

# HR MANUAL BOOK 2

## CONDUCT, DISCIPLINE & APPEAL RULES, 1984 AND RULES RELATING TO TERMS & CONDITIONS OF SERVICE

(Updated upto 31<sup>st</sup> May 2020)



**Hindustan Aeronautics Limited**

**Corporate Office**  
15/1, Cubbon Road, Bengaluru - 560 001  
[www.hal-india.co.in](http://www.hal-india.co.in)

(for Private Circulation Only)

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AND RULES RELATING TO TERMS &  
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आर. माधवन

अध्यक्ष एवं प्रबंध निदेशक

**R. MADHAVAN**

Chairman & Managing Director



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ಪ್ರಧಾನ ಕಛೇರಿ

हिन्दुस्तान एरोनाटिक्स लिमिटेड

मुख्यालय

**HINDUSTAN AERONAUTICS LIMITED**

**CORPORATE OFFICE**



## MESSAGE

Employees are the most valuable asset of a Company. The legacy of our Company and its continued success make us the most recognized name in the South East Asian Aviation Industry. The Human Resource function plays an important role in catapulting the Organization on its journey towards achieving excellence.

I am delighted to note that various HR Manuals which are compendium of HR Policies on subjects of Recruitment and Promotion Rules; Conduct, Discipline & Appeal Rules, and Terms & Conditions of Service; Performance Appraisal System, Job Rotations, Training and Sponsorship Schemes; Pay & Allowances; Travelling Allowance Rules & Leave Rules; Welfare Measures, Medical Benefits & Post Superannuation Benefits; Reservation Matters, etc. have been revised & updated.

Employees are required to be well informed about the Rules & Regulations, especially the HR Policies of the Company. The updated Manuals will help the employees to understand the Rules & Policies which helped us to reach where we are today. We strongly subscribe to the principle of transparency in all gamut of activities and the revised HR Manuals would be uploaded on the HAL Website.

My best compliments to the HR Team for being instrumental in bringing out the updated Manuals.

With Best Wishes.

**(R.MADHAVAN)**

Bengaluru

31<sup>st</sup> May 2020

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ನಿರ್ದೇಶಕರು (ಮಾನವ ಸಂಪನ್ಮೂಲ)

आलोक वर्मा

निदेशक (मानव संसाधन)

**ALOK VERMA**

Director (Human Resources)



हिन्दुस्तान एरोनाटिक्स लिमिटेड

मुख्यालय

HINDUSTAN AERONAUTICS LIMITED  
CORPORATE OFFICE

ಹಿಂದೂಸ್ತಾನ್ ಏರೋನಾಟಿಕ್ಸ್ ಲಿಮಿಟೆಡ್

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## FOREWORD

The HR Manual Book 2 consisting of the HAL Conduct, Discipline & Appeal Rules (notified in 1984) applicable to all Officers of the Company; HAL Conduct Rules and HAL Disciplinary Action Rules (notified in 1967) applicable to the Workmen in Corporate Office, HAL Management Academy, Liaison Offices, etc.; and Rules relating to Terms & Conditions of Service were issued in April 1986. Subsequently, amended / updated Manual were issued in 1991 & 2015.

The revised & updated HR Manual Book 2 is being brought out now incorporating all the amendments made in the Rules / Policies covered in the Manual, for reference of all concerned. This Volume contains all amendments / updations carried out upto 31<sup>st</sup> May 2020.

This Manual will be of interest to all concerned and is to be used for guidance. I am sure that dealing Officers and other employees will find the revised Manual immensely useful. It should, however, be noted that Personnel Circulars and Circulars of Corporate Office will continue to be the Authority for the Rules & Regulations and Policies in the Company.

My best compliments to the HR Team of Corporate Office for preparing and publishing this Manual in a short span of time.

(ALOK VERMA)

Bengaluru

31<sup>st</sup> May 2020

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**CHAPTER – I**

**HAL CONDUCT, DISCIPLINE AND APPEAL  
RULES, 1984**

## HAL CONDUCT, DISCIPLINE AND APPEAL RULES, 1984

### References:

- (1) P.C. No. 528 dated 23/08/1984
- (2) HAL/HR/19(2)/2015 dated 07/05/2015

### RULE – 1

#### SHORT TITLE AND COMMENCEMENT:

- (a) These Rules may be called the HAL Conduct, Discipline and Appeal Rules, 1984.
- (b) These Rules are effective from 1<sup>st</sup> September 1984.

### RULE – 2

#### APPLICABILITY:

These Rules shall apply to all Officers of the Company in Grade - I and above including Officers on Contract / Temporary Basis and Government Officers on deputation other than those appointed by the President of India and Armed Services Personnel.

### RULE – 3

#### DEFINITIONS:

In these Rules, unless the context otherwise requires:

- (a) “**Company**” means the Hindustan Aeronautics Limited wherever situated and includes all its Divisions / Factories / R&D Centres, Outstation Bases, Service Centres, Branches and Offices.
- (b) “**Board**” means the Board of Directors of Hindustan Aeronautics Limited.
- (c) “**Officer**” means any person employed in Grade - I and above in the Company and includes personnel employed on contract / temporary basis and Government Officers on deputation other than those Officers who are appointed by the President of India and Armed Forces personnel.
- (d) “**Member of the Family**” in relation to an Officer includes wife (husband in the case of a female Officer), sons or daughters, step sons or step daughters (whether they are residing with the Officer or not) provided they are wholly dependent upon the Officer. The spouse need not be dependent on the Officer for the purposes of these Rules.

- (e) **“Competent Authority”** means and includes Chairman & Managing Director / Functional Directors / Chief Executive Officers / Executive Directors / General Managers / Chief Designers / Chief of Projects / Chief of Planning / Chief of Test Flying (Grade IX) / Chief Test Pilot (Grade IX) or any other Officer empowered by the Management to exercise powers under the provisions of these Rules.

**Reference:**

**HAL/P&A/19(2)/97 dated 28/05/1997**

Competent Authority for Officers for the purpose of Code of Conduct **(SCHEDULE - I)** shall be as under:

Grade - I to IV	Concerned Executive Director / General Manager / Divisional Head.
Grade - V to VIII	Concerned Chief Executive Officer / Functional Director.
Grade - IX & above (below board level)	Chairman & Managing Director.

- (f) **“Appointing Authority”** means the Board of Directors / Chairman & Managing Director / Functional Directors / Chief Executive Officers / Executive Directors / General Managers or other Officers to whom the powers of appointment have been specially delegated.
- (g) **“Disciplinary Authority”** means an Officer of the Company empowered to take Disciplinary Action under these Rules.
- (h) **“Appellate Authority”** means an Officer of the Company empowered to consider Appeals and vested with powers to confirm, set aside, reduce or enhance the punishment appealed against.
- (i) **“Management”** means the Board of Directors, Chairman & Managing Director, Functional Directors, Chief Executive Officers, Executive Directors, General Managers, Chief Designers / Chief of Projects / Chief of Planning / Chief of Test Flying (Grade IX) / Chief Test Pilot (Grade IX), Additional General Managers, Deputy General Managers or those in equivalent posts and includes such other Officers who may be authorized to act on his/their behalf or on behalf of the Company from time to time.

**RULE – 4**

**CODE OF CONDUCT:**

- (i) Every Officer of the Company shall at all times -

- (a) maintain absolute integrity;
  - (b) maintain devotion to duty;
  - (c) do nothing which is unbecoming of an Officer of the Company or any act which may bring disrepute to the Company; and
- (ii) Every Officer of the Company 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;
- (iii) Rules that are to be followed by Officers in respect of specific matters/transactions such as sale/purchase of property, gifts, contacts with Foreign Nationals etc., are stipulated in **SCHEDULE - I**. Breach of any of these Rules would be deemed as misconduct and the Officers who violate these provisions are liable for Disciplinary Action in accordance with the provisions contained in these Rules.

## **RULE – 5**

### **MISCONDUCTS:**

The following acts of commission and omission would be deemed to be misconduct and the Officer committing such acts would be liable to Disciplinary Action:

- (i) Willful insubordination or disobedience whether or not in combination with others of any lawful and reasonable order of his superior or any higher authority;
- (ii) Participation in strikes, gheraos and other agitational activities such as slogan shouting, picketing or participating in demonstrations within the Factory / Office premises, which involves incitement to an offence or abetting, inciting, instigating or acting in furtherance thereof;
- (iii) Theft, fraud or dishonesty in connection with the business or property of the Company or of the property entrusted to the Company or of another employee within the premises of the Company;
- (iv) Leaving duty station without previous permission;
- (v) Absence without sanction of leave or over-staying the sanctioned leave without sufficient grounds or satisfactory explanation;
- (vi) Habitual indebtedness and/or insolvency;
- (vii) Willful damage to property of the Company;
- (viii) Interference with any safety devices installed in or around the periphery of the establishment;

- (ix) Holding meetings on the premises of the establishment without previous permission of the Competent Authority or attending meetings other than those convened by the Management, within the factory premises;
- (x) Distribution and/or exhibition of any newspapers, hand bills, pamphlets or posters without the previous sanction of the Competent Authority;
- (xi) Furnishing at the time of employment or during the course of employment wrong or incomplete information or suppressing any information regarding age, caste, qualification, previous service or experience, family / marital details, conviction in a Court of Law, dismissal, removal or compulsory retirement by a previous employer;
- (xii) Making representations to persons or bodies outside the Company, whether official or otherwise on matters connected with the affairs of the Company or in respect of personal grievances against the Management;
- (xiii) Making representations or sending grievance petitions to the Government, Members of the Board or the Senior Management except through proper channels; making representations to outsiders or other Organizations on matters pertaining to service in the Company;
- (xiv) Accepting or offering any illegal gratification or indulging in any corrupt practices;
- (xv) Possession of pecuniary resources or property disproportionate to the known sources of income by the Officer or on his behalf by another person which the Officer cannot satisfactorily account for;
- (xvi) Acting in a manner prejudicial to the interests of the Company;
- (xvii) Neglect of work, dereliction of duty or habitual negligence in the performance of duty including malingering or slowing down of work;
- (xviii) Drunkenness or riotous or disorderly or indecent behaviour in the premises of the Company or outside such premises where such behaviour may bring disrepute to the Company;
- (xix) Collection of any money within the premises of the Company without permission of the Competent Authority;
- (xx) Commission of any act which amounts to a criminal offence involving moral turpitude;
- (xxi) Purchasing properties, machinery, stores etc., from or selling properties, machinery, stores etc., to the Company without express permission in writing from the Competent Authority;
- (xxii) Commission of any act subversive of discipline or of good behaviour;

- (xxiii) Participation in go-slow or work-to-rule agitations or inciting others to resort to go slow or stop work or proceed enmass on casual / any other type of leave;
- (xxiv) Canvassing for a Union or an Association or Party Membership within the factory premises;
- (xxv) Abetment of or attempt to abetment of any act which amounts to misconduct;
- (xxvi) Deliberately making false complaints against employees (including Officers) or superiors knowing them to be false and writing of anonymous or pseudonymous letters criticizing employees/superiors of the Company and making false reports against them;
- (xxvii) Refusal to accept or to take notice of any order or charge sheet or any other communication served either in person or in due course by post, or by notification on the Company's Notice Boards;
- (xxviii) Violation of the Terms & Conditions of allotment of Company's Quarters or use of Company's Transport;
- (xxix) Indulging in political activities within the factory premises;
- (xxx) Falsification / forging of the records and / or defalcation;
- (xxxi) Spreading false rumours or giving false information which may bring disrepute to the Company or its employees or spreading panic among the employees;
- (xxxii) Falsifying or refusing to give testimony in investigations being conducted by the Management in connection with any accident, misconduct or any other matter.

## **RULE – 6**

### **PUNISHMENTS:**

<b>References:</b>
<b>(1) HAL/P&amp;A/19(2)-VOL.VI-PF/2005/79 dated 19/02/2005</b>
<b>(2) HAL/P&amp;A/19(2)/2012 dated 19/03/2012</b>

The following punishments may for good and sufficient reasons be imposed on Officers by the Competent Authorities (Disciplinary Authorities / Higher Authorities / Appellant Authorities) empowered to impose such punishments under these Rules:

**(i) Minor Punishments:**

- (a) Censure;
- (b) Recovery from an Officer's pay of the whole or part of any loss caused to the Company on account of his negligence, default or breach of any regulations or orders of the Company;
- (c) Postponement of increment(s) of pay, without cumulative effect, for periods to be specified by the Disciplinary Authority;
- (d) Reduction to a lower stage in the same Scale of Pay, without cumulative effect, for periods to be specified by the Disciplinary Authority, and not adversely affecting his terminal benefits.

