

DHANALAKSHMI BANK OFFICERS (CONDUCT AND DISCIPLINE) REGULATIONS

1. SHORT TITLE COMMENCEMENT & APPLICATION

- 1) These regulations may be called Dhanalakshmi Bank Officers (Conduct & Discipline) Regulations.
- 2) They shall come into force on 26-04-1988.
- 3) They shall apply to all officers of the Bank, but shall not apply to:-
 - i) The Chairman and C.E.O. of the Bank;
 - ii) Any whole time Director, if any;
 - iii) Those who are on contract service or paid from the contingencies.
 - iv) Award Staff

2. Definitions

In these regulations unless the context otherwise requires:-

- a) “Award Staff” means the persons covered by the “award” as defined in the Industrial Disputes (Banking Companies) Decision Act, 1955 (41 of 1955);
- b) “Board” means the Board of Directors of the Bank;
- c) Bank means Dhanalakshmi Bank;
- d) “Competent Authority” means the authority appointed by the Board for the purpose of regulations;
- e) “Family” means –
 - i) In the case of male officer, his wife whether residing with him or not, but does not include a legally separated wife and in the case of woman officer and whether residing with her or not, but does not include a legally separated husband;
 - ii) Children or step children of the officer, whether residing with the officer or not, and wholly dependent on such officer, but does not include children or stepchildren of whose custody the officer has been deprived of by or under any law; and
 - iii) Any other person related to, by blood or marriage to the officer or to his spouse and wholly dependent upon such officer.
- f) “Officer” means a person who holds a supervisory, administrative or managerial post in the bank or any other person who has been appointed and is functioning as an officer of the bank, by whatever designation called.

3. General

- 1) Every officer shall, at all times take all possible steps to ensure and protect the interests of the Bank and discharge his duties with utmost integrity, honesty and devotion and diligence and do nothing which is unbecoming of a bank officer.
- 2) Every officer shall maintain good conduct and discipline and show courtesy and attention to all persons in all transactions and negotiations.
- 3) No officer shall, in the performance of his official duties or in the exercise of powers conferred on him, act otherwise than in his best judgement except when he is acting under the direction of his official superior.
- 4) Every Officer shall take all possible steps to ensure the integrity and devotion to duty of all persons for the time being under his control and authority.

4. Observance of Secrecy

Every officer shall maintain the strictest secrecy regarding the bank's affairs and the affairs of its constituents and shall not divulge directly or indirectly any information of a confidential nature either to a member of the public or to an outside agency or to any other employee of the bank not entitled to such information unless –

- i) Divulging of such information is in accordance with the law or in accordance with the practices and usages customary amongst banks;
- ii) He is compelled to divulge such information by judicial or other authority;
- iii) Instructed to do so by a superior officer in the discharge of his duties.

5. Employment of members of family of bank officers in firms enjoying the bank's clientage and grant of facilities to such concerns

- 1) No officer 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.
- 2) No officer shall, except with the prior permission of the competent authority permit his son, daughter or any other member of his family to accept employment in any private undertaking with which he has official dealings or in any other undertaking having to his knowledge official dealings with the bank;

Provided that where the acceptance of the employment cannot wait prior permission of the competent authority or is otherwise considered urgent, the matter shall be reported to the competent authority; and the employment may be accepted provisionally subject to the permission of the competent authority.

- 3) No officer shall, in the discharge of his official duties, knowingly grant or authorise the grant of any advance or banking facilities to or enter into or authorise entering into by or on behalf of the bank any contract, agreement, arrangement, or proposal in any matter or give or sanction any contract or loan to any undertaking or person if any member of his family is employed in that undertaking or under that

person or if he or any member of his family has interests in such matters or contracts in any other manner and the officer shall refer the matter or contract or loan to his superior officer and the matter or contract or loan shall thereafter be disposed of according to the instructions of the authority to whom such reference is made.

Explanation: A person is not deemed to have any interest in an undertaking for the purpose of this sub-regulation, if he is only a shareholder having not more than 2 per cent of the paid up capital of the undertaking in his name.

