

GUJARAT MINERAL DEVELOPMENT CORPORATION
LIMITED EMPLOYEES' (CONDUCT) RULES.

1. **Short Title and commencement** :

(i) These Rules may be called the "Gujarat Mineral Development Corporation Limited Employees' (Conduct) Rules, 1973.

(ii) These Rules will come into force from 15th April, 1973.

2. **Interpretation** :

(a) "Corporation" means the Gujarat Mineral Development Corporation Limited."

(b) "Board" means the Board of Directors of the Corporation.

(c) "Managing Director" means the Managing Director of the Corporation.

(d) "Competent Authority" means the authority appointed as such under these Rules.

(e) "Employees" means any person who holds a post under the Corporation, other than a casual employee, a member of the work charged establishment, a person paid from contingencies or a person whose conditions of service are governed by the Standing Orders framed under the Industrial Employment (Standing Orders) Act, 1946.

3. **Application** :

These Rules shall apply to all employees of the Corporation as defined above, including an employee whose services are temporarily placed at the disposal of the Central Government or a State Government or any Government Industrial Undertaking or a local or other authority.

4. **General** :

- (1) Every employee shall at all times -
- (i) maintain absolute integrity;
 - (ii) maintain devotion to duty; and
 - (iii) do nothing which is unbecoming of an employee.

- (2) Every employee holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all employees for the time being under his control and authority.

5. **Taking part in politics and elections :**

- (1) No employee shall be a member of, or be otherwise associated with, any political party or any organisation which take part in politics, nor shall he take part in, subscribe in aid of, or assist in any other manner, any political movement or activity.
- (2) If any question arises whether any movement or activity falls within the scope of this rule, the decision of the Managing Director of the Corporation thereon shall be final.
- (3) No employee shall canvass or otherwise interfere with or use his influence in connection with, or take part in, an election to any legislature or local authority.

Provided that -

- (i) an employee qualified to vote at such election may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted.
- (ii) an employee shall not be deemed to have contravened the provisions of this rule by reasons only that he assists in the conduct of an election in the due performance of duty imposed on him by or under any law for the time being in force.

Explanation :

The display by an employee on his person, vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election within the meaning of this sub-rule.

6. **Joining of associations by employees :**

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

7. **Connection with press or radio :**

(1) No employee shall, except with the previous sanction of the Corporation, own wholly or in part, or conduct, or participate in the editing or management, of any newspaper or other periodical publication.

(2) No employee shall, except with the previous sanction of the Corporation or in the bonafide discharge of his duties, participate in a radio broadcast or contribute any article or write any letter either anonymously, pseudonymously or in his own name or in the name of any other person to any newspaper or periodical :

Provided that no such sanction shall be required under Clauses 1 and 2 above, if such broadcast or contribution or participation in the editing or management of any newspaper, or periodical or publication is of a purely literary, academic, artistic or scientific character.

8. **Evidence before Committee or any other Authority :**

(1) Save as provided in Sub-rule(3), no employee shall, except with the sanction of the Corporation, give evidence in connection with any enquiry conducted by any person, committee or authority.

(2) Where any sanction has been accorded under Sub-rule (1), no employee giving such evidence shall criticize the policy or any action of the Corporation or of the Central or a State Government.

(3) Nothing in this rule shall apply to -
(a) evidence given at an enquiry before an authority appointed by the Government, Parliament or a State Legislature; or

- (b) evidence given in any judicial enquiry; or
- (c) evidence given at any departmental enquiry ordered by competent authority.

9. **Unauthorised communication of Information :**

No employee shall, unless generally or specifically empowered by the Corporation, or in the performance in good faith of the duties assigned to him, communicate, directly or indirectly, any official document or any part thereof or information to any employee or any other person to whom he is not authorised to communicate such documents or information.

10. **Private trade or employment :**

- (1) No employee shall, except with the previous sanction of the Corporation, 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 a literary, artistic or scientific 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 Corporation.