**(ii) Major Punishments:**

- (e) Postponement of increment(s) of pay, with cumulative effect, with number of increments to be postponed to be specified by the Disciplinary Authority;
- (f) Reduction to a lower stage in the same Scale of Pay, with cumulative effect, with number of stages to be specified by the Disciplinary Authority;
- (g) Reduction to a lower scale of pay, Grade or Post;
- (h) Compulsory Retirement;
- (i) Removal from service which shall not be a disqualification for future employment under the Government or a Corporation / Company owned or controlled by the Government;
- (j) Dismissal from service which shall ordinarily be a disqualification for future employment under the Government or a Corporation / Company owned or controlled by the Government.

Provided that, in every case in which the charge of possession of Assets disproportionate to known sources of Income or the charge of acceptance from any person of any gratification, other than legal remuneration, as a motive or reward for doing or forbearing to do any Official act is established, the Major Punishment mentioned in Clause (i) or (j) above shall be imposed.

Provided further that in any exceptional case and for special reasons to be recorded in writing, any other Punishment may be imposed.

**NOTES:** (1) Whenever the Disciplinary Authority comes to the conclusion that the punishment of reduction to a lower stage in the same scale of pay or reduction / demotion to a lower scale of pay is warranted for a proven misconduct and passes orders accordingly, the pay which the concerned employee would draw on such reduction in the same scale of pay or in lower scale of pay should invariably be

indicated in the order communicating the punishment to the concerned employee so that the orders are clear and unambiguous.

- (2) Forfeiture of Gratuity would continue to be resorted to in cases of termination of services on account of Dismissal, as provided under Section 4(6) of the Payment of Gratuity Act, 1972.

**(iii) EXPLANATIONS:**

The following shall not amount to Punishment within the meaning of this rule:

- (a) non-promotion of an Officer whether in a substantive or officiating capacity after consideration of his case to a Grade or Post for promotion to which he is eligible.
- (b) reversion of an Officer officiating in a higher Grade or Post to a lower Grade or Post on the ground that he is considered to be unsuitable for such higher Grade or Post or on any administrative ground unconnected with his conduct.
- (c) reversion of an Officer appointed on probation to any Grade or Post to his previous Grade or Post or during or at the end of the period of probation in accordance with the terms of his appointment or the rules and orders governing such probation.
- (d) Termination of the services -
  - (i) of an Officer appointed on probation during or at the end of the period of his probation in accordance with the terms of his appointment or the rules and orders governing such probation; or
  - (ii) of a temporary Officer in accordance with the provisions of his appointment; or
  - (iii) of an Officer employed under a Contract in accordance with the terms of such Contract; or
  - (iv) of an Officer as a result of retrenchment / premature retirement.

**Instructions / Clarifications issued:**

**Reference:**

**HAL/P&A/19(2)/2012 dated 04/12/2012**

- (a) *The number of persons with the rights to address the IFS System should be identified and restricted. Also, the system should create and maintain log of changes made in the column 'next increment date' etc., with ID details, so that accountability can be fixed.*
- (b) *Dealing HR Officer should check all details from the Personal File of the Individual concerned and certify that they have effected the punishment imposed w.r.to the Punishment Order.*
- (c) *HR Department should maintain a Register and all Punishment Orders forwarded to Payroll for implementation should be entered in it and proper acknowledgement obtained in the Register from the Payroll Officer.*
- (d) *Every year, in the month of April, an Officer from the HR Department should verify from Payroll and then certify that all the Punishment Orders have been implemented. This could be incorporated in the Register maintained as at (c) above.*

#### **RULE – 7**

##### **PENAL SALARY DEDUCTION:**

If ten or more Officers acting in concert absent themselves from their place of work or stop work without reasonable cause, the Management shall have the right to deduct from their salary up to eight times the proportionate salary for the period of their absence or willful idleness as the case may be, in addition to taking against them such Disciplinary Action as the Management may deem fit.

#### **RULE – 8**

##### **SUSPENSION PENDING ENQUIRY:**

- (i) The Authority competent to take Disciplinary Action against an Officer or the next higher authority or the concerned Appointing Authority, as the case may be, may by an order in writing, place an Officer charged with misconduct under suspension pending enquiry in the following circumstances:-
  - (a) Where a disciplinary proceeding against him is contemplated or is pending; or
  - (b) Where a case against him in respect of any criminal offence involving moral turpitude is under investigation or trial.
- (ii) An Officer, who is detained in custody on a criminal charge for a period exceeding 48 hours can be suspended with effect from the date of detention by an order of the Competent Authority or next Higher Authority or Appointing Authority and shall remain under suspension until further orders.

- (iii) Where an order of compulsory retirement or dismissal is set aside and/or the case is remitted for further proceedings on the basis of Appeals preferred by an Officer, the Officer shall be deemed to have been under suspension from the date of the order revoking compulsory retirement or dismissal until further orders.
- (iv) The order of suspension may be revoked by the Authority which passed that order; or its next Higher Authority or the concerned Appointing Authority as the case may be.

## **RULE – 9**

### **SUBSISTENCE ALLOWANCE:**

**Reference:**

**HAL/P&A/19(2)/2005/64 dated 07/02/2005**

- (i) An Officer under suspension shall be entitled to draw subsistence allowance equal to half of the total emoluments last drawn by him provided the Officer has not engaged in any other employment, business, profession or vocation. Subsistence allowance at this rate will be paid for the first six months of suspension. Thereafter if the enquiry gets prolonged and the Officer continues to be under suspension for reasons attributable to the Officer, the subsistence allowance will be reduced to one-fourth ( $\frac{1}{4}^{\text{th}}$ ) of the emoluments (Basic Pay + Dearness Allowance + House Rent Allowance + other allowances), and if on the other hand the delay is for reasons beyond the control of the Officer, subsistence allowance will be increased to three-fourth ( $\frac{3}{4}^{\text{th}}$ ) of the emoluments.
- (ii) When an Officer who has been placed under suspension under Rule - 8 is reinstated, the period of suspension will be treated in the following manner and the same will have to be specified in the punishment / disposal / exoneration order:-
  - (a) If he is fully exonerated (i.e., without imposition of any punishment), the period of suspension will be treated as on duty and he will be paid full pay and allowances to which he was entitled as if he was on duty less the subsistence allowance already paid;
  - (b) In other cases, he will receive such portion of the pay and allowances as the Competent / Disciplinary Authority decides and the period spent on suspension will be treated as on duty only to such an extent and for such purposes as the Competent / Disciplinary Authority decides provided that if the Officer so desires, the competent / Disciplinary Authority may permit the period of absence from duty being converted into Leave without Pay (LWP) or sanction of leave out of leave due and admissible to the Officer.

- (iii) Subsistence Allowance will be admissible to an Officer who has been taken into custody also, with effect from the date of suspension, irrespective of the fact whether bail has been granted to him or not.

**Instructions / Clarifications issued:**

**Reference:**

**HAL/P&A/19(3)/97 dated 21/02/2001**

*Divisions where the practice of requiring employees under suspension to report at the Gate and mark their attendance daily is in existence are advised to discontinue such practice forthwith. The subsistence allowance payable to the concerned employees may be regularized based on the certification by them on monthly basis regarding their non-employment.*

**RULE – 10**

**POWERS TO AWARD PUNISHMENTS:**

**References:**

**(1) HAL/P&A/19(2)/2005/64 dated 07/02/2005**

**(2) HAL/HR/19(2)/VOL.VII/2016 dated 05/04/2016**

The Competent / Disciplinary Authorities empowered to impose Punishment and the Appellate Authorities to whom the Appeals can be made by Officers concerned are as indicated in **APPENDIX - I**.

**RULE – 11**

**PROCEDURE FOR AWARDING PUNISHMENTS:**

- (i) No punishment under Rule - 6 except Censure (Minor Punishment) shall be awarded to an Officer unless he has been informed in writing of the alleged misconduct and has been given adequate opportunity to explain his case in accordance with the procedure laid down in this behalf in **SCHEDULE - II**. However, while awarding punishment of Censure (Minor Punishment), the Officer concerned should be given adequate opportunity to explain his case.
- (ii) Notwithstanding anything contained in these Rules, it shall not be incumbent upon the authority competent to impose the punishments to follow the procedure herein prescribed before imposing any of the penalties enumerated in Rule - 6 on an Officer when such an Officer has been convicted by any Court or Tribunal on a criminal charge involving moral turpitude.

- (iii) When an increment is withheld under Rule - 6, the order shall indicate the period for which the increment has to be withheld and whether or not it shall have the effect of postponing subsequent increments.

**RULE – 12(a)**

**CONTINUANCE OF DISCIPLINARY PROCEEDINGS / ENQUIRIES AFTER RETIREMENT FROM SERVICE AND IMPOSITION OF PUNISHMENTS:**

**Reference:**

**HAL/HR/19(2)/2015 dated 11/03/2015**

- (I) The Officer against whom Disciplinary Proceedings / CBI Enquiries have been initiated or contemplated will cease to be in service on the date of superannuation but Disciplinary Proceedings will continue as if he was in service until the Proceedings are concluded and final order is passed in respect thereof, including imposition of any of the penalties prescribed in the Rules. For this limited and specific purpose, the concerned Officer shall be deemed to have continued in employment of the Company. He will not receive any Pay and/or Allowance after the date of superannuation. He will also not be entitled for the payment of retirement benefits (viz: Gratuity and Vacation Leave Encashment), till the proceedings are completed and final order is passed thereon;

**NOTE:** Interest will be paid on the amounts so withheld at the Bank Rate which the Company pays on Cash Credit prevailing at the time of effecting the payment subject to the outcome of the Disciplinary Action / Proceedings. Such interest payment will be restricted to the final amount payable after recovery, if any, based on the outcome of the Proceedings.

- (II) Further to Sub-Rule (I) above, the Officer against whom Disciplinary Proceedings / CBI Enquiries have been initiated or contemplated for any alleged 'Grave Misconduct' will also not be entitled for the payment of Pension on 25% of the Management Contribution towards the HAL Executives Defined Contribution Pension Scheme, till the proceedings are completed and final order is passed thereon (part Pension will be released on 75% of the Management Contribution plus Full Voluntary Contribution made by the Officer, on superannuation).

**NOTES:**

- (1) The term/expression 'Grave Misconduct' for the purpose of this Rule would mean any one of the following acts of Misconducts only:
- (i) Participation in strikes, gheraos and other agitational activities such as slogan shouting, picketing or participating in demonstrations within the Factory / Office Premises,

which involves incitement to an offence or abetting, inciting, instigating or acting in furtherance thereof;

- (ii) Theft, fraud or dishonesty in connection with the business or property of the Company or of the property entrusted to the Company;
  - (iii) Willful damage to property of the Company;
  - (iv) Accepting or offering any illegal gratification or indulging in corrupt practices;
  - (v) Possession of pecuniary resources or property disproportionate to the known sources of income by the Officer or on his behalf by another person which the Officer cannot satisfactorily account for;
  - (vi) Commission of any act which amounts to a criminal offence involving moral turpitude;
  - (vii) Falsification / forging of records and / or defalcation;
  - (viii) Sexual Harassment of a woman at her work place.
- (2) Cases of Officers, if any, who fall under the provisions of Rule 12(a) and in case the punishment of dismissal is awarded in such cases for 'Grave Misconducts' as at Note (1) above, it would be considered as 'deemed dismissal' for the purposes of the HAL Executives Defined Contribution Pension Scheme and the 25% of the Management Contribution towards the said Scheme withheld, will be forfeited. In cases where any other punishment is imposed on the Officer or where he is exonerated, Pension reckoning the Full Management Contribution to the Scheme will be payable to him w.e.f. 1<sup>st</sup> of the month, following the month in which Orders are passed & communicated to him.