6. Taking up outside employment

- 1) No officer shall, except with the previous sanction of the Bank, engage directly or indirectly in any trade or business or undertake any other employment.

Provided that an officer may, without such sanction, undertake honorary work of a social or charitable nature or occasional work of a literary, artistic, scientific, professional, cultural, educational, religious or social character, subject to the condition that his official duties do not thereby suffer, but he shall not undertake, or shall discontinue such work if so directed by the competent authority.

Explanation: Canvassing by an officer in support of the business of insurance agency or commission agency, owned or managed by a member of his family shall be deemed to a breach of this sub-regulation.

- 2) Every officer shall report to the bank if any member of his family is engaged in a trade of business or owns or manages an insurance agency or commission agency.
- 3) No officer shall, without the previous sanction of the Bank, 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 the Companies Act, 1956 (I of 1956) or any other law for the time being in force, or any co-operative society registered under the Co-operative Society Act 1912 (2 of 1912) or any other law for the time being in force or of a literary, scientific or charitable society registered under the Societies Registration Act, 1860 (21 of 1860) or any corresponding law in force.
- 4) No officer may accept any fee for any work done by him for a public body or any private person without the sanction of the Competent Authority.
- 5) No officer shall act as an agent of, or canvass business in favour of an Insurance Company or Corporation in his individual capacity.

7. Contribution to Newspapers, Radio, etc.

- 1) No officer 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 any other periodical publication.
- 2) No officer shall, except with the previous sanction of the Competent Authority or except in the bonafide discharge of his duties participate in radio broadcast or contribute any article or write any letter either in his own name or anonymously or in the name of any other person to any newspaper or periodical or make public, or publish or cause to be published or pass on to others any document, paper or information which may come into his possession in his official capacity.

- 3) No officer shall, except with the previous sanction of the competent authority publish or cause to be published any book or any similar printed matter of which he is the author or deliver talk or lecture in public meetings or otherwise;

Provided that no such sanction is, however, required if such broadcast or contribution or publication is of a purely literary, artistic, scientific, professional, cultural, educational, religious or social character.

8. Demonstration

No officer shall engage himself or participate in any demonstration which is prejudicial to the interest of the sovereignty and integrity of India, the security of the State, friendly relations with foreign states public order decency or morality or which involve contempt of court, defamation or incitement to an offence.

9. Joining of associations prejudicial to interests of the country

No officer shall join or continue to be a member of an association, the objects or activities of which are prejudicial to the interests of the sovereignty and integrity of India or public order or morality.

10. Giving evidence

- 1) Save as provided in sub-regulation (3) no officer shall, except with the previous approval of the competent authority give evidence in connection with any enquiry conducted by any person, committee or authority.
- 2) Where any approval has been accorded under sub-regulation (1), no officer giving such evidence shall criticize the policy or any action of the Government or of a State Government or of the Bank.
- 3) Nothing in this regulation shall apply to any evidence given:-
 - a) at an enquiry before an authority appointed by the Government, State Government, Parliament or a State Legislature; or
 - b) in any judicial enquiry; or
 - c) at any departmental enquiry ordered by the competent authority

11. Public Demonstrations in honour of bank officers

- 1) No officer shall, except with the previous sanction of the competent authority receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour, or in the honour of any other employee of the bank.

Provided that nothing in this sub-regulation shall apply to:

- a) A farewell entertainment of a substantially private and informal character held in honour of the officer or any other employee of the bank on the occasion of his retirement or transfer or any person who has recently quitted the service of the bank; and

b) the acceptance of simple and inexpensive entertainment arranged by association of officers/employees of the bank

(2). (a) No officer shall either directly or indirectly exercise pressure or influence on any officer/employee of the bank, to induce or compel him to subscribe towards any farewell entertainment.

(b) No officer shall collect subscription for farewell entertainment from any intermediate or lower grade officer/employee for the entertainment of any officer belonging to any higher grade.

12. Seeking to influence

No officer shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the bank.

13. Absence from duty

1) No officer shall absent himself from his duty or be late in attending office or leave the station without having first obtained the permission of the competent authority.

