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PART - I

1. Short Title and Application

(a) Short Title

These Regulations shall be called the Meghalaya State Power Corporation Limited (MSPCL) (Conduct) Regulations, 2006

(b) Application

These Regulations shall apply to all employees of the Corporation but shall not apply to those in casual employment or paid from contingencies.

2. Definitions

In these Regulations, unless the context otherwise requires:-

- (i) “Corporation” means the Meghalaya State Power Corporation Ltd (MSPCL).
- (ii) “Employee” means any person appointed by Corporation to any service or post except persons in casual employment and on contract service for which special provisions are made separately by agreement
- (iii) “Central Government” means Government of India
- (iv) “Member of the family” in relation to an employee includes the spouse, son, daughter, step-son or step-daughter of such employee
- (v) “Nation” means Indian Nation
- (vi) “State Government” means the Government of Meghalaya

PART – II

GENERAL

3. Devotion to duty

Every employee shall at all times be devoted to his duty, maintain absolute integrity, discipline impartially and do nothing which is unbecoming of an employee

4. Behaviour

- (a) Every employee shall behave in such a manner that he always maintains good and cordial relationships with his superiors and subordinates
- (b) Every employee shall in the performance of his official duties or in exercise of powers conferred on him, act in his best judgment except when he is acting under the direction of his superiors, and shall when acting under such directions obtain the direction in writing and where it is not practicable to obtain the direction in writing shall obtain written confirmation of the direction as soon thereafter as possible.
- (c) Every employee shall, at all times, take all possible steps to ensure and protect the interest of the Corporation and discharge his duties with utmost integrity, honesty, devotion and diligence and do nothing which is unbecoming of an employee.
- (d) An employee shall not enter the service of or be employed in any capacity for any purpose whatsoever and for any part of his time, by any other person, Government Department, Firm or Company, etc. and shall not have any private financial dealings with persons of the firm, etc. having business relations with the Corporation for the sale or purchase of any materials, equipments or supply of labour, if any, or for any other purpose.

5. Duty – its performance and quality

- (a) Every employee shall perform the task assigned to him within the time set for the purpose, ensuring the quality of performance expected of him
- (b) Every employee shall obey implicitly the order of his superior officer and shall not exhibit any kind of insub-ordination either alone or in combination with others
- (c) No employee shall willfully or otherwise neglect his duty

5(a). Misconduct

Without prejudice to the generality of the term ‘misconduct’, the following acts of omission and commission shall be treated as misconduct:

- (1) Theft, fraud or dishonesty in connection with business or property of the Corporation or of property of another person within the premises of the Corporation.
- (2) Taking or giving bribes of any illegal gratification
- (3) Possession of pecuniary resources or property disproportionate to the known source of income by the employee or on his behalf by another person, which the employee cannot satisfactorily account for
- (4) Furnishing false information regarding name, age, father’s name, qualification, ability or previous service or any other matter germane to the employment at the time of employment or during the course of employment
- (5) Acting in a manner prejudicial to the interests of Corporation
- (6) Willful insubordination or disobedience, whether or not in combination with others, of any lawful and reasonable order of his superior.
- (7) Absence without leave or over-staying the sanctioned leave for more than four consecutive days without sufficient grounds or proper or satisfactory explanation
- (8) Habitual late or irregular attendance or willful absence from duty
- (9) Neglect of work or negligence in the performance of duty including malingering or slowing down of work
- (10) Damage to any property of the Corporation