## **RULE – 12(b)**

### **SPECIAL PROCEDURE IN CERTAIN CASES:**

Notwithstanding anything contained in Rules - 10 and 11, the Competent/ Disciplinary Authority may impose any of the punishments specified in Rule - 6 without enquiry under any one of the following circumstances:

- (i) The Officer has been convicted on a criminal charge involving moral turpitude or on the strength of facts or conclusions arrived at by judicial trial; or

- (ii) Where the Disciplinary Authority has specified for reasons to be recorded by him / her in writing that it is not reasonably practical to hold an enquiry in the manner provided in these Rules; or
- (iii) Where the Management has specified that in the interest of the security of the Company, it is not expedient to hold any enquiry in the manner provided in these Rules.

### **RULE – 13**

#### **PROCEDURE FOR IMPOSING PUNISHMENT ON GOVERNMENT EMPLOYEES ON DEPUTATION:**

- (1) Except in the case of Officers on deputation who are appointed by the President of India and Armed Forces Personnel, Chairman & Managing Director has powers to initiate Disciplinary Action and also place Officers under suspension. Whenever an Officer on deputation is placed under suspension, the Parent Department of the Officer should forthwith be informed explaining the circumstances leading to the order of suspension or commencement of disciplinary proceedings, as the case may be.
- (2) In the light of the findings of the disciplinary proceedings conducted against the Government employee:
  - (i) If the Chairman & Managing Director is of the opinion that any of the Punishments specified in (a) to (d) of Rule - 6(i) should be imposed on the Government employees, he may after consultation with the Parent Department make such orders on the case as he considers necessary; provided that in the event of a difference of opinion between the Parent Department and the Company, the Government employee shall be reverted to his Parent Department;
  - (ii) If the Chairman & Managing Director is of the opinion that any of the Punishments specified in (e) to (j) of Rule - 6(ii) should be imposed on the Government employee, he shall revert his / her services to the Parent Department and transmit to it the proceedings of the enquiry.

### **RULE – 14**

#### **APPEAL:**

- (a) An aggrieved Officer may Appeal against an order imposing upon him any of the punishments specified in Rule - 6 to the Appellate Authority as indicated in the **APPENDIX - I** within 45 days of the imposition of punishment with a copy to the Competent / Disciplinary Authority.

- (b) The Appeal shall contain all material statements / arguments on which the appellant relies and shall not contain any disrespectful or improper language.
- (c) The Competent / Disciplinary Authority on receipt of a copy of the Appeal will forward the same with his comments thereon together with relevant records to the Appellate Authority within 15 days.

## **RULE - 15**

### **CONSIDERATION OF APPEAL:**

In the case of an Appeal against an order imposing any of the Punishments specified in Rule - 6, the Appellate Authority shall consider:-

- (a) Whether the procedure laid down in these Rules has been complied with and if not whether such non-compliance has resulted in the failure of justice;
- (b) Whether the findings of the Enquiry Committee are based on the evidence on record; and
- (c) Whether the Punishment or the enhanced Punishment imposed is adequate, inadequate and pass orders:
  - (i) confirming, enhancing, reducing, or setting aside the Punishment; or
  - (ii) in case where Punishment is to be enhanced, the procedure to be followed; remitting the case to the Competent / Disciplinary Authority which imposed or enhanced the Punishment or to any other Authority with such direction as it may deem fit in the circumstances of the case.

## **RULE – 16**

### **REVIEW OF PUNISHMENTS:**

**Reference:**

**P.C. No. 576 dated 26/12/1987**

Notwithstanding anything contained in these Rules, the Appellate Authority as specified in the **APPENDIX - I** of the Rules, suo-moto or on the basis of any report / information received, may call for the records of the case within six months of the date of the final order and after reviewing the case pass such orders thereon as he / she may deem fit regarding retention / reduction / enhancement of punishment. Provided that, if the enhanced punishment, which the Appellate Authority proposes to impose, is a Major Punishment specified in

clause (ii) of Rule - 6 and an enquiry as provided under Item - III of **SCHEDULE - II** has not already been held in the case, the Appellate Authority shall direct that such an enquiry be held in accordance with the provisions of the said item and thereafter consider the records of the enquiry and pass such order as it may deem proper. If the Appellate Authority decides to impose any punishment or enhance the punishment but an enquiry has already been held in accordance with the provisions of the said Item-III, the Appellate Authority shall give Show Cause Notice to the Officer as to why the punishment / enhanced punishment should not be imposed upon him. The Appellate Authority shall pass final order after taking into account the representation, if any, submitted by the Officer.

## **RULE – 17**

### **SUFFICIENCY OF SERVICE OF NOTICE, ETC:**

Any notice or charge sheet to be delivered to the Officer may be served personally or by registered post addressed to the Officer at his last, present and permanent address furnished by him. If the whereabouts of the Officer are not known or if he avoids or refuses the notice of charge sheet or such other orders issued under these Rules, such notice / order may be pasted in the Company's Notice Board and such pasting shall constitute adequate service of notice of charge sheet or order as the case may be.

## **RULE – 18**

### **PREMATURE RETIREMENT OF EXECUTIVES:**

**Reference:**

**HAL/HR/19(2)/VOL.VI/2016 dated 05/04/2016**

- (i) The normal age of superannuation in the Company is 60 years. However, the Management will have the right to terminate the services of any Executive in Grades I to X, at any time during his service, if his services are no longer required, under the Scheme for Premature Retirement prevailing in the Company from time to time;
- (ii) Provisions with regard to Scope, Coverage, Competent Authority to approve Premature Retirement, Procedure, etc., will be as notified in the Premature Retirement Scheme;
- (iii) Termination of the services of an Executive under the Scheme shall not amount to Punishment. On Premature Retirement, the Officer will be eligible for various benefits as specified under the Premature Retirement Scheme.

**RULE – 19**

**REMOVAL OF DOUBTS:**

Where a doubt arises as to the interpretation of any of these Rules, the matter shall be referred to the Board for final decision.

**RULE – 20**

**AMENDMENTS:**

The Board may amend, modify or add to these Rules from time to time and all such amendments, modifications or additions shall take effect from the date stated therein.

**-oOo-**

## **SCHEDULE – I**

(Rule 4 of HAL CDA Rules, 1984 refers)

### **CODE OF CONDUCT**

#### **I. FURNISHING OF INFORMATION AND ANNUAL RETURNS OF ASSETS & LIABILITIES:**

**References:**

- (1) HAL/HR/19(2)/PR/2014 dated 04/09/2014**
- (2) HAL/HR/19(2)/PR/2015 dated 25/02/2015**
- (3) HAL/HR/19(2)/PR/2016 dated 10/09/2016**
- (4) HAL/HR/19(2)/PR/VOL.VII/2019 dated 06/05/2019**

The Government of India has notified the Public Servants (Furnishing of Information and Annual Returns of Assets & Liabilities and the limits for Exemption of Assets in Filing Returns) Rules, 2014, under the Lokpal and Lokayuktas Act, 2013, on 14.07.2014. In line with the provisions of the Act and the Rules referred above and based on the instructions issued from time to time by the Company, all Officers need to ensure the following:

- (a) File the Declaration, Information and Annual Return in the below mentioned Formats to the Competent Authority on first Appointment; and every year as on 31<sup>st</sup> March, on or before 31<sup>st</sup> day of July of that year;
  - (i) Declaration of Assets & Liabilities on first appointment or as on 31<sup>st</sup> March ..... in **APPENDIX - II**;
  - (ii) Details of the Public Servant, his/her spouse and dependent children in **APPENDIX - III, FORM NO. I**;
  - (iii) Statement of Movable Property on first appointment or as on the 31<sup>st</sup> March ..... in **APPENDIX - III, FORM NO. II**;
  - (iv) Statement of Immovable Property (eg. Land, House, Shops, Other Buildings, etc.) on first appointment or as on the 31<sup>st</sup> March ..... in **APPENDIX - III, FORM NO. III**;
  - (v) Statement of Debts and other Liabilities on first Appointment or as on 31<sup>st</sup> March ..... in **APPENDIX - III, FORM NO. IV**.
- (b) Officers are required to file the information in respect of any asset, if the value of any such asset exceeds two months Basic Pay or Rupees One Lakh, whichever is higher;
- (c) The Competent Authority may, at any time, by general or special order require any Officer to submit within a period specified in the order a full and complete statement of such movable or immovable property held or acquired by him on his behalf or by any member of his family as may be

specified in the order. Such statement shall, if so required by the Competent Authority, include details of the means by which or the source from which such property was acquired;

- (d) The details of Counter Signing Officer, Competent Authority and the Authority for retention of the Annual Returns of Assets & Liabilities is as appended below:-

Sl. No.	Grade	To be Counter Signed by (Through Proper Channel)	To whom it is to be submitted (Competent Authority)	To be retained by
(i)	I to IV	Departmental Head in the Division / Office	Concerned ED / GM / Divisional Head	Concerned ED / GM / Divisional Head or Officer specifically authorized by him
(ii)	V & VI	Concerned ED / GM / Divisional Head	Concerned CEO / FD	Concerned ED / GM / Divisional Head or Officer specifically authorized by him
(iii)	VII & VIII	Concerned ED / GM / Divisional Head	Concerned CEO / FD	GM (HR), CO
(iv)	IX & X	Concerned CEO / FD	CMD	D(HR), CO
(v)	CEOs	-	CMD	D(HR), CO
(vi)	Board level Officers	-	CMD	Ministry

**Instructions / Clarifications issued:**

**References:**

- (1) HAL/P&A/19(2)/2012 dated 04/01/2012**
- (2) HAL/P&A/19(2)/13 dated 30/12/2013**
- (3) HAL/HR/19(2)/PR/Vol.VII/2019 dated 30/07/2019**
- (4) HAL/HR/19(2)/PR/VOL.VII/2020 dated 19/03/2020**

- (a) *HR Department of each Division / Office will put in place a system under which submission of Annual Property Return are acknowledged.*
- (b) *Online System for submission of Property Returns by Officers is introduced in the Company from January 2014 onwards. Officers are required to fill the specified Formats (in the Online System) and hard copy of the same (printout of the Online Reports) to be submitted to the Competent Authority after obtaining the counter signature of the concerned, as per Rules.*
- (c) *In case of Officers who are under Sponsorship, Maternity Leave, LWP for long durations, etc. due to which Returns could not be submitted by them*

*in the Online System by 31<sup>st</sup> July, hard copies of the Returns needs to be obtained from them immediately on their return / joining the Division.*

- (d) *The Online Data on Assets & Liabilities submitted by Officers need to be preserved in the Central System's database for future requirements as long as the Personal File is maintained, though Officers have left the services of the Company on account of superannuation, resignation, etc. In other words, the extant Rules for maintenance of Personal Files of employees by the Divisions / Offices needs to be adhered for maintenance & preservation of Property Returns, both in the Online System and as well as the hard copies.*
- (e) *Deletion of Online Data in case of Officers superannuated, resigned, etc. in the Central System's database will be done after compliance of the position as at (d) above by the Divisions / Offices. Towards this effect, written directions for deletions, from the concerned HR Head of the Division / Office is to be forwarded to Corporate IT Dept. through the Divisional IT Dept. for deletion in the System's database, if any.*

## **II. PROMOTION OF COMPANIES, ETC.:**

No Officer shall, except with the previous sanction of the Company, take part in the registration, promotion or management of any Bank or other Company registered under the Companies Act, 2013 or any other Law for the time being in force.

Provided that an Officer may take part in the registration, promotion or management of a Co-operative Society registered under the Co-operative Societies Act, 1912 or any other Law for the time being in force or a literary or scientific or charitable society registered under the Societies Registration Act, 1860 or any corresponding Law in force.

## **III. COMMUNICATION OF OFFICIAL INFORMATION:**

No Officer shall except in accordance with any general or special order of the Company or in the performance in good faith of the duties assigned to him, communicate directly or indirectly any official document or any part thereof to any Officer or any other employee or any other person to whom he is not authorized to communicate such document or information.

## **IV. RESTRICTION ON OTHER EMPLOYMENT, ETC.:**

- (a) No Officer of the Company 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 Officer 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 condition that his Official duties do not thereby suffer.

- (b) Every Officer of the Company shall report to the Competent Authority, if any member of his family is engaged in a trade or business or owns or manages an Insurance Agency or Commission Agency.
- (c) No Officer of the Company 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 the Companies Act, 2013 or other Law for the time being in force or any Co-operative Society for commercial purposes.

Provided that an Officer of the Company may take part in the Registration or Promotion of a Society substantially for the benefit of the employees of the Company, registered under the Co-operative Societies Act, 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 or any corresponding Law in force.