Provided that in the case of unavoidable circumstances where availing of prior permission is not possible or is difficult, such permission may be obtained later subject to the satisfaction of the competent authority that such a permission could not have been obtained.

2) No officer shall ordinarily absent himself in case of sickness or accident without submitting a proper medical certificate.

Provided that in the case of temporary indisposition or sickness of a casual nature, the production of a medical certificate may, at the absolute discretion of the competent authority, be dispensed with.

14. Acceptance of Gifts

1) Save as otherwise provided in these regulations, no officer shall accept or permit any member of his family or any person acting on his behalf to accept any gift.

Explanation: The expression “gift” shall include free transport, boarding, lodging or other service or any other pecuniary advantage when provided by any person other than a near relative or a personal friend having no official dealings with the officer.

Note 1: A casual meal, lift or other social hospitality shall not be deemed to be a gift.

Note 2: An officer shall avoid acceptance of lavish or frequent hospitality from any individual or concern having official dealings with them.

2) On occasions such as marriages, anniversaries, funerals or religious functions when the making of gifts is in conformity with the prevailing religions or social practice, an officer may accept gifts from his near relatives but he shall make a report to the competent authority if the value of the gifts exceeds Rs. 500/-.

- 3) On such occasions as specified in sub-regulation (2) an officer may also accept gifts from his personal friends having no official dealings with him but he shall make a report to the competent authority if the value of such gifts exceed Rs.50/-.
- 4) In any other case the officer shall not accept any gifts without the sanction of the competent authority if the value of the gifts exceeds Rs. 25/-.

Provided that when more than one gift has been received from the same person or concern within a period of 12 months, the matter shall be reported to the competent authority if the aggregate value thereof exceeds Rs. 500/-.

Note: As a normal practice an officer shall not accept any gift from any person or institution having official dealings with the officer.

5 No officer shall –

- i) give or take or abet the giving or taking of dowry; or
- ii) demand, directly or indirectly, from the parents or guardian of a bride or bridegroom' as the case may be, any dowry.

Explanation: For the purpose of this 'dowry' has the same meaning as in the Dowry Prohibition Act, 1961 (28 of 1961).

15. Lendings & Borrowings

No officer shall, in his individual capacity –

- i) borrow or permit any member of his family to borrow or otherwise place himself or a member of the family under a pecuniary obligation to a broker or a money lender or a subordinate employee of the bank or any person, association of persons, firms, company or institution, whether incorporated or not, having dealings with the bank;
- ii) buy or sell stock, shares or securities of any description without funds to meet the full cost in the case of a purchase or scrips or delivery in the case of a sale;
- iii) incur debts at a race meeting;
- iv) lend money in private capacity to a constituent of the bank or have personal dealings with such constituent in the purchase or sale of bills of exchange, Government paper or any other securities; and
- v) guarantee in his private capacity the pecuniary obligations of another person or agree to indemnify in such capacity another person from loss except with the previous permission of the competent authority.

Provided that an Officer may, give to or accept from a relative or personal friend a purely temporary loan of a small amount free of interest, or operate a credit account with a bonafide tradesman or make an advance of pay to his private employee.

Provided further that an officer may obtain a loan from a co-operative credit society of which he is a member or stand as a surety in respect of a loan taken by another member from a co-operative credit society of which he is a member.

16. Advance drawal of salary

No officer shall draw his salary in advance or overdraw his account with the bank against security or otherwise without the previous sanction of the competent authority.

17. Subscriptions

No Officer shall, except with the previous sanction of the competent authority, ask for or accept contributions to or otherwise associate himself with the raising of any funds or other collections in cash or in kind in pursuance of any objective whatsoever.

18. Speculations in stocks & Shares & Investments

No officer shall speculate in any stock, share or securities or commodities or valuables of any descriptions or shall make investments which are likely to embarrass or influence him in the discharge of his duties.

Provided that nothing in his regulation shall be deemed to prohibit an officer from making a bonafide investment of his own funds in such securities as he may wish to buy.

NOTE: Frequent purchase or sale or both of shares or securities or other investments shall be deemed to be speculation for the purpose of this regulation.