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- (11) Interference or tampering with any safety devices installed in or about the premises of the Corporation
 - (12) Drunkenness or riotous or disorderly or indecent behaviour in the premises of the Corporation or outside such premises where such behaviour is related to or connected with the employment
 - (13) Gambling within the premises of the establishment
 - (14) Smoking within the premises of the establishment where it is prohibited
 - (15) Collection without the permission of the Competent Authority of any money within the premises of the Corporation except as sanctioned by any law of the land for the time being in force or rules of the Corporation
 - (16) Sleeping while on duty
 - (17) Commission of any act which amounts to a criminal offence involving moral turpitude
 - (18) Absence from the employee's appointed place of work without permission or sufficient cause
 - (19) Purchasing properties, machinery, stores, etc. from or selling properties machinery, stores, etc. to the Corporation without express permission in writing from the competent authority.
 - (20) Commission of any act subversive of discipline or of good behaviour
 - (21) Abetment of or attempt at abetment of any act which amounts to misconduct
 - (22) Misuse of any advance or non-compliance with the provisions of the rules for grant of any advance
 - (23) Canvassing in support of the business of insurance agency, commission agency, etc. owned or managed by his spouse or any other member of his family
 - (24) Indulging in any act of sexual harassment to any woman at work place
- The above instances of misconduct are illustrative in nature, and not exhaustive.

6. Communication of information or document

No employee shall, except in accordance with any general or special order of the Corporation or in the performance in good faith of the duties assigned to him, communicate directly or indirectly any official document or any of its contents or any official information to any other employee or any other person not authorised to receive the same or to the press

7. Absence from duty

No employee shall be absent from duty without permission from the competent authority. An employee who is absent from duty shall be liable for deduction of wages as provided in the Payment of Wages Act. Similarly an employee who after presenting himself for duty at the beginning is found absent from the place of his work or duty at any time during the working hours without permission shall be liable to have his wages deducted. The employee is also liable for disciplinary action on this count.

8. Attendance

Every employee is required to attend office or otherwise or the worksite at the time stipulated by the Corporation from time to time. If an employee is late by more than a stipulated period of time, he may be liable to be shut out for that day and may be treated as absent with consequent deductions of wages under Payment of Wages Act. Such absence may, however, be allowed to be offset against the leave due if any, at the discretion of the Management.

9. General Prohibitions

No employee shall

- (a) Smoke in the office premises where it is strictly prohibited by general or special order
- (b) Chit-chat or loiter in the office premises during working hours
- (c) Sleep in the office or worksite while on duty

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- (d) Commit any theft or fraud in connection with Corporation's property
 - (e) Cause any damage or loss to the Corporation's goods or property
 - (f) Take any bribe or accept illegal gratification

10. Supervision

Every employee discharging supervisory functions shall exercise effective supervision and control on the sub-ordinate staff

11. Influencing authorities for furtherance of interests

No employee shall bring or attempt to bring any political or other outside influence or through a member of the Corporation to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Corporation.

PART – III

ACTIVITIES OF EMPLOYEES

12. Joining of Associations

No employee shall join, or continue to be a member of an Association, the object or activities of which are prejudicial to the interests of the Corporation, or of the sovereignty and integrity of India or Public Order.

13. Politics and Elections

- (a) No employee shall be a member of or be otherwise associated with political party or any organisation which takes part in politics
- (b) No employee shall take part in any movement, procession, demonstration, or political activity organised by any political party or assist such political party in any manner directly or indirectly.

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- (c) No employee shall contest in, or canvass, or use his influence in connection with any elections conducted to Parliament, State Legislatures, Local bodies, or any other body.

14. (a) Demonstrations

No employee shall participate in any demonstration which is against

- (i) the interest of the Corporation
- (ii) the interest of sovereignty and integrity of the nation
- (iii) the security of the state
- (iv) Public order
- (v) Decency or morality
- (vi) Incitement to an offence

(b) Strikes

No employee shall participate in any strike in any form or any other concerted action or incitement thereto intended to hold up the work or put pressure on the Corporation to take or withdraw any official action or decision

15. Evidence before Committees

- (i) No employee shall give evidence in connection with any enquiry conducted by any committee or authority
- (ii) Nothing in sub-regulation (1) shall apply to
 - (a) evidence given before a statutory committee or authority which has power to compel evidence
 - (b) Judicial enquiry
 - (c) Enquiry conducted under the authority of the Corporation

16. Participation in Radio/TV Programmes

- i) No employee shall, except with the previous sanction of the competent authority own wholly or in part, or conduct or participate in the editing or management of, any newspaper or other periodical publication.
- ii) No employee shall except with the previous sanction of the competent authority, or in the bonafide discharge of his duties, participate in a radio broadcast or television programme or write or publish a book or contribute an article or write a letter either in his own name or anonymously, pseudonymously or in the name of any other person to a newspaper or periodical. Provided that no such sanction shall be required if such broadcast or such contribution is of a purely, literary artistic or scientific character.