- (d) No Officer of the Company may accept any fee or any pecuniary advantages for any work done by him for any public body or any private person without the sanction of the Competent Authority.

**IV(A) EMPLOYMENT OF NEAR RELATIVES OF THE OFFICERS OF THE COMPANY IN ANY FIRM ENJOYING PATRONAGE OF THE COMPANY:**

**Reference:**

**P.C. No. 539 dated 09/04/1985**

- (a) No Officer shall use his position or influence directly or indirectly to secure employment in the Company or any Firm enjoying patronage of the Company for any person related whether by blood or marriage to the Officer or to the Officer's wife or husband, whether such a person is dependent on the Officer or not.
- (b) No Officer shall, except with the previous sanction of the Competent Authority, permit his son, daughter or any member of the family to accept employment with any Company or Firm, with which he has official dealings or with any Company or Firm, having official dealings with the Company provided that where the acceptance of the employment cannot await the prior permission of the Competent Authority, the employment may be accepted provisionally subject to the permission of the Competent Authority, to whom the matter shall be reported forthwith.
- (c) No Officer shall in the discharge of his official duties deal with any matter or give or sanction any contract to any Company or Firm or any other

person if any member of his family is employed in that Company or Firm or under that person or if he or any member of his family is interested in such matter or contract in any other manner and the Officer 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.

**NOTE:** Officers should inform their respective Divisional / Office Management through their Sectional / Departmental Head about employment of their near relatives (viz. father, mother, spouse, children including step children, brother, sister) in the Firms with which the Division / Office of HAL have business dealings. This is with a view to protect the interest of the Officer and ensure that the concerned Division / Office enters into a fair and proper business/ transaction with such Firms.

**Instructions / Clarifications issued:**

**References:**

- (1) **HAL/P&A/19(2)/90/VOL.V dated 05/08/1997**
- (2) **HAL/HR/19(3)/VOL.III/2015 dated 06/09/2015**
- (3) **HAL/HR/19(3)/VOL.III/2016 dated 15/12/2016**

- (a) *Employees should inform to the respective Divisional / Office Management, through their Sectional / Departmental Head, the fact of the employment of their near relatives (viz. father, mother, spouse, children including step children or legally adopted children, brother, sister) in such Firms with which Divisions / Offices of HAL have business relations.*
- (b) *Employees should not carry out any Trade or Business, either directly or indirectly, in the name of their dependents.*
- (c) *Dependents of employees should not carry out any allied works, either directly or indirectly for or with HAL, without prior intimation of the same being given to the HAL Management by the employee concerned.*
- (d) *Cases brought out other than as at (b) & (c) above would be construed as violation of the Rules & Regulations of the Company and viewed seriously, requiring initiation of Disciplinary Action against such employees, as per Rules.*
- (e) *Upon receipt of prior intimation as at (c) above, the Divisional HR should bring the same to the notice of all the concerned Department Head(s) who is/are involved in handling the said work either directly or indirectly, and also to the Divisional / Office Head.*
- (f) *Transfer the concerned employee to other Divisions / Offices at the same location.*

- (g) *In case of single Division / Office at the location, the employee should be transferred to another Department which has no direct or indirect linkage to the work in which the employee's Dependent proposes to get involved.*

**V. CONNECTION WITH PRESS OR MEDIA:**

- (a) No Officer of the Company 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 news paper or other periodical publication.
- (b) No Officer of the Company shall, except with the previous sanction of the Competent Authority; or the prescribed Authority or in the bonafide discharge of his duties participate in a Radio Broadcast, TV Telecast or any other form of Electronic or Social Media or contribute any article or write any letter either in his own name or anonymously, pseudonymously or in the name of any other person to any newspaper or periodical or media.  
Provided that no such sanction shall be required if such Broadcast, telecast or such contribution is of a purely literary, artistic or scientific character.

**Instructions / Clarifications issued:**

**References:**

- (1) HAL/HR/24(1)/VOL.III/2015 dated 31/08/2015**  
**(2) HAL/HR/19(2)/VOL.VII/2018 dated 12/10/2018**

- (a) *Employees should not publish / share / transmit Top Secret / Secret / Confidential / Restricted Information as also other Official Notifications / Documents / Circulars / Photographs or any damaging information regarding Company or its employees, in the Public Domain / Social Media such as WhatsApp, Facebook, etc. Further, any information which adversely impacts the image of the Company, spreading false rumours, etc. should also not be circulated in the Social Media.*
- (b) *Employees need to avoid interactions with Media / Political Parties, etc. on any occasion, in the interest of the Organization. Statements relating to HAL could be made only by the CMD or Chief of Media Communications, the Official Spokesman of the Company.*

**VI. PROHIBITION OF POLITICAL ACTIVITIES:**

**Reference:**

**P.C. No. 539 dated 09/04/1985**

Officers are prohibited from:-

- (a) becoming an office-bearer of a Political Party or an Organization which takes part in Politics;
- (b) taking part in or assisting in any manner in any movement/agitation or demonstration of a political nature;
- (c) taking part in an Election to any Legislature or Local Authority; &
- (d) canvassing in any Election to any Legislature or Local Authority.

**Instructions / Clarifications issued:**

**Reference:**

**HAL/HR/19(2)/VOL.VII/2018 dated 12/10/2018**

*Taking part in movements / gatherings / demonstrations of political nature in their official / personal capacity, involving in agitational activities, spreading panic amongst the employees, etc. would necessarily attract actions under the HAL CDA Rules / Standing Orders. Employees are advised not to take part in any such activities.*

**VII. INVENTIONS AND PATENTS:**

No Officer shall, without the previous consent in writing of the Company, 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 Company, and he shall, in the event 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 Company the unqualified right to adopt and use the said invention without its being obliged to pay any royalty or other consideration therefor. 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 Company and without providing for the unqualified use free of charge of the Company of the said invention and further he shall, on demand execute in favour of the Company such letters of licence or other deed or document for the purpose as it may advise; provided always that the Company 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 Company for such consideration as the Management shall at its discretion fix and if such right is exercised, the employee shall execute all such deeds of assignment, grants and assurances and do all such acts, deeds and things for vesting in the Company and/or its nominees the ownership of the patent or exclusive privilege and the full benefit thereof as the Company shall require.

## VIII. VINDICATION OF OFFICIAL ACTS:

No Officer shall, except with the previous sanction of the Chairman & Managing Director / Functional Director / Chief Executive Officer / Executive Director / General Manager or any other Officer authorized in this behalf, have recourse to any Court or to the Press / Media for vindication of any Official Act which has been the subject of adverse criticism or an attack of defamatory character.

Provided that nothing in this regulation shall be deemed to preclude an Officer from vindicating his private character or any act done by him in his private / personal capacity.

## IX. INFLUENCE:

No Officer 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 Company.

**NOTES:** (1) Officers violating the provisions of Rule 5 (xii) and 5 (xiii) under the CDA Rules should be advised by a Superior Authority or the appropriate Disciplinary Authority to desist from approaching outsiders / outside bodies including MPs / MLAs / Representatives of other Organizations etc. to further his / her interest in respect of matters pertaining to service conditions;

(2) If an Officer is found guilty of violating the above provisions of the Rules for the second time, despite the issue of advice on the earlier occasion, a written warning should be issued to him/her by a superior authority or the appropriate Disciplinary Authority and a copy thereof should be placed in his/her CR dossier / Performance Appraisal Report;

(3) If an Officer is found guilty of violating the above provisions of the Rules, despite the issue of warning to him / her, Disciplinary Action should be initiated against him/her by the appropriate Disciplinary Authority, under the provisions of the Conduct, Discipline and Appeal Rules.

### **Instructions / Clarifications issued:**

#### **References:**

- (1) HAL/P&A/19(2)/2012 dated 25/09/2012**
- (2) HAL/HR/19(2)/PF/2015 dated 02/09/2015**
- (3) HAL/HR/19(2)/PF/2017 dated 15/08/2017**

(a) *Employees should not use LAN/WAN / Intranet for airing personal views / grievances / negative feelings. Personal mails should also not be forwarded to all / multiple addressees in the system. Constructive*

*suggestions / criticisms / feedbacks should be submitted to the concerned authorities, through proper channel.*

- (b) *Employees should not forward any mails directly to higher authorities, other than through proper channel.*
- (c) *The act of employees requesting others or others making representations / recommendations on behalf of employees on service related matters viz. Transfer / Job Rotation, Promotion, Allotment of Quarter, etc., in the Company would be viewed seriously by the Management.*
- (d) *Grievances, if any, in Service related matters are to be taken up by the employees themselves with the Divisions / Offices, through proper channel, in accordance with the Grievance Redressal Mechanisms, existing in the Company, for consideration within the purview of the Rules & Regulations of the Company.*
- (e) *Employees should not take up any issue on Service related matters in the Company, through their Family Members, Relatives, VIPs, etc., for redressal. Such incidents, if any, would be construed as violation of the Rules & Regulations of the Company and viewed seriously, warranting initiation of Disciplinary Action against the employee on whose behalf the representation / recommendation is received, under the HAL CDA Rules, as applicable.*
- (f) *Divisions / Offices need to note / record such instances in a Register for future reference. Also, such cases are to be noted in the Personal Records and in the Performance Appraisal / Annual Confidential Report Dossier of the employees. The Notings / Records are to be brought out and viewed adversely while considering the cases of such employees for Promotion, Sponsorship for Training and other such aspects.*

#### **X. CRITICISM OF GOVERNMENT AND THE COMPANY:**

No Officer shall, in any Radio Broadcast, TV Telecast or in any other form of electronic / social media or in any document published under his name or in the name of any other person or under the name of any Association 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 Central or State Governments or of the Company;

OR

- (b) which is capable of embarrassing the Company.

Provided that nothing in these Rules shall apply to any statement made or views expressed by an Officer of purely factual nature which are not considered to be of a confidential nature or classified information in his official capacity or in due performance of the duties assigned to him.

**XI. EVIDENCE BEFORE A COMMITTEE OR ANY OTHER AUTHORITY:**

- (a) Save as provided in sub-rule (c) below, no Officer of the Company shall, except with the previous sanction of the Competent Authority, give evidence in connection with any enquiry conducted by any person, committee or authority.
- (b) Where any sanction has been accorded under sub-rule (a) above, no Officer giving such evidence shall criticize the policy or any action of the Central Government or of a State Government or of the Company.
- (c) Nothing in this Rule shall apply to:
  - (i) evidence given at any enquiry before an authority appointed by the Government, Parliament or a State Legislature or Company;
  - (ii) evidence given in any judicial enquiry; or
  - (iii) evidence given at any departmental enquiry ordered by authorities subordinate to the Government.

**XII. INVESTMENT, LENDING AND BORROWING:**

No Officer shall, save in the ordinary course of business with a bank, the Life Insurance Corporation 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 of any member of his family.

**XIII. INSOLVENCY AND HABITUAL INDEBTEDNESS:**

- (a) An Officer of the Company 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 Officer of the Company who applies to be or is adjudged or declared insolvent shall forthwith report the fact to his Competent Authority.

**XIV. BIGAMOUS MARRIAGE:**

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

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

- (i) Such marriage is permissible under the personal law applicable to such Officer and the other party to the marriage; and
- (ii) There are other grounds for so doing.
- (iii) An Officer who has married or marries to a person other than that of Indian Nationality, shall forthwith intimate the fact to the Competent Authority.

#### **XV. CONSUMPTION OF INTOXICATING DRINKS AND DRUGS:**

An Officer of the Company shall take due care that the performance of his duties is not affected in anyway by the influence of any intoxicating drink or drug.

#### **XVI. GIFTS:**

**References:**

- (1) HAL/P&A/19(2)/2012 dated 17/05/2012**
- (2) HAL/HR/19(2)/2015 dated 11/03/2015**

Save as otherwise provided in these Rules, no Officer of the Company shall accept or permit any member of his family of any other 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.