19. Indebtedness

An officer shall so manage his private affairs as to avoid habitual indebtedness or insolvency. An officer against whom any legal proceedings are instituted for the recovery of any debt due from him or for adjudging him as an insolvent shall forthwith report the full facts of the legal proceedings to the bank.

20. Movable, immovable and valuable property

- 1) Every officer on his first appointment and every other employee of the bank, on promotion to a post of an officer in the bank, shall submit a return of his assets and liabilities giving full particulars regarding:
 - a) the immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage. Either in his name or in the name of any member of his family or in the name of any other person;
 - b) shares, debentures and cash, including bank deposits inherited by him or similarly owned or acquired or held by him;
 - c) Other movable property inherited by him or similarly owned or acquired or held by him and
 - d) debts and other liabilities incurred by him directly or indirectly;

Provided that in the case of an officer who is already in service in the bank on the date these regulations come into force, shall submit a return in terms of this regulations within three months of coming into force of these regulations, the return being with reference to the assets and liabilities as enumerated above of the officer on the date these regulations come into force.

- 2) Every officer shall, every year on the date to be specified by the Bank submit a return of his movable property to the bank.
- 3) No officer shall, except with the previous knowledge of the competent authority acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of any member of his family.

Provided that the previous sanction of the competent authority shall be obtained by the officer if any such transaction is-

- a) with a person having official dealings with the officer;
 - b) otherwise routed through a regular or reputed dealer
- 4) Every officer shall report to the competent authority every transaction concerning movable property owned or held by him either in his own name or in the name of a member of his family if the value of such a property exceeds Rs. 50,000/-;

Provided that the previous sanction of the competent authority shall be obtained if any such transaction is-

- a) With a person having official dealings with the officer.
 - b) Otherwise than through a regular or reputed dealer
 - i) The term every transaction concerning movable property referred to in regulation 20(4) shall include all transactions of sale or of purchase.
 - ii) For the purpose of this sub-regulation, the definition of movable property would include :
 - a) Jewellery, insurance policies the annual premia of which exceeds Rs. 50,000/- or one-sixth of the total annual emoluments received from the bank, whichever is less, including shares, securities and debentures;
 - b) Loans advanced by such employee whether secured or not;
 - c) Motor cars, Motor Cycles, Horses or any other means of conveyance; and
 - d) Refrigerators, radios (radiograms and television sets), etc.
 - iii) Transactions entered into by the spouse or any other member of family of an officer of the bank out of his or her own funds (including stridhan, gift, inheritance, etc.) as distinct from the funds of the officer of the bank himself/herself in his/her or her own name and in his or her own right, would not attract the above provisions.
- 5) The bank may at any time, by general or special order, require an officer to furnish within a period to be specified in the order a full and complete statement of such movable or immovable property held or acquired by him or on his behalf or by any member of his family as may be specified in the order. Such a member statement shall, if so required by the bank, include the details of the means by which or the sources from which such property was acquired.

21. Vindication of Acts & Character or an Officer

No officer shall, except with the previous sanction of the Bank, have recourse to any court or to the press for vindication of any official act which has been the subject matter of adverse criticism or an attack of a defamatory character;

Provided that nothing in this regulation shall be deemed to prohibit an officer from vindicating his private character or any act done by him in his private capacity and where any action for vindicating his private character or any act done by him in private capacity is taken, the officer shall submit a report to his immediate superior regarding such action.

22. Restrictions regarding marriage

- (1) (i) No officer shall enter into, or contract, a marriage with a person having a spouse living and
- (ii) No officer having a spouse living, shall enter into, or contract, a marriage with any person;

Provided that the bank may permit an officer to enter into, or contract, any such marriage is referred to in clause (i) or clause (ii) if it is satisfied that –

- a) such marriage is permissible under the personal law applicable to such officer and the other party to the marriage; and
 - b) there are other grounds for so doing.
- (2) An officer who has married or marries a person other than of Indian nationality shall forthwith intimate the fact to the bank.