17. Contribution to Newspapers

No employee shall own wholly or in any part or conduct or participate in the editing of the management of any newspaper/journal or non-Government publications

18. Criticism of Corporation or Government

No employee shall, in any radio broadcast and/or telecast in electronic and print media or in any document published under his name or under any pen-name or pseudonym or in any communication to the press, or in any public utterances, make any statement:

- a) which has the effect of adverse criticism of any policy or action of the Government or of the Corporation, or
- b) which is capable of embarrassing the relations between the Corporation and the public or between the Corporation and the Government

Provided that nothing in this rule shall apply to any statement made or views expressed by an employee, of a purely factual nature which are not considered to be of a confidential nature, in his official capacity or in due performance of the duties assigned to him. Further provided that nothing contained in this rule

shall apply to bonafide expression of views by him as an office-bearer of a recognised trade union for the purpose of safeguarding the conditions of service of such employees or for securing an improvement thereof.

19. Vindication of acts of Employee

(a) No employee shall, except with the previous sanction of the competent authority have recourse to the press or any Court for the vindication of any official act which has been the subject matter of adverse criticism or an attack of a defamatory character in public.

(b) Prohibition of sexual harassment of working women

(1) No employee shall indulge in any act of sexual harassment of any woman at her work place

(2) Every employee who is in-charge of a work place shall take appropriate steps to prevent sexual harassment to any woman at such work place

For the purpose of this rule, “sexual harassment” includes such unwelcome sexual determined behaviour, whether directly or otherwise, as:

- (a) Physical contact and advances
- (b) Demand or request for sexual favour
- (c) Making sexual coloured remark
- (d) Showing any pornographic material or
- (e) Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature

MONETARY TRANSACTIONS

20. Gifts and felicitations

No employee shall either accept or permit any member of his family to accept any gift or favour or service or felicitations or entertainment in his honour, or receive any public address, enjoy the hospitality from any person which will keep him under

official obligation or embarrassment. He shall not allow the members of his family also to do so.

21. Investments

- a) No employee shall speculate in any stock, share or other investment
- b) No employee shall make or permit any member of his family or any person acting on his behalf to make, any investment which is likely to embarrass or influence him in the discharge of his official duties.

22. Subscriptions

No employee shall except with previous sanction of Corporation ask for or accept or in any way participate in the raising of any subscriptions or other pecuniary assistance in pursuance of any object whatsoever

23. Publication of books

No employee shall without the previous permission of the Corporation publish any book which is not purely of a literary, artistic or a scientific character

24. Property Returns

(i) On first Appointment

Every employee on his first appointment to any post in the services of the Corporation shall submit to the Corporation within 30 (thirty) days from the date of joining, a declaration as to his property in the form given in Annexure – I, giving full particulars regarding his property in the prescribed form as detailed below :-

- (a) the immovable property inherited by him, or owned or acquired by him or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other person (Form – I)
- (b) Movable property inherited by him or owned, acquired or held by him (Form – II)

(ii) During service

(a) Immovable Property :

No employee shall, except with the previous permission of Corporation, acquire or dispose of any immovable property irrespective of its value by lease, mortgage, purchase, sale, gift or otherwise, either in his own name or in the name of any member of his family or in the name of any other person

(b) Movable Property:

Every employee who enters into any transaction concerning any movable property exceeding rupees fifty thousand in value, whether by way of purchase, sale or otherwise shall forthwith report to Corporation such transactions giving full details thereof.

(iii) Annual Return

Every employee shall before 15th January of each calendar year submit to Corporation through proper channel a declaration as in Annexure -- II giving details in Forms I & II in regard to movable and immovable properties owned, acquired or inherited by him or held by him by lease or mortgage, during the period from first January and 31st December of the preceding year, either in his name or in the name of any member of his family or in the name of any other person.