- NOTES:**
- (1) An Officer of the Company shall avoid acceptance of lavish or frequent hospitality from any individual or firm having official dealings with him;
  - (2) On occasions such as weddings, anniversaries, funerals or religious functions, when the making of gifts is in conformity with the prevailing religious or social practices, an Officer of the Company may accept gifts from his near relatives but he shall make a report to the Competent Authority if the value of the gift exceeds Rs. 15,000/- in respect of Officers in Grade - I; and Rs.25,000/- in respect of Officers in Grade - II & above;
  - (3) On such occasions as are specified in (2) above, an Officer of the Company may 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 the gift exceeds Rs. 15,000/- in respect of Officer in Grade - I; and Rs. 25,000/- in respect of Officer in Grade - II & above;

- (4) In any other case, an Officer of the Company shall not accept or permit any other member of his family or any other person acting on his behalf to accept any gifts without the sanction of the Competent Authority if the value thereof exceeds Rs.1,500/-;

Provided that when more than one gift is received from the same person / firm within a period of 12 months, the matter shall be reported to the Competent Authority if the aggregate value of the gifts exceed Rs.1,500/-.

#### **XVII. DOWRY:**

No Officer of the Company shall:

- (a) Give or take or abet the giving or taking of dowry ; or
- (b) Demand directly or indirectly, from the parents or guardian of a bride or bride-groom, as the case may be, any dowry.

**EXPLANATION:** For the purpose of this rule “Dowry” has the same meaning as in the Dowry Prohibition Act, 1961.

#### **XVIII. OFFICIAL AND SOCIAL CALLS:**

Officers should particularly ensure that the contacts with representatives of other Countries are limited to their appropriate official levels.

#### **XIX. RETURN OF HOSPITALITY ACCEPTED FROM FOREIGN MISSIONS:**

Diplomats are specially paid to enable them to entertain local officials and that the local Officer’s capacity to return their hospitality is limited. There need not, therefore, be anything like a quid pro quo basis maintained in the matter of entertainment between diplomats and Company Officers.

#### **XX. SUPPLY OF INFORMATION TO MEMBERS OF MISSIONS AND NATIONALS OF OTHER COUNTRIES:**

The supply of or imparting of information to other members of Missions or to Nationals of other Countries should not be done directly or by implication by any Officer as it is the responsibility of either the Ministry of Defence or the Ministry of External Affairs. It is also imperative that no information of a secret or confidential nature relating to HAL service matters or pertaining to Defence matters should be disclosed to a Foreign National directly or indirectly or through

any other channel. If Officers are approached for any information by Service Advisers/Attaches, Advisers of a Foreign Country, they should be advised to contact the HAL Corporate Office or the concerned Chief Executive Officer / Director or the Executive Director / General Manager. If other members of a Foreign Mission or if Nationals of a Foreign Country approach for information, they should be advised to contact the HAL Corporate Office or the concerned Chief Executive Officer / Director or Executive Director / General Manager as the circumstances demand.

## **XXI. PUTTING UP OR STAYING WITH FOREIGN NATIONALS AS GUESTS:**

### **References:**

- (1) P.C. No. 587 dated 25/02/1989**
- (2) HAL/P&A/19(2)/80/VOL.V dated 26/04/1991**

- (a) Officers should not stay as Guests with Foreign Diplomats in India or Abroad, except with the permission of the Competent Authority.
- (b) Officers should not invite Foreign Diplomats to stay with them as their Guests in India. Residential accommodation whether owned by the Officer or allotted to him by the Company, where he actually resides should not be let out or shared with Foreign Nationals / Members of Diplomatic Missions and their employees, except with the approval of the Competent Authority.

**NOTE:** All requests for letting out / sharing accommodation with full details of property, rate of rent, advance, if any, containing interalia, the following particulars in respect of the concerned Officer as well as the Foreign National / employee of Diplomatic Mission etc., should be forwarded to Corporate Office for clearance, in consultation with the Department of Defence Production & Supplies and Ministry of Home Affairs (IB):-

- (i) Parentage;
- (ii) Date of birth;
- (iii) Place of birth;
- (iv) Present & Permanent address;
- (v) Nationality.

## **XXII. EMPLOYMENT OF WIFE / MEMBERS OF FAMILY OF OFFICERS:**

If an Officer's wife / members of the family (in the case of female employees whose husband whether dependent on her or not or whose other dependents) intends to take up employment with Foreign Missions in India / Abroad, he / she should apply through proper channel and obtain a 'NO OBJECTION CERTIFICATE' from the Corporate Office before accepting such employment. No such appointment should be accepted without prior permission.

**XXIII. ACCEPTANCE OF LIFTS IN AIRCRAFT BELONGING TO FOREIGN EMBASSIES IN INDIA OR FOREIGN GOVERNMENTS ABROAD:**

- (a) No Officer should accept or permit his wife or dependents to accept passage, money or free air transport from a Foreign Mission/Government Organization. Exceptional cases where humanitarian or Compassionate grounds are involved should be referred to the Corporate Office for grant of permission.
- (b) There would, however, be no objection to the acceptance of the cost of passage when invited by Foreign Governments and Organizations to participate in conferences, seminars etc., if the invitation is extended to a particular Official by name with a view to benefit from the expertise of the Officer invited. Cases of such an invitation may be referred to Corporate Office for obtaining approval of the Ministry of Defence before acceptance. In other cases in which participation in conferences etc., is considered desirable in the interest of the Officer concerned or the Division sponsoring his deputation, the cost of passage should continue to be met by the sponsoring Division.
- (c) Within a Foreign Country, an Officer could accept a free flight in connection with his official duties only. When an Officer and his family are in a Foreign Country as State Guests it would be permissible for them to accept free flights from Foreign Governments.

**NOTE: Deputation of employees to Foreign Countries:**

<b>References:</b>
<b>(1) HAL/P&amp;A/28(12)/97 dated 07/02/1997</b>
<b>(2) HAL/P&amp;A/28(12)/2007 dated 30/10/2007</b>

- (a) Employees deputed to a Foreign Country on Business Visits, Training etc. should submit a Report immediately on their return as detailed below:

<b>Employees at the level of</b>	<b>Report to be submitted to</b>
Chief Executive Officer / Director	Chairman & Managing Director
Chief Manager to Executive Director	Concerned Chief Executive Officer / Director
Senior Manager & below	Concerned General Manager / Executive Director

- (b) In cases where the employees noticed any aspects related to security and vigilance angles in the behavior of the personal whom they meet abroad

or in the interactions with them, the same should be intimated by the employees to the Vigilance Department. Accordingly, copies of the Reports [Format at **APPENDIX - IV**] wherein employees furnish details under Paras IV & V (Vigilance & Security aspects respectively) [as per Paras -11 & 12 of the prescribed Format notified vide the Circular No. HAL/CO/VIG/49/412 dated 22/09/1999] will be forwarded to the CVO, Corporate Office also.

#### **XXIV. DISPOSAL OF IMMOVABLE PROPERTY BY LEASE FROM FOREIGN NATIONALS AND TO FOREIGN NATIONALS:**

- (a) Officers are forbidden to dispose of or acquire any immovable / movable property by lease or otherwise except with the prior knowledge of the Competent Authority. When such a transaction is conducted otherwise than through a regular or a reputed dealer, prior permission of the Competent Authority is necessary. Thus in either case, i.e., whether the transaction is by direct negotiations or through a regular dealer, the Competent Authority must know the terms & conditions of the proposed transaction and also the party to whom the property is to be leased or acquired. In dealing with all cases relating to disposal / acquisition by HAL personnel of immovable / movable property whether by lease or otherwise, the Competent Authority concerned should exercise great care where Foreign Missions or their employees are concerned; such authority should keep in mind the security angle and also ensure that the Officer does not derive any undue advantage from the transaction and thus place himself under an obligation direct or indirect on the Foreign Missions or its employees.
- (b) While Officers can give reasonable publicity to the effect that their houses are available for hiring, it shall be undignified and undesirable for them to solicit offers from Diplomatic Missions or Members of such Missions.

#### **XXV. JOINING OF FOREIGN LANGUAGE CLASSES:**

Officers or their wives who desire to join a School or Language Classes conducted by an Organization controlled or subsidized by Foreign Governments / Missions and Indo-Foreign Cultural Organizations, may join such classes with the prior permission of the Management. Normally they are expected to utilize the facilities available in the School of Foreign Languages.

#### **XXVI. ASSOCIATION OF OFFICERS WITH INDO-FOREIGN CULTURAL ORGANIZATIONS:**

Officers should not be allowed to actively participate to become members in the activities of Indo-Foreign Cultural Organization such as the German-Indian Association, the Indo-Soviet Cultural Society, etc.

## **XXVII. SUPPLY AND PROCUREMENT OF FILMS / LITERATURE FROM FOREIGN MISSIONS FOR DISPLAY AMONG THE OFFICERS:**

On no account whatsoever should Officers approach Foreign Missions or the Information Services of Foreign Commercial Concerns or Foreign Non-Government Organizations directly for the supply of any film or literature. Where Foreign Embassies etc. send any film / literature to Divisions on their own initiative, the Division should return the film / literature to the embassy etc., concerned tactfully.

## **XXVIII. PROHIBITION OF SEXUAL HARASSMENT OF WOMEN:**

### **References:**

- (1) HAL/P&A/19(2)/97 dated 23/07/1998**
- (2) HAL/P&A/19(12)/97/559 dated 20/10/1998**

- (a) No Officer shall indulge in any act of sexual harassment of any woman at her work place;
- (b) Every Officer who is In-charge of a work place shall take appropriate steps to prevent sexual harassment to any woman at such work place.

**EXPLANATION:** For the purpose of this rule, "Sexual Harassment" includes such unwelcome sexually determined behavior (where directly or by implication), as -

- (i) physical contact and advances;
- (ii) a demand of request for sexual favours;
- (iii) sexually coloured remarks;
- (iv) showing pornography;
- (v) any other unwelcome physical, verbal or non verbal conduct of sexual nature.

**NOTE:** The Code of Conduct for work place issued by the National Commission for Women is to be followed.

### **Instructions / Clarifications issued:**

#### **References:**

- (1) HAL/P&A/19(2)/2013 dated 20/06/2013**
- (2) HAL/HR/19(2)/VOL.II/2016 dated 08/07/2016**

- (a) *Important Provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 notified vide Circular No. HAL/P&A/19(2)/2013 dated 20/06/2013 are at **APPENDIX – V.***

- (b) *In order to aid the Internal Complaints Committees (ICCs) in performing their functions effectively, clarifications / amplifications on the aspects related to sexual harassment matters alongwith the suggested procedure which can be followed by the ICCs were notified vide Circular No. HAL/HR/19(2)/VOL.II/2016 dated 08/07/2016 **[APPENDICES VIA & VIB]**.*

**XXIX. RESTRICTIONS ON BOARD LEVEL OFFICERS JOINING PRIVATE COMMERCIAL UNDERTAKINGS AFTER THEIR RETIREMENT:**

**References:**

- (1) HAL/P&A/19(2)/10 dated 10/08/2010  
(2) HAL/P&A/19(2)/2012 dated 15/11/2012

- (a) No Functional Director of the Company including Chairman & Managing Director, who has retired / resigned from the service of the Company, after such retirement / resignation, shall accept any appointment or post, whether advisory or administrative, in any Firm or Company, whether Indian or Foreign, with which the Company has or had business relations, within one year from the date of retirement, without prior approval of the Government. The term 'retirement' includes 'resignation', but not cases of those whose term of appointment was not extended by the Government for reasons other than proven misconduct. The term 'business relation' includes 'official dealings' as well;
- (b) Functional Directors, including the Chairman & Managing Director, who after superannuation or resignation accept appointment in private commercial firms without prior sanction of the Government, will henceforth be debarred from being appointed as Full Time / Part Time Directors of CPSEs;
- (c) In order to ensure compliance of the above restrictions, the Company shall secure a Bond, in the specified proforma [Format at **APPENDIX - VII**], at the time of his appointment / retirement / resignation as Director / Chairman & Managing Director in the Company;
- (d) For any violation of the above specified procedure, the Director / Chairman & Managing Director will pay Rs. 10 Lakhs or the Basic Pay drawn by them during the last six months of their tenure in the Company, whichever is more, as 'damages' to the Company.

**XXX. IMPOSING RESTRICTIONS ON DEALING WITH SHARES OF CPSEs:**

**Reference:**

HAL/P&A/19(2)/10 dated 10/08/2010

- (a) A Full - Time Director / Chairman & Managing Director or any Officer / Employee involved in the decision making process of fixation of price of an IPO / FPO of Shares of the Company shall not apply either himself / herself or through any member of his / her family or through any other person acting on his / her behalf for allotment of Shares (which includes all types of equity related instruments) in an IPO/FPO of the Company, even out of the category of preferential quota reserved for Employees / Directors of HAL;
- (b) All Officers / Employees including Full Time Directors / Chairman & Managing Director of the Company who are in possession of unpublished price sensitive information would be prohibited from dealing / transacting either in their own name or through any member of their family in the shares of HAL;
- (c) Full-Time Directors / Chairman & Managing Director or Officers / Employees of HAL or any member of his / her family or any person acting on his / her behalf shall not apply for shares out of any preferential quota reserved for Employees / Directors of other Companies.