23. Consumption of intoxicating drinks and drugs

An officer shall –

- a) strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being
- b) not be under the influence of any intoxicating drink or drug during the course of his duty and shall also take due care that the performance of his duties at any time is not affected in any way by the influence of such drink or drug.
- c) Refrain from consuming any intoxicating drink or drug in a public place
- d) Not appear in a public place in a stage of intoxication
- e) Not use any intoxicating drink or drug to excess.

Explanation:

For the purpose of this rule ‘public place’ means any place or premises (including clubs, even exclusively means or members where it is permissible for the members to invite non-members as guests, bars and restaurants, conveyance) to which the public have or are permitted to have access, whether on payment or otherwise.

24. Acts of misconduct

A breach of any of the provisions of these regulations shall be deemed to constitute a misconduct liable for disciplinary action.

Disciplinary Action and procedure therefore

25 For the purpose of this regulation, an “offence” shall mean any offence involving moral turpitude for which an officer is liable to conviction and sentence under any provision of law.

26 When in the opinion of the management an officer has committed an offence, unless he/she be otherwise prosecuted, the bank may take steps to prosecute him/her or get him/her prosecuted and in such a case he/she may be suspended.

The Chairman and C.E.O. of the Bank or any other executive or officer appointed by the Board shall be the Disciplinary Authority for officers and the Board of Directors of the Bank shall be the Appellate Authority. The Authority shall be competent to impose on an officer any of the punishment specified in 27 below.*

*As per the Circular HR: 57 /2019-20 dated 12.02.2020, the hierarchy of Disciplinary Authority / Appellate Authority for the Bank’s employees have been changed as under:

Category	Disciplinary Authority	Appellate Authority
Officers in Scale IV and below	Head of HR Department	MD & CEO/ COD in the absence of MD & CEO
Officers in Scale V and above	MD & CEO/ One of the COD member in the absence of MD & CEO	HRD Committee of Board

27 An officer found guilty of gross misconduct

- a) Be dismissed without notice
- b) Be warned or censured, or have an adverse remark entered against him or her
- c) Have his/her increment stopped
- d) Have his/her misconduct condoned and be merely discharged
- e) Be compulsorily retired from service
- f) Recovered from pay or such other amount as may be due to him/her of the whole or part of any pecuniary loss caused to the bank by negligence or breach of orders.
- g) Be demoted to a lower grade or post or to a lower stage in a time scale.

28. An officer found guilty of minor misconduct be

- a) Censured
- b) Withheld of increments of pay with or without cumulative effect

c) Withheld of promotion

29. The Disciplinary Authority may himself institute the disciplinary proceedings.
- 1) Whenever the Disciplinary Authority is of the opinion that there are grounds for inquiring into the truth of any alleged misconduct or misbehavior of an officer, it may itself enquire into, or appoint any other officer (hereinafter referred to as the enquiry officer) to inquire into the truth thereof.
 - 2) Where it is proposed to hold an inquiry, the Disciplinary Authority shall frame charges on the basis of the allegations against the Officer and shall be communicated in writing to the officer, who shall be required to submit within such time as may be specified by the Disciplinary Authority (not exceeding 15 days) or within such extended time as may be granted by the said Authority, a written explanation.
 - 3) (a) In respect of major misconducts, on receipt of the explanation of the Officer and if found unsatisfactory or if no such explanation is received within the time specified, an enquiry may be ordered by the Disciplinary Authority appointing an Inquiry Officer and a Presenting Officer for the purpose.
 - (b) However, for misconducts considered as minor by the Disciplinary Authority, if the explanation of the officer is found unsatisfactory/if no such explanation is received within the time specified/the officer has admitted the charges expressly, the Disciplinary Authority may, at his discretion, waive conduct of an enquiry and exonerate the officer from the charges/inflict any of the following punishments (in modification of the punishments as specified under Clause 28 (a), (b) and (c) of this Regulation) provided further that a personal hearing to the delinquent on the proposed punishment shall be given.
 - (a) Warning/Censuring
 - (b) Withholding of promotion
 - 4) (a) The Disciplinary Authority shall forward to the Presenting Officer
 - i) a copy of the Memo of Charges
 - ii) a copy of the written explanation, if any, submitted by the Officer
 - (b) The Presenting Officer shall forward to the Inquiry Officer a list of documents by which and list of witnesses by whom the memo of charges are proposed to be substantiated.
 - 5) The delinquent officer may take the assistance of any other officer of the Bank
 - 6) The Inquiring Officer shall by notice in writing inform the delinquent officer and all others connected with the enquiry the day on which the enquiry shall be held.
 - 7) The Inquiring Authority shall also offer an opportunity to the Officer to
 - i) Peruse the documents listed by the management and also furnish a photo copy each of such documents if requested for.
 - ii) Submit a list of his/her documents with copies and witnesses in his/her defence