Explanation :

Canvassing by an employee in support of the business of insurance agency, commission agency, etc. owned or managed by his wife or any other member of his family shall be deemed to be breach of this Sub-rule.

- (2) Every employee shall report to the Corporation if any member of his family is engaged in a trade or business or owns or manages an insurance agency or commission agency.
- (3) No employee shall, without informing the Corporation, 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 (1 for 1956) or any other law for the time being in force or any co-operative society for commercial purposes ;

Provided that an employee may take part in the registration, promotion or management of a co-operative society substantially for the benefit of Corporation's employees or any housing co-operative society or any consumers' co-operative society registered under the Co-operative Societies Act, 1912 (2 of 1912) or any other law for the time being in force or of a literary, scientific or charitable institution or trust registered under the Societies Registration Act, 1800 (21 of 1800) or the Trust Act.

11. **Inventions and patents :**

No employee shall, without the previous consent in writing of the Corporation, apply for a patent or exclusive privilege in respect of any invention under any enactment, if such invention is made by him when in the service of the Corporation and he shall, in the even of a patent or exclusive privilege under any such enactment to make, sell and use such invention or allow others to do so, being granted to him grant to the Corporation the unqualified right to adopt and use the said invention without its being obliged to pay any royalty or other consideration thereof. He shall not assign, charge or transfer in any manner whatsoever his original or any extended patent or exclusive privilege in respect of the said invention, without the previous consent in writing of the Corporation and without providing of the unqualified use, fee of charge to the Corporation, of the said invention and further he shall, on demand, execute in favour of the Corporation such letter of license, or other deed or document for the purpose as it may advise.

Provided always that the Corporation at any time within six months of the receipt of any intimation from the employee that he has acquired such patent or exclusive privilege in India or abroad shall have the right to require the employee to transfer and assign such patent or exclusive privilege to the Corporation for such consideration as the Corporation shall at its discretion fix and if such right be exercised, the employee shall execute all such deeds and things for vesting in the Corporation and/or its nominees the ownership of the patent or exclusive privilege and the full benefit thereof as the Corporation shall require.

12. **Insolvency and habitual indebtedness :**

An employee shall so manage his private affairs as to avoid habitual indebtedness or insolvency. An employee against whom any legal proceeding is instituted for adjudging him as an insolvent shall forthwith report the full facts of the legal proceeding to the Corporation.

Note :

The burden of providing that the insolvency was the result of circumstances which, with the exercise or ordinary diligence, the employee could not have foreseen or over which he had no control, and had not proceeded from extravagant or dissipated habits, shall be upon the employee.

13. **Movable, immovable and valuable property :**

Every employee shall on his first appointment to any service or post within two months and thereafter whenever called upon to do so submit a return to his assets and liabilities in such form as may be prescribed by the Corporation.

14. **Application for employment elsewhere :**

No employee shall apply for employment elsewhere outside the Corporation, without having forwarded his application through the competent authority.

15. **Return of property, equipment, tools etc. belonging to the Corporation :**

Every employee leaving the service of the Corporation shall before leaving the service of the Corporation, return any of the property or equipment or tools, belonging to the Corporation issued or lent to him in connection with his employment in the Corporation. The cost of such property, equipment or tools not so returned shall be liable to be deducted from his pay or other amounts due to him.

16. **Misconduct** :

Any breach of these Rules shall be deemed to constitute a misconduct punishable under Gujarat Mineral Development Corporation Limited Employees' (Conduct and Appeal) Rules. Without prejudice to the generality of the term 'Misconduct', it shall be deemed to include the following :-