**XXXI: RESTRICTIONS ON BELOW BOARD LEVEL OFFICERS (CEOs; AND THOSE IN GRADES – X & IX) JOINING PRIVATE COMMERCIAL ESTABLISHMENTS AFTER THEIR RETIREMENT:**

**Reference:**

**HAL/HR/19(2)/2016 dated 10/11/2016**

- (a) No CEO or Officer at the level of Grades X & IX (Executive Directors / General Managers, etc.) of the Company who has retired / resigned from the services of the Company, after such retirement / resignation, shall accept any appointment or post, whether advisory or administrative, in any Private Firm or Company, whether Indian or Foreign, with which HAL has or had business relations, especially those having dealings with the DPSUs / OFB, within one year from the date of retirement / resignation, without prior approval of the Board of Directors in respect of CEOs; and the Management Committee of HAL in respect of Officers in Grades X & IX. The term 'Business Relations' includes 'official dealings' as well;
- (b) CEOs or Officers in Grades X & IX (Executive Directors / General Managers, etc.) who after superannuation or resignation accept appointment in Private Commercial Firms without prior sanction as stated above will be debarred from being associated with HAL in any capacity, including as Advisors / Consultants;
- (c) In order to ensure compliance of the above restrictions, the Company shall secure a Bond in the specified Proforma, at the time of his appointment / promotion to the post in Grade – IX and CEO;

- (d) For any violation of the above specified procedure, the CEO will pay 'damages' to the Company amounting to the Basic Pay drawn during the last 6 months OR Rs. 10 lakhs, whichever is more; and the ED / GM, etc. will pay 'damages' to the Company amounting to the Basic Pay drawn during the last 6 months OR Rs. 5 lakhs, whichever is more.

**NOTE:** Bond Formats i.r.of CEOs and for Officers in Grades – X & IX are at **APPENDICES – VIII & IX.**

**Instructions / Clarifications issued:**

***Reference:***

***HAL/HR/19(2)/2015 dated 19/03/2015***

*Divisions / Offices need to ensure execution of the Bond by all Officers in Grades X & IX, complete in all aspects. The terminal benefits, on superannuation, etc., of such Officers would be settled only on submission of the complete Bond.*

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**PROCEDURE FOR DISCIPLINARY ACTION**

**Reference:**

**P.C. No. 528 dated 23/8/1984**

Where Disciplinary Action is to be taken against an Officer under Rule - 11, procedure as detailed below, as a general Guideline, is to be followed:-

**I. INVESTIGATION:**

2. On receipt of information or report that an Officer has committed misconduct the Competent Authority or its next Higher Authority or Appointing Authority may at his discretion, cause an investigation to be carried out to ascertain whether or not there is a prima - facie case to take Disciplinary Action against the Officer. Where he is satisfied that no such investigation is necessary, he may directly proceed to issue Charge Sheet to the Delinquent Officer. If the Officer admits guilt during the course of investigation, such admission should be recorded in the presence of and signed by the Officer concerned.

**II. CHARGE SHEET:**

3. If the Competent Authority or Disciplinary Authority as the case may be, satisfies himself on receiving information or report on preliminary investigation that there is a prima-facie case for taking Disciplinary Action against the Officer, the latter should be served with the written Charge Sheet clearly setting out the alleged misconduct and such other details as may be necessary to enable the Officer to prepare his defence. The Charge Sheeted Officer (CSO) should be given a reasonable time of not less than seven days from the date of Charge Sheet to submit his written explanation. The date of submitting explanation can be extended at the discretion of the Disciplinary Authority.

**NOTE: Charge Sheet in case of Composite Cases:** In Composite cases reported, the Disciplinary Authority in respect of the Senior most Officer will also be the Disciplinary Authority for other Junior Officers involved in the Composite case.

**III. ENQUIRY:**

4. If the CSO accepts his guilt, no further enquiry would be necessary, if the case is to be disposed of with the issuance of a written advice, warning or with a Minor Punishment. Similarly, where the Competent Authority comes to the conclusion after consideration of the explanation of the CSO that only Minor Punishment is warranted in the case, he may award the appropriate Minor Punishment without conducting enquiry.

5. If no explanation is received from the CSO within the time specified or where the Competent Authority on receipt of the explanation of the CSO comes to the conclusion that further proceedings are called for, such authority may appoint in writing an Enquiry Officer or Enquiry Committee consisting of one or more members, which may include either HAL Officers or External Experts (including suitable Ex-Officers of HAL) to hold enquiry into the charges against the CSO.
6. Where the Disciplinary Proceedings are initiated in consultation with or at the instance of the Central Vigilance Commission, the Competent Authority may appoint a Commissioner nominated by the Central Vigilance Commission to conduct the enquiry.
7. The concerned authority itself may enquire into the charges or may appoint in writing an Officer of the Company or other person who is not HAL employee, as he may deem fit, as 'Presenting Officer' to present the case on behalf of such authority.
8. The CSO should be informed in writing of the date and time when the enquiry will be held and it shall be obligatory on the part of the CSO to present himself before the Enquiry Officer / Enquiry Committee at the appointed time. The CSO should also be informed that in the event of his failure to present himself before the Enquiry Officer / Enquiry Committee, the proceedings will be conducted ex-parte and that he is eligible to be assisted during the proceedings by a Co-Officer. The Co-Officer should be working in the same Office / Division situated at the same place where the CSO is working. The CSO shall not, however, take the assistance of an Officer who has two pending disciplinary cases on hand in which he is functioning as Co-Officer. The CSO shall not also be entitled to engage a legal practitioner for this purpose.
9. The CSO alongwith his Co-Officer will be entitled to be present during the hearing of witnesses. Evidence shall be taken in their presence except in ex-parte proceedings. Should the CSO fail to attend the enquiry or after attending it refuses to take part in the enquiry, the Enquiry Officer / Enquiry Committee will conduct ex-parte proceedings after recording the reasons for the same.
10. On the date fixed by the Enquiry Officer / Enquiry Committee, the CSO shall appear before that enquiry authority at the time, place and the date specified in the notice. The Enquiry Officer / Enquiry Committee shall ask the CSO whether he pleads guilty or not. If he pleads guilty to any of the charges, the Enquiry Officer / Enquiry Committee shall record the same, sign the proceedings and obtain the signature of the CSO thereon. The Enquiry Authority shall record a finding of guilt in respect of those articles of charge to which the CSO has pleaded guilty.
11. If the CSO does not plead guilty, the Enquiry Authority shall continue with the enquiry.
12. On the date fixed for the enquiry, the oral and/or documentary evidence by which articles of charges are proposed to be proved shall be produced by/or

on behalf of the Disciplinary Authority. The witnesses shall be examined by/or on behalf of the Presenting Officer and may be cross examined by or on behalf of the CSO. The Presenting Officer shall be entitled to re-examine the witnesses on any point on which they have been cross examined (but not on a new matter, without the permission of the Enquiry Officer / Enquiry Committee) and may be re-cross-examined by or on behalf of the CSO. The Enquiry Officer / Enquiry Committee may also put such questions to witnesses as it thinks fit.

13. Before close of the prosecution case, the Enquiry Authority may, at his discretion allows the Presenting Officer to produce evidence not included in the Charge Sheet or call for new evidence or recall or re-examine any witness. In such cases, the CSO shall be given opportunity to inspect the documentary evidence, if any, before it is taken on record or to cross-examine a witness who has been so summoned.

14. When the prosecution case is completed, the CSO may be required to state his defence orally or in writing as he may prefer. If the defence is made orally, it shall be recorded and the CSO shall be required to sign the record.

15. The evidence on behalf of the CSO shall thereafter be produced. The CSO may examine himself in his own behalf if he so prefers. The witnesses produced by the CSO will be examined by the CSO himself or by the Co-Officer on behalf of him. The witnesses are also liable for cross-examination, re-examination and examination by the Presenting Officer, the CSO and the Enquiry Authority respectively.

16. The statement made by each witness shall be succinctly recorded by the Enquiry Officer / Enquiry Committee and will be signed by the witness and countersigned by the CSO. It is not necessary to write down questions and answers except where absolutely necessary on a crucial point where the admission or denial must be recorded verbatim.

17. When a witness comes before the Enquiry Officer / Enquiry Committee, he should be asked to make a statement of facts within his knowledge relating to the charge. The CSO shall be entitled to cross-examine such a witness but the witness will not be permitted to cross-examine the CSO. The CSO can be examined only by the Enquiry Officer / Enquiry Committee. If on the evidence given by the witness the Enquiry Officer / Enquiry Committee wishes to examine the CSO, this may be done in the absence of the witness who made the statement. The witness could be recalled later, if necessary.

18. Wherever the Enquiry Officer / Enquiry Committee after having heard and recorded the whole or any part of the evidence in an enquiry ceases to exercise jurisdiction and is succeeded by another Enquiry Officer / Enquiry Committee, the authority so succeeding him may act on the evidence already recorded by his predecessor or partly recorded by his predecessor and partly recorded by itself. If the succeeding Officer / Committee is of the opinion that further examination of any of the witnesses whose evidence is already recorded is necessary in the interest of justice, it may recall, cross-examine and re-examine such witnesses.

**Instructions / Clarifications issued:**

**References:**

- (1) HAL/P&A/19(1)/2000 dated 02/03/2000**
- (2) HAL/HR/19(2)/2015 dated 11/03/2015**
- (3) HAL/HR/19(2)/2015 dated 02/11/2015**
- (4) HAL/HR/19(2)2015 dated 15/12/2015**
- (5) HAL/HR/19(5)-CO/2017 dated 20/02/2017**

- (a) *In all cases, where Vigilance Report advising Domestic Enquiry against an employee has already been received, it would be mandatory for the Parent Division / Complex to conduct and complete the Enquiry, prior to effecting Job Rotation / Transfer of the employee concerned. However, in case Transfer / Job Rotation of the concerned employee is unavoidable, prior concurrence of the local Head of Vigilance in respect of Employees / Officers upto Grade IV, and CVO in respect of Officers in Grade V & above should be obtained.*
- (b) *Guidelines for Enquiry Officers notified vide Circular No. HAL/HR/19(2)/2015 dated 11/03/2015 are at **APPENDIX - X**.*
- (c) *While Officers from the HR Discipline in the Company are normally not to be engaged as Co-Officers, it should be ensured that HR Officers from the same Division / concerned Complex Office are not engaged as Co-Officers for the following reasons:*
  - (i) *HR Officers generally represent the Management in handling Disciplinary Cases. They also assist the Disciplinary Authorities at various stages of the Disciplinary Proceedings.*
  - (ii) *HR Officers functioning as Co-Officer (Defence Assistant) leads to conflict of interest, as one cannot be expected to discharge duties with divergent positions (Prosecution and Defence). It will also be against professional ethics.*
- (d) *Retired Officers cannot be considered at par with Officers in service or those in respect of whom Rule 12(a) is evoked. As such, retired Officers are not to be permitted to function as Co-Officer in Disciplinary Proceedings.*
- (e) *It need to be ensured that the same Enquiry Committee / Enquiry Officer handles all Composite / same / Identical Cases, irrespective of the fact that the Charge Sheeted Employee is an Officer or a Workman. This will facilitate the Enquiry Committee / Enquiry Officer to arrive at a holistic opinion on the Enquiry Proceedings and arrive at the right conclusions / findings, as Charges alleged on different Employees in a Composite / same / Identical Cases are often similar / interrelated.*

#### **IV. WITNESSES:**

19. The following witnesses as applicable may be examined before the Enquiry Officer / Enquiry Committee:-

- (a) Those upon whose testimony the charge was based;
- (b) Those whom the CSO may bring forward as witnesses in his defence. The CSO will be required to indicate the points on which such witnesses give evidence and it is open to the Enquiry Officer / Enquiry Committee on scrutinizing the list where it appears to be vexatious or frivolous to restrict this number of witnesses only to the points of enquiry;
- (c) Any other person whose evidence being relevant, the Committee considers it necessary to record.