(iv) Nothing in this regulation shall prevent the Corporation from calling at anytime from the employee the information as to the immovable or movable properties held by him at any point of time.

PRIVATE LIFE

25. Dowry

No employee shall

(a) give or take or abet in giving or taking of dowry or

-
- (b) demand any dowry directly or indirectly, from the parents or guardian of a bride or bridegroom as the case may be

Explanation:

For the purpose of this Regulation, the word “Dowry” has the same meaning as in the Dowry Prohibition Act, 1961 (Central Act No. 28 of 1961)

26. Trade or business

- i) No employee shall, except with the previous sanction of the competent authority, engage directly or indirectly in any trade or business or undertake any other employment or negotiate for taking an employment.

Provided that an employee 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.

- ii) No employee of the Corporation shall, without the previous sanction of the competent authority, except in the discharge of his official duties take part in the registration, promotion or management of any bank or other company which is required to be registered under stipulated law for the time in force or any co-operative society for commercial purposes.
- iii) No employee may accept any fee or any remuneration or any pecuniary advantage for any work done by him for any public body or any private person without the sanction of the competent authority
- iv) No functional Director of the Corporation including the CMD who has retired from the service of the Company, after such retirement, shall accept any appointment or post whether advisory or administrative, in any firm or company, whether Indian or foreign, with which the Corporation had business relations, within two years from the date of his retirement without prior approval of the Government.

27. Lending or borrowing

- (a) No employee shall speculate in any stock, share or other investment
- (b) No employee shall make or permit any member of his family or any person acting on his behalf to make, any investment which is likely to embarrass or influence him in the discharge of his official duties
- (c) No employee shall save in the ordinary course of business with a bank, the LIC or a firm of standing, borrow money from or lend money to or otherwise place himself under pecuniary obligation to any person with whom he has or is likely to have official dealings or permit any such borrowing, lending or pecuniary obligation in his name or for his benefit or for the benefit of any member of his family.

28. Insolvency

- a) An employee of the Corporation shall avoid habitual indebtedness unless he proves that such indebtedness or insolvency is the result of circumstances beyond his control and does not proceed from extravagance or dissipation.
- b) An employee of the Corporation who applies to be, or is adjudged or declared insolvent shall forthwith report the fact to the competent authority.

29. Drinking

No employee subject to the provisions of any law relating to intoxicating drinks or drugs for the time being in force in any area shall

- (a) while on duty be under the influence of alcoholic drinks or narcotics or
- (b) consume any intoxicating drink or drug in a public place
- (c) appear in a public place in a state of intoxication
- (d) be under the influence of any intoxicating drink or drug during the course of his duty and shall take due care that the performance of his duties at any time is not affected in any way by the influence of such drinks or drug.

30. Promotion or management of a Company

No employee shall, in his private capacity, except with the previous sanction of the Corporation, take part in the promotion, registration or management of any Bank or other company registered under the relevant law for the time being in force

31. Private Employment

No employee shall, except with the previous sanction of the competent authority engage directly or indirectly in any trade or business or undertake any other employment.

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

32. Bigamy

- (a) No employee shall enter into or contract a marriage with a person having a spouse living and
- (b) No employee having a spouse living shall enter into or contract a marriage with any person

Provided that the Corporation may permit an employee to enter into or contract any such marriage as is referred to in Clause (a) and (b) above, if it is satisfied that

- (i) such marriage is permissible under the personal law applicable to such employee and the other party to the marriage and
- (ii) there are other grounds for so doing
- (iii) Every employee who has married a person other than of Indian Nationality shall forthwith intimate the fact to the Corporation

32(a) Canvassing of Non-official or other influence

No employee shall bring or attempt to bring any outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service in the Corporation.