- (i) obtaining employment by the concealment of antecedents, which have prevented the employee's employment under the Corporation, had they been known before his appointment, to the authority which appointed him;
- (ii) willful insubordination or disobedience, whether or not, in combination with others, or any lawful and reasonable order of his superior, or commission of any act subversive of discipline or of good behaviour ;
- (iii) Participation in an illegal strike or abetting, incitings, instigating or acting in furtherance thereof ;
- (iv) Willful slowing down in performance of work malingering or abetment, or instigation thereof or interference with the work of other employees ;
- (v) theft, fraud or dishonestly in connection with the business or property of the Corporation ;
- (vi) theft of property of another employee within the premises of the Corporation ;
- (vii) taking or giving bribes or any illegal gratification ;
- (viii) habitual absence without leave, or absence without leave for more than ten consecutive days or overstaying the sanctioned leave without sufficient grounds or proper or satisfactory explanation; or absence from the employee's appointed place of work without permission or sufficient cause ;
- (ix) late attendance on not less than four occasions within a month ;

- (x) breach of any rules, regulations or orders applicable to employees of the Corporation ;
- (xi) collection or a canvassing for collection without the permission of the Corporation of any money except in accordance with the rules of the Corporation for the time being in force ;
- (xii) engaging in any employment, business or trade ;
- (xiii) drunkenness, riotous, disorderly or indecent behaviour, gambling, extortion or committing nuisance on the premises of the Corporation or any of its constituent units, offices, projects, etc.
- (xiv) habitual negligence or neglect of work of indiscipline :
- (xv) willful damage to work in process or to any property of the Corporation;
- (xvi) interference with any safety devices installed in or about the establishment ;
- (xvii) holding meetings inside the premises of the establishment without previous permission of the Corporation ;
- (xviii) distribution or exhibition of any newspaper, hand bills, pamphlets, or posters without the previous sanction of the Corporation ;
- (xix) disclosure to any unauthorised person of information relating to the Corporation's business or relating to defense or security measures, or communicating directly or indirectly to any outside party any documents or information which may have come into his possession, or of which he may have secured knowledge in the course of his official duties, unless expressly permitted by the Corporation ;
- (xx) gambling within the premises of the establishment during the working hours;

- (xxi) conviction in a court of law for any criminal offence involving moral turpitude ;
- (xxii) misrepresentation regarding name, age, qualification, previous service or experience or emoluments at the time of employment ;
- (xxiii) unauthorised removal or defacement of notices on the Corporation's notice boards ;
- (xxiv) abetment of or attempt to commit any of the above acts of misconduct ;
- (xxv) canvassing for union membership or the collection of union dues within the premises of the establishment except in accordance with any law or with the permission of the Corporation ;
- (xxvi) distributing or exhibiting within the premises of the establishment hand bills, pamphlets, posters and such other thing or causing to be displayed by means of signs or writing or other visible representation on any matter without previous sanction of the Corporation ;
- (xxvii) refusal to accept a charge-sheet, order or other communication served in accordance with these rules ;
- (xxviii) unauthorised possession of any lethal weapon in the establishment.

Interpretation and removal of doubts :

If any question or doubt arises as to the application or interpretation of any of these rules, it shall be referred to the Managing Director whose decision shall be final.

Delegation of Powers :

The competent authority may, by general or special order, direct that any power exercisable by it under these rules shall, subject to such conditions, if any, as may be specified in the order be exercisable also by such officer or authority as may be specified in the order.

Authorities competent to accord sanction on behalf of the Corporation :

The Board, or the Managing Director may, by general or special order specify the authority or authorities -

- (a) to which applications for grant of sanction or permission shall be made or report or information made or submitted, by employees, on any or all of the matters with respect to which these rules prescribe such application for sanction or permission, or making or submission, of such report or information; and
- (b) which shall be competent to accord such sanction or to grant such permission to an employee, on behalf of the Corporation.

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**GUJARAT MINERAL DEVELOPMENT CORPORATION
LIMITED,**

AHMEDABAD - 9.

**GUJARAT MINERAL DEVELOPMENT CORPORATION
EMPLOYEES' CONDUCT RULES**

AMENDED VIDE BOARD RESOLUTION NO. 2632

DATED 22nd JUNE, 1990.