of this sub-clause may in exceptional cases, for special and sufficient reasons to be recorded may be waived by the competent authority. Cases falling under provision (ii) shall be reported to the Authority.

(d) An employee against whom an enquiry is to be held regarding a case of misconduct likely to lead to the imposition of penalty of censure or reprimand including reprimand and warning may be tried summarily provided that the employee concerned is given an opportunity of showing cause as to why the proposed penalty should not be imposed.

No witness shall be called or allowed during such enquiry. A brief record of the allegations and the plea put forward by the employee should be maintained by the General manager.

3. **Appeal :-** Every employee of the Authority shall have the right to appeal within such time and in accordance with such terms as may be prescribed by the Delhi Road Transport Authority against an order of punishment or penalty passed against him to the next higher authority, except where the order has been passed by the Authority itself.

Where the order of punishment or penalty is passed by the General Manager, the appellate authority shall be the Authority. In case of difference of opinion amongst the members of the Appellate Authority, the majority view shall prevail.

4. **Suspension:-** (a) An employee under suspension will be entitled during the first year of suspension to subsistence allowance equal to the leave salary which he would have drawn if he had been on leave on half pay and for any period subsequent thereto at three quarters of such an amount.

Provided that an employee may be granted in addition any compensatory allowance e. g., dearness, house rent etc., of which he was in receipt on the date of suspension to such extent and subject to such conditions as the suspending authority may direct.

Provided further that the amount of dearness allowance should not exceed the amount admissible as such on the subsistence allowance paid from time to time.

(b) When the suspension of an employee is held to have been unjustified or when an employee who has been dismissed, removed or suspended is reinstated, the revising or appellate authority may grant to him for the period of his absence from duty.

(i) If he is acquitted, the full pay to which he would have been entitled if he had not been dismissed, removed or suspended and by an order to be separately recorded, any allowance of which he was in receipt prior to his dismissal, removal or suspension; or

(ii) If otherwise such proportion of such pay and allowances as the revising or appellate authority may prescribe.

In a case falling under clause (i) the period of absence from duty will be treated as period spent on duty. In a case falling under clause (ii) it will not be treated as a period spent on duty unless the revising or appellate authority so direct.

**"15—A." :- Action against conductors for committing shortages**

(1) A conductor who commits shortage of more than Rs. 5/- in a day or more than Rs. 15/- in aggregate during a month shall be put off duty until he deposits the amount of shortage. In the event of his depositing the shortage, the "off duty" period shall be treated as leave without pay. If the conductor concerned does not deposit the amount of shortage due within 48 hours of the intimation of the shortage to him, he shall also be liable to such disciplinary action as may be deemed necessary by the General Manager. A conductor who commits shortages repeatedly, shall also be liable to disciplinary action including termination of service, at the discretion of the General Manager.

(2) The permissible aggregate amount of shortage in a month can be increased from Rs. 15/- to Rs.20/- at the discretion of the Traffic Superintendent under special circumstances if the Traffic Superintendent is satisfied that the circumstances justify this increase. Where this increase is sanctioned by the Traffic Superintendent the conductor concerned will become liable to action as indicated in sub.-clause (1) above only when the shortage committed by him exceeds Rs. 5/- in a day or Rs. 20/- in aggregate during the month.

(3) In case a conductor does not deposit the amount of shortage committed by him, it will be recovered from his salary on the next pay day or from his security Deposit, if he is discharged from service or he quits service.

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