MEMBERS OF FAMILY

33. Employment to members of the family of the employee

- i) No employee shall use his position or influence directly or indirectly to secure employment for any person related, whether by blood or marriage to the employee or to the employee's wife or husband, whether such a person is dependent on the employee or not.
- ii) No employee shall in the discharge of his official duties deal with any matter or give or sanction any contract to any firm or any other person if any of his relatives is employed in that firm or under that person or if he or any of his relatives is interested in such matter or contract in any other matter and the employee shall refer every such matter or contract to his official superior and the matter or the contract shall thereafter be disposed of according to the instructions of the authority to whom the reference is made.

34. Handling of personal – matters

No employee shall deal in his official capacity, with any matter which directly or indirectly concerns himself or any of his relatives or dependents

35. Contravention of Regulation

Any employee contravening the Provisions under this part or any regulations or any order or instruction made by the Corporation is liable for disciplinary action.

PART – IV

MISCELLANEOUS

36. Interpretation

If any question arises relating to the interpretation of these regulations, the decision of the Corporation shall be final

37. Delegation of Powers

The Corporation may, by general or special order direct that any power exercisable by it under these regulations except the power under Regulation-36 and this regulation shall, subject to such conditions, if any, as may be specified in the order, exercisable also by such officer or authority as may be specified in the order

38. Savings of other Rules, Order or instructions

Any order, rule, regulation or instruction of the Corporation for the time being in force regulating the conduct of the employee are hereby repealed. Provided that any orders, rules, regulations or instructions so repealed shall be deemed to have been made or taken under the corresponding provisions of these regulations. Provided further that such repeal shall not effect the previous operation of any of the said orders, rules, regulations and instructions so repealed and a contravention of any of the said orders, rules or regulations or instructions shall be punishable as if it were contravention of these regulation.

ANNEXURE – I

1. Name (in Block letters)

2. Post or Category and service to which he is appointed

3. Date of Joining the Post or Category

4. Total income from all sources on the date of joining as detailed in Forms I & II enclosed

Declaration

I hereby declare that the particulars given in Forms I & II are complete, true and correct to the best of my knowledge and belief in respect of information relating to movable and immovable properties due to be furnished by me under the provision of sub-regulation – (i) Regulation 24 of the Meghalaya State Power Corporation Limited (Conduct) Regulations, 2006

Date.

Signature.

ANNEXURE – II

1. Name of the employee
(in Block letters)
2. Present Category held
3. Total length of service in various
categories
 - (a)
 - (b)
 - (c)
 - (d)
4. Present place of work
5. Total annual income from all
sources during the Calender Year
immediately preceding the 1st
January, _____ as detailed in
Forms I & II enclosed
6. Date of submission of declaration
for the preceding year

Declaration

I hereby declare that the particulars given in Forms I & II in respect of movable and immovable properties are complete, true and correct to the best of my knowledge and belief in respect of information relating to movable and immovable properties due to be furnished by me under the provision of sub-regulation –(iii) of Regulation 24 of the Meghalaya State Power Corporation Limited (Conduct) Regulations, 2006.

Date.

Signature.

FORM - I

MOVABLE PROPERTY

Sl. No.	Description of property	Name in which it is held	Date & Mode of Acquisition or disposal	Name & Address of whom Acquired	Prices Paid	Source of Payment	Remarks
1	Vehicles Motor Car, Motor Cycle/Scooter Any other vehicle						
2	Electrical Goods Air –conditioner VCR/TV Refrigerator Any other goods						
3	Jewellery Ornaments, Others						
4	Investment & Cash Bank Deposits Debentures Shares, Bank Balances Others						
5	Furniture						
6	Live Stock						
7	Any other Goods						

DATE :

SIGNATURE

FORM - II

STATEMENT OF IMMOVABLE PROPERTY ON FIRST APPOINTMENT

Sl. No.	Description of Property	Precise location Survey/Municipality with extent	Name in which the property is held	Date & Mode of acquisition or disposal	Value of the Property	Total Annual Income from the Property	Remarks
1	2	3	4	5	6	7	8
1	House / Flat						
2	Shop						
3	House plot						
4	Agricultural land Wet or dry						
5	Any other immovable property						

DATE:

SIGNATURE