- 8) On the date fixed for the inquiry, the oral and documentary evidence by which the memo of charges are proposed to be proved shall be produced by the Presenting Officer. The witnesses produced by the Presenting Officer shall be examined by the Presenting Officer and may be cross examined by or on behalf of the Officer. The Presenting Officer shall be entitled to re-examine his witnesses on any points on which they have been cross-examined, but not on a new matter, without the leave of the Inquiry Officer. The Inquiry Officer may also put such questions to the witnesses as he/she thinks fit.
- 9) Before the close of the case, in support of the charges, the Inquiry Officer may in his/her discretion, allow the Presenting Officer to produce evidence not included in the charge-sheet or may himself call for new evidence or recall or re-examine any witness. In such case the Officer shall be given opportunity to peruse the documentary evidence before it is taken on record, or to cross-examine a witness, who has been so summoned. The Inquiry Officer may also allow the officer to produce new evidence, if he is of opinion that the production of such evidence is necessary in the interests of justice.
- 10) The witnesses produced by the Officer shall then be examined by the Officer or his representative and may be cross examined by the Presenting Officer. The Officer or his/her representative shall be entitled to re-examine any of his/her witnesses on any points on which they have been cross-examined, but not on any new matter without the leave of the Inquiry Officer.
- 11) The Inquiry Officer may after the officer closes his/her evidence, and shall, if the officer has not got himself examined, generally question him/her on the circumstances appearing against him/her in the evidence for the purpose of enabling the officer to explain any circumstances appearing in the evidence against him/her.
- 12) Whenever an Inquiry Officer, 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 enquiry officer who can exercise such jurisdiction, the enquiry officer so succeeding may act on the evidence so recorded by its predecessor, or partly recorded by its predecessor and partly recorded by himself/herself.

Provided that if the succeeding enquiry officer is of the opinion that further examination of any of the witnesses whose evidence has already been recorded is necessary in the interest of justice, he/she may recall, examine, cross examine and re-examine any such witnesses as herein before provided

13. (i) On the conclusion of the inquiry the Enquiry Officer shall prepare a report which shall contain the following:
 - a) a gist of the memo of charges
 - b) an assessment of the evidence in respect of each charge
 - c) the findings on each charge

Explanation: If, in the opinion of the enquiry officer the proceedings of the inquiry establish any fresh charge different from the original memo of charge, the enquiry officer may record the findings on such fresh charge

- (ii) The enquiry officer shall forward to the Disciplinary Authority the records of inquiry which shall include
 - a) the report of the enquiry

- b) the written statement of defence, if any, submitted by the officer
- c) the oral and documentary evidence produced in the course of the inquiry

30. Action of the Inquiry Report

- 1) The Disciplinary Authority may for reasons to be recorded by it in writing, remit the case to the Enquiry Officer for fresh or further inquiry and report and the inquiry officer shall thereupon proceed to hold the further inquiry according to the provisions aforesaid.
- 2) The Disciplinary Authority shall, if it disagrees with the findings of the enquiry officer on any of the charge, record its reasons for such disagreement 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 one of the charge is of the opinion that any of the punishments specified should be imposed on the officer, it shall make an order imposing such punishment.
- 4) If the Disciplinary Authority having regard to its findings on all or any of the charge, is of the opinion that no punishment is called for, it may pass an order exonerating the officer concerned.

31. Communication of Orders

Orders made by the Disciplinary Authority shall be communicated to the Officer concerned, who shall also be supplied with a copy of the report of inquiry.