#### **V. COMMON PROCEEDINGS:**

20. In case of Composite cases involving two or more Officers, the Disciplinary Authority in respect of the Senior most Officer may make an order in writing that disciplinary proceedings against all of them may be taken in common proceedings and such authority may function as the Competent Disciplinary Authority for the purpose of common proceedings.

#### **VI. FINAL STATEMENT:**

21. After all the evidences which are necessary and relevant for the purpose of the enquiry have been recorded, the Enquiry Authority may, after completion of production of evidence, hear the Presenting Officer, if any, appointed and the CSO or permit them to file written briefs of their respective cases, if they so desire. This statement should be recorded in writing and signed by the CSO. In case the CSO or any witness refuses to sign his statement or deposition that fact should be recorded in the enquiry proceedings.

#### **VII. REPORT OF THE ENQUIRY OFFICER / ENQUIRY COMMITTEE:**

22. The Enquiry Officer / Enquiry Committee should formulate its report in the following order:-

- (a) Charges contained in the Charge Sheet;
- (b) Summary of the evidence recorded;
- (c) Analysis of evidence and Enquiry Committee's observations thereon;
- (d) Findings in respect of each of the charges and reasons for arriving at these findings.

## VIII. ORDER BY COMPETENT / DISCIPLINARY AUTHORITY:

23. The Competent / Disciplinary Authority on receiving the report of the Enquiry Committee shall satisfy itself as to the correctness of the findings by giving its independent attention to the weightage of evidence both for and against the charges. Where the authority agrees with the findings of the Enquiry Committee, it is not necessary for it to give reasons for the acceptance of the report but where it disagrees, it shall record the reasons for such disagreement. The Competent Authority shall thereafter issue an order of punishment. In awarding punishment, the Authority shall take into consideration the extent and gravity of the misconduct, previous service record of the CSO and any extenuating or aggravating circumstances of the case.

### **NOTE:**

**Reference:**

**HAL/P&A/19(2)/2005/64 dated 07/02/2005**

If a Departmental Enquiry was constituted by the Disciplinary Authority as per Rules, a copy of the Enquiry Report would invariably be given to the Delinquent Officer by the Disciplinary Authority wherever any punishment is proposed to be imposed, whether 'Minor' or 'Major', and representation, if any, from the Delinquent may be called for. Thereafter, the Enquiry Report may be considered by the Disciplinary Authority taking into account the representation, if any, of the Delinquent and appropriate punishment may be imposed having regard to the gravity of the charges and his past records etc. A proforma of the letter to be issued while forwarding copy of the Enquiry Report is at **APPENDIX - XI**.

### **Instructions / Clarifications issued:**

**Reference:**

**HAL/P&A/19(3)/2013 dated 27/02/2013**

*In a Composite Case, the Punishment can be imposed / Cases can be closed in respect of some of the Officers against whom the Disciplinary Proceedings are completed, pending completion of the Case in respect of others, as Disciplinary Authority need to take independent decision in each Case depending upon the merit of the Case and the role of each Officer in the Case, though the matter is processed as a Composite Case.*

## IX. GENERAL:

24. In a case where an Appeal lies and the person charged request for a copy of the Enquiry Committee's Report and/or enquiry proceedings to enable him to prefer an Appeal, the Competent Authority shall supply him with a copy of the Enquiry Committee's Report and/or with a copy of the enquiry proceedings. Similarly, at a request of the person charged, the Enquiry Committee shall during

the course of the Enquiry also supply him with a copy of the Enquiry Proceedings and Statement recorded before the Enquiry Committee.

**NOTES:** (1) It is important that an investigation and/or enquiry into any irregularities or misconduct be completed within the shortest possible time. Delay in disposal of disciplinary cases is neither in the interest of the concerned employees nor the management. The Departmental Enquiry Committee should conduct regular hearings on a day-to-day basis and desist from granting adjournments on frivolous grounds as a matter of routine. It is also essential that the procedure laid down in the Conduct, Discipline & Appeal Rules / other relevant Rules are meticulously followed. This may be brought to the notice as and when Disciplinary Authority appoints an Officer as Enquiry Officer.

(2) Divisions should monitor pending disciplinary cases pertaining to Vigilance aspects and ensure that these cases are disposed of at the earliest except where compelling circumstances such as stay by Courts etc. are prevailing. These cases should be disposed of within the timelines prescribed by the CVC. Executive Directors / General Managers / Divisional Heads are personally responsible for any delays.

**Instructions / Clarifications issued:**

**Reference:**

**HAL/P&A/19(1)/PC/2000 dated 15/02/2000**

*With a view to bring about uniformity in the matter of imposing Punishments for various misconducts proved in the Enquiry and to ensure that the Punishments are commensurate with the gravity of the misconduct, a set Guidelines formulated is enclosed as **APPENDIX - XII** for the guidance of the Disciplinary / Appellate Authorities.*

**X. CONSULTATION WITH VIGILANCE DEPARTMENT:**

**Reference:**

**HAL/HR/19(3)/2020 dated 25/02/2020**

25. The system of consultation with Vigilance Department on vetting of Charge Sheets and informal consultations at various stages of Disciplinary Proceedings are as indicated below:

(a) Vigilance Department is to be consulted in the manner indicated at (b) to (e) below i.r.of Cases where it is recommended to initiate Disciplinary Action against the Officials involved in Vigilance Case(s) in the Investigation Report;

- (b) Draft Charge Sheets pertaining to Vigilance Cases, wherever Executive Directors / General Managers and below are the Disciplinary Authority will be forwarded to Divisional / Complex Vigilance Heads for vetting before issue and in other Cases where CEOs / Directors and CMD are the Disciplinary Authority, the same will be forwarded to the CVO, Corporate Office for vetting before issue;
- (c) The Vigilance Department is to be consulted in the event the Disciplinary Authority proposes to conclude the Case without instituting a Departmental Enquiry. In such Cases, the Disciplinary Authority shall forward his Tentative Findings, alongwith a copy of the explanation submitted by the delinquent employee against the Charge Sheet, to the Vigilance Department i.e. Vigilance Heads of Divisions / Offices where Executive Directors / General Managers and below are the Disciplinary Authorities and CVO where CEOs / Directors and CMD are the Disciplinary Authorities, for scrutiny and comments regarding acceptance, non-acceptance or partial acceptance of the Tentative Findings of the Disciplinary Authority and about imposition of Minor Penalty, Exoneration, issuance of Advisory Letter etc.;
- (d) On receipt of Enquiry Report in Vigilance Cases, the Disciplinary Authority will forward a copy of the same to the respective Vigilance Heads i.e., Vigilance Heads of Divisions / Offices where Executive Directors / General Managers and below are the Disciplinary Authorities and CVO where CEOs / Directors and CMD are the Disciplinary Authorities, for scrutinizing the Enquiry Report for comments regarding acceptance, non-acceptance or partial acceptance of the Report and in advising the Disciplinary Authority about the imposition of a Minor / Major Penalty;
- (e) In the event of the delinquent employee exercising his right of Appeal against an Order issued by the Disciplinary Authority to the Appellate Authority, the Appellate Authority is required to forward his Tentative Findings alongwith a copy of the Appeal of the delinquent employee made to the Appellate Authority for scrutiny and comments regarding acceptance, non-acceptance or partial acceptance of the Tentative Findings of the Appellate Authority and about the imposition of Minor / Major Penalty, Exoneration, issuance of Advisory etc. to the CVO for comments before issuance of his Order. The Appellate Authority will, in all cases refer the matter to the CVO irrespective of the Scale / Grade of the employee.

**XI. MECHANISM FOR DECIDING ISSUES RELATED TO VIGILANCE WHEREIN DIVERGENT VIEWS EMERGE:**

**Reference:**

**HAL/P&A/27(1)/Policy/2007/02 dated 30/10/2007**

26. In respect of Vigilance matters, if there is a difference of opinion between the Vigilance & Administration, then the matter is to be dealt as follows:

- (a) In cases where divergent views or differences of opinion exist between the Vigilance and the Administration, in respect of Officers in Grade - VI & above, a Committee of at least three Directors / CEOs would examine the matter and put up its recommendations to the Chairman & Managing Director, for deciding the matter;
- (b) In case of Officers in Grades - I to V, a Committee of at least three EDs / GMs would examine such matters and put up its recommendations to the concerned Director / CEO, for deciding the matter;
- (c) GM (HR), Corporate Office would be the Secretary of the Committee of Directors / CEOs as at (a) above. The Complex HR Head would be the Secretary of the Committee of EDs / GMs as at (b) above;
- (d) If there is a difference of opinion between the Disciplinary Authority and the Chief Vigilance Officer (with regard to Cases which are not to be referred to the Central Vigilance Commission), the CVO may report the matter to the next higher authority / Chief Executive, for resolution of the differences of opinion between the two;
- (e) In case of difference of opinion between the CVO and the Chief Executive (in respect of any case falling within the jurisdiction of the CVC) should be referred to the CVC.

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**CHAPTER – II**

**HAL CONDUCT RULES, 1967  
AND  
HAL DISCIPLINARY ACTION RULES, 1967**

## HAL CONDUCT RULES, 1967

**References:**

- (1) P.C. No. 67 dated 02/11/1967
- (2) HAL/HR/19(2)/2015 dated 07/05/2015

### 1. SHORT TITLE AND APPLICABILITY:

These Rules are called the HAL Conduct Rules. They apply to the Workmen of Corporate Office; Liaison Offices - New Delhi, Mumbai, Chennai & Vishakapatnam; HAL Management Academy (HMA); and Offices of Chief Executive Officers MiG Complex & Accessories Complex, who are not covered by the Industrial Employment (Standing Orders) Act, 1946.

Workmen in various Divisions / R&D Centres and in the Offices of Bangalore / Design / Helicopter Complexes are governed by the Certified Standing Orders as per the Industrial Employment (Standing Orders) Act, 1946.

### 2. DEFINITIONS:

In these Rules, unless the context otherwise requires –

- (a) “**Company**” means Hindustan Aeronautics Limited wherever situated and includes all its Divisions / Offices / Factories / R&D Centres, Outstation Bases, Service Centres, Branches and Offices.
- (b) “**Employee**” for the purpose of these Rules means any person employed in the Company in the Non-Executive Category, other than Government employees on deputation and those who are covered by the Standing Orders promulgated under the Industrial Employment (Standing Orders) Act, 1946.
- (c) “**Member of the family**” in relation to employee includes wife (husband in the case of a female employee), sons, daughters, step sons or step daughters (whether they are residing with the employee or not) provided they are wholly dependent upon the employee. The spouse need not be dependent on the employee for the purposes of these Rules.
- (d) “**Competent Authority**” means General Manager (HR) in Corporate Office, Head (HMA) in HAL Management Academy, Complex HR Heads in MiG & Accessories Complexes and Resident Manager in Liaison Offices in the case of employees in Scale SS and below.

### 3. GENERAL CONDUCT:

Every employee shall at all times maintain absolute integrity and devotion to duty.

#### 4. FURNISHING OF INFORMATION AND ANNUAL RETURNS OF ASSETS & LIABILITIES:

**References:**

- (1) HAL/HR/19(2)/PR/2014 dated 04/09/2014
- (2) HAL/HR/19(2)/PR/2015 dated 25/02/2015
- (3) HAL/HR/19(2)/PR/2016 dated 10/09/2016
- (4) HAL/HR/19(2)/PR/VOL.VII/2019 dated 06/05/2019

The Government of India have notified the Public Servants (Furnishing of Information and Annual Returns of Assets & Liabilities and the limits for Exemption of Assets in Filing Returns) Rules, 2014, under the Lokpal and Lokayuktas Act, 2013, on 14.07.2014.