32. Special Procedure in certain cases

Notwithstanding anything contained supra, The Disciplinary Authority may impose any of the punishment specified if the officer has been convicted on a criminal charge or on the strength of facts or conclusions arrived at by a judicial trial.

33. Suspension

- (1) An Officer may be placed under 'suspension' by the Disciplinary Authority
 - a) where a disciplinary proceedings against him/her is contemplated or is pending; or
 - b) where a case against him/her in respect of any criminal offence is under investigation, inquiry or trial
- (2) An Officer shall be deemed to have been placed under suspension by an order of the Disciplinary Authority
 - a) with effect from the date of his/her detention if he is detained in custody, whether on a criminal charge or otherwise for a period exceeding forty eight hours
 - b) with effect from the date of conviction, if in the event of a conviction for an offence, he/she is sentenced to a term of imprisonment exceeding forty eight hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction.

Explanation: The period of forty-eight hours referred to in Clause (b) of this sub-regulation shall be computed from the commencement of the imprisonment after the conviction and for this purpose, intermittent periods of imprisonment, if any, shall be taken into account.

- 3) Where a punishment of dismissal, removal or compulsory retirement from service imposed upon an officer under suspension is set aside in appeal and the case is remitted for further inquiry or action or with any directions, the order of his/her suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in force until further orders.
- 4) (a) An order of suspension made or deemed to have been made shall continue to remain in force until it is modified or revoked by the Disciplinary Authority.

(b) An order of suspension made or deemed to have been made under this regulation, may at any time be modified or revoked by the Disciplinary Authority.

(c) An officer placed under suspension shall not leave the station without permission from the Disciplinary Authority.

34. Leave During suspension

No leave shall be granted to an officer under suspension.

35. Subsistence Allowance during suspension

(1) An officer who is placed under suspension shall, during the period of such suspension be entitled to receive payment from the bank by way of subsistence allowance as follows*.

Upto 12 months from the date of Suspension	50% of B.P. + 50% D.A. (variable)
Beyond 12 months	50% of B.P. + 100% D.A.(variable)

* 50% of Basic in the case of officers under CTC pattern

Recoveries

The Bank shall not make recoveries from the subsistence allowance except statutory deductions. However, in respect of other deductions, it shall be done only in the event the officer authorises the bank to make such deductions.

- 2) During the period of suspension an officer shall not be entitled to free use of the bank's car or receipt of conveyance or dearness allowance or entertainment allowance or special allowance or any other allowances.
- 3) No officer of the bank shall be entitled to receive payment of subsistence allowance unless he/she furnishes a certificate that he/she is not engaged in any other employment, business, profession or vocation.
- 4) If, during the period of suspension an officer retired by reason of his attaining the age of superannuation, no subsistence allowance shall be paid to him/her from the date of his/her retirement.

36. Appeals

- i) An officer may appeal against an order imposing upon him/her any of the punishments specified or against the order of suspension. The appeal shall lie to the Board of Directors of the Bank which shall be the Appellate Authority.
- ii) An appeal shall be preferred within 45 days from the date of receipt of the order appealed against. The appeal shall be addressed to the Appellate Authority. The Appellate Authority shall consider whether the findings are justified or whether the punishment is excessive or inadequate and pass appropriate orders. The Appellate Authority may pass an order confirming, enhancing, reducing or setting aside the punishment or remitting the case to the authority which imposed the punishment or to any other authority with such direction as it may deem fit in the circumstances of the case.

37. Interpretation

If any question arises as to the application or interpretation of any of these regulations, it shall be referred to the Board for its decision and its decision shall be final.

38. Repeal and Saving

- 1) Every rule, regulation, bye-law or every provision in any agreement or resolution corresponding to any of the regulations herein contained and in force immediately before the commencement of these regulations and applicable to the officer to whom these regulations are applicable is hereby repealed.
- 2) Notwithstanding such repeal, any right or liability acquired or incurred or any legal action taken or pending or any remedy in respect of such right or liability shall be continued under the existing rule, regulation, bye-law or provision in any agreement or resolution etc. which are repealed in 38(1) above.