In line with the provisions of the Act and the Rules referred above and based on the instructions issued from time to time by the Company, all employees in Scale 3 to SS need to ensure the following:

- (a) File the Declaration, Information & Annual Return to the Competent Authority, in the below mentioned Formats, on first Appointment; and every year as on 31<sup>st</sup> March, on or before 31<sup>st</sup> day of July of that year;
  - (i) Declaration of Assets & Liabilities on first appointment or as on 31<sup>st</sup> March ..... in **Appendix – II**;
  - (ii) Details of the Public Servant, his/her spouse and dependent children in **Appendix – III, Form No. I**;
  - (iii) Statement of Movable Property on first appointment or as on the 31<sup>st</sup> March ..... in **Appendix – III, Form No. II**;
  - (iv) Statement of Immovable Property (eg. Land, House, Shops, Other Buildings, etc.) on first appointment or as on the 31<sup>st</sup> March ..... in **Appendix – III, Form No. III**;
  - (v) Statement of Debts and other Liabilities on first Appointment or as on 31<sup>st</sup> March ..... in **Appendix – III, Form No. IV**.
- (b) Employees are required to file the information in respect of any asset, if the value of any such asset exceeds two months Basic Pay or Rupees One Lakh, whichever is higher;
- (c) The Competent Authority may, at any time, by general or special order require any employee to submit within a period specified in the order a full and complete statement of such movable or immovable property held or acquired by him on his behalf or by any member of his family as may be specified in the order. Such statement shall, if so required by the Competent Authority, include details of the means by which or the source from which such property was acquired;

- (d) The details of Counter Signing Officer, Competent Authority and the Authority for retention of the Annual Returns of Assets & Liabilities under the revised system is as appealed below:-

<b>To be Counter Signed by (Through Proper Channel)</b>	<b>To whom it is to be submitted (Competent Authority)</b>	<b>To be retained by</b>
Sectional / Departmental Head in the Division / Office	HR Head in the Division / Office	HR Head in the Division / Office

**Instructions / Clarifications issued:**

**Reference:**  
**HAL/P&A/19(2)/2012 dated 04/01/2012**

*HR Department of each Division / Office will put in place a system under which submission of Annual Property Return are acknowledged.*

**5. PROMOTION OF COMPANIES, ETC.:**

No employee shall, except with the previous sanction of the Company, take part in the registration, promotion or management of any Bank or other Company registered under the Companies Act, 2013, or any other Law for the time being in force.

Provided that an employee may take part in the registration, promotion or management of a Co-operative Society registered under the Co-operative Societies Act, 1912, or any other Law for the time being in force, or a literary or scientific or charitable society registered under the Societies Registration Act, 1860, or any corresponding Law in force.

**6. COMMUNICATION OF OFFICIAL INFORMATION:**

No employee shall, except in accordance with any general or special order of the Company, or in the performance in good faith, of the duties assigned to him communicate directly or indirectly any official document or information of the Company of a secret or confidential nature to any employee or any other person, to whom he is not authorized to communicate such documents or information.

**7. RESTRICTION ON OTHER EMPLOYMENT, ETC.:**

No employee shall, except with the previous sanction of the Competent Authority, engage directly or indirectly in any trade or business or undertake any employment, whether for remuneration or not.

Provided that an employee may, without such sanction, undertake honorary work of social or charitable nature or an occasional work of literary, artistic or scientific in character subject to the condition that his official duties do not thereby suffer; but he shall discontinue such work if so directed by the Company.

## **8. RESTRICTION ON PUBLICATIONS, ETC.:**

No employee shall, except with the previous sanction of the Competent Authority, own wholly or partly or conduct or participate in the editing or managing of any newspaper or other periodical publications, either in his own name or in the name of any other person.

Provided that no such approval shall be required if such contribution is purely literary, artistic, or scientific in character or is made in the bonafide discharge of the employee's duties.

### **Instructions / Clarifications issued:**

#### **References:**

- (1) HAL/HR/24(1)/VOL.III/2015 dated 31/08/2015**
- (2) HAL/HR/19(2)/VOL.VII/2018 dated 12/10/2018**

- (a) *Employees should not publish / share / transmit Top Secret / Secret / Confidential / Restricted Information as also other Official Notifications / Documents / Circulars / Photographs or any damaging information regarding Company or its employees, in the Public Domain / Social Media such as WhatsApp, Facebook, etc. Further, any information which adversely impacts the image of the Company, spreading false rumours, etc. should also not be circulated in the Social Media.*
- (b) *Employees need to avoid interactions with Media / Political Parties, etc. on any occasion, in the interest of the Organization. Statements relating to HAL could be made only by the CMD or Chief of Media Communications, the Official Spokesman of the Company.*

## **9. INVENTIONS AND PATENTS:**

No employee shall without the previous consent in writing of the Company, 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 Company and he shall, in the event 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 Company the unqualified right to adopt and use the said invention without its being obliged to pay any royalty or other consideration therefor. 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 Company and without providing for the unqualified use, free of charge of the Company, of the said invention and further he shall, on demand, execute in favour of the Company such letter of licence, or other deed or document for the purpose as it may advise; provided always that the Company 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 Company for such consideration as the Management shall at its discretion fix and if such right be exercised the employee shall execute all such deeds of assignment, grants and assurances and do all such acts, deeds and things for vesting in the Company and/or its nominees the ownership of the patent or exclusive privilege and the full benefit thereof as the Company shall require.

#### **10. VINDICATION OF OFFICIAL ACTS:**

No employee shall, except with the previous sanction of the Chief Executive Officer / Director / Executive Director / General Manager / Office Head, have recourse to any Court or to the Press / Media for vindication of any Official Act which has been the subject of adverse criticism or an attack of defamatory character.

Provided that nothing in this regulation shall be deemed to preclude an employee from vindicating his private character or any act done by him in his private / personal capacity.

#### **11. 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 Company.

#### **Instructions / Clarifications issued:**

##### **References:**

- (1) HAL/P&A/19(2)/2012 dated 25/09/2012**
- (2) HAL/HR/19(2)/PF/2015 dated 02/09/2015**
- (3) HAL/HR/19(2)/PF/2017 dated 15/08/2017**

- (a) *Employees should not use LAN/WAN / Intranet for airing personal views / grievances / negative feelings. Personal mails should also not be forwarded to all / multiple addressees in the system. Constructive suggestions / criticisms / feedbacks should be submitted to the concerned authorities, through proper channel.*

- (b) *Employees should not forward any mails directly to higher authorities, other than through proper channel.*
- (c) *The act of employees requesting others or others making representations / recommendations on behalf of employees on service related matters viz. Transfer / Job Rotation, Promotion, Allotment of Quarter, etc., in the Company would be viewed seriously by the Management.*
- (d) *Grievances, if any, in Service related matters are to be taken up by the employees themselves with the Divisions / Offices, through proper channel, in accordance with the Grievance Redressal Mechanisms existing in the Company, for consideration within the purview of the Rules & Regulations of the Company.*
- (e) *Employees should not take up any issue on Service related matters in the Company, through their Family Members, Relatives, VIPs, etc., for redressal. Such incidents, if any, would be construed as violation of the Rules & Regulations of the Company and viewed seriously, warranting initiation of Disciplinary Action against the employee on whose behalf the representation / recommendation is received, under the HAL Conduct Rules / HAL Disciplinary Action Rules, as applicable.*
- (f) *Divisions / Offices need to note / record such instances in a Register for future reference. Also, such cases are to be noted in the Personal Records and in the Performance Appraisal / Annual Confidential Report Dossier of the employees. The Notings / Records are to be brought out and viewed adversely while considering the cases of such employees for Promotion, Sponsorship for Training and other such aspects.*

## **12. OTHER ACTS OF MISCONDUCT:**

Apart from those mentioned above, the following would also be treated as misconduct under these Rules:-

- (i) Wilful insubordination or disobedience (whether or not in combination with others), of any lawful and reasonable order of his superior or commission of any act subversive of discipline or of good behavior;

### **NOTE:**

<b>Reference:</b>
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<b>HAL/PO/18(61)/13165 dated 20/09/1972</b>
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The above Rule also covers breach of Rules & Regulations of the Company.

- (ii) Participation in strikes, gheraos and other agitational activities, or abetting, inciting, instigating or acting in furtherance thereof;
- (iii) Theft, fraud or dishonesty in connection with the business or property of the Company, or of the property entrusted to the Company or of another employee within the premises of the Company;
- (iv) Leaving duty station without previous permission;
- (v) Absence without leave or over-staying the sanctioned leave without sufficient grounds or proper or satisfactory explanation;
- (vi) Habitual indebtedness and or Insolvency;
- (vii) Wilful damage to property of the Company;
- (viii) Interference with any safety devices installed in or about the establishment;
- (ix) Holding meetings inside the premises of the establishment without previous permission of the Competent Authority;
- (x) Distribution or exhibition of any newspapers, handbills, pamphlets or posters without the previous sanction of the Competent Authority;
- (xi) Furnishing, at the time of employment or thereafter, wrong or incomplete information or suppressing any information regarding age, qualification, previous service or experience, conviction in a Court of Law, dismissal, removal or compulsory retirement by a previous employer;

**Reference:**

**P.C. No. 118 dated 14/04/1969**

- (xii) Making representations to persons or bodies outside the Company, whether official or otherwise, or matters connected with the affairs of the Company or in respect of personal grievances against the Management;
- (xiii) Making representations or sending grievance petitions to members of the Board or the Senior Management except through proper channels (This does not prevent submission of Appeals directly to the prescribed Appellate Authorities according to Para 12 of HAL Disciplinary Action Rules).

**Reference:**

**P.C. No. 203 dated 04/04/1972**

(xiv) **Contact with Nationals of Foreign Countries:**

Employees are forbidden to disclose any matters of security and are required to practice restraint in their contacts with Foreign Nationals. They should also avoid over-patronisation and indiscriminate and frequent acceptance of hospitality particularly of an informal nature from Foreign Nationals or Indian Nationals employed by Foreign Missions.

(xv) **Private Correspondence:**

Private correspondence with Foreign Embassies / Missions / High Commissions should be avoided. Similarly, no private or personal correspondence on matters of an official nature should be entered into directly with Members of Foreign Missions in India.

(xvi) **Gifts:**

No employee shall directly or indirectly accept any gift, gratuity or reward in respect of any act performed in his official capacity without the consent of the Competent Authority nor shall he accept any gift, gratuity or reward from any person to whom he can directly or indirectly show favour or disfavour in the exercise of his official functions or in the circumstances where such acceptance might place him in an embarrassing position or affect the correct discharge of his duties.

Employee are responsible for ensuring that their families do not accept gifts from either which are likely or may be construed to have as their object the influencing of the employee in the discharge of his official duties.

Employees are required to obtain prior permission of the authorities before accepting gifts from Foreign Dignitaries / Nationals.

(xvii) **Official and Social Calls:**

Employees should particularly ensure that the contacts with representatives of other Countries are limited to their appropriate official levels.

(xviii) **Return of Hospitality accepted from Foreign Missions:**

Diplomats are specially paid to enable them to entertain local officials and that the local Officer's capacity to return their hospitality is limited. There need not, therefore, be anything like a quid pro quo basis maintained in the matter of entertainment between Diplomats and local employees.

(xix) **Supply of Information to Members of Mission and Nationals of other Countries:**

The supply of or imparting of information to other members of Missions or to Nationals of other Countries should not be done directly or by implication by any employee as it is the responsibility of either the Ministry of Defence or the Ministry of External Affairs. It is also imperative that no information of a secret or confidential nature relating to HAL service matters or pertaining to Defence matters should be disclosed to a Foreign National directly or indirectly or through any other channel. If employees are approached for any information by Service Advisers / Attaches / Advisers of a Foreign Country, they should be advised to contact the HAL, Corporate Office or the concerned Director / Chief Executive Officer or the Executive Director / General Manager. If other members of a Foreign Mission or if National of a Foreign Country approach for information, they should be advised to contact the HAL Corporate Office or the concerned Director / Chief Executive Officer or Executive Director / General Manager as the circumstances demand.

**(xx) Putting up or Staying with Foreign Nationals as Guests:**

- (a) Employees should not stay as guests of Foreign Nationals in India. They could, however, stay with Foreign Nationals abroad, with the permission of the Competent Authority.
- (b) Employees should not invite Foreigners to stay with them as their guests in India. Residential accommodation should not be wholly or partly let out or shared with Foreign Nationals / Members of the Diplomatic Missions and their employees.

**(xxi) Employment of Wife / Dependents of Employees:**

**Reference:**

**P.C. No. 45 dated 11/07/1967**

If an employee's wife / dependent (in the case of female employee, whose husband whether dependent on her or not, or whose other dependents) intends to take-up employment with Foreign Missions in India/abroad, he/she should intimate the fact, through proper channel, to the Corporate Office and obtain a 'NO OBJECTION CERTIFICATE' before accepting such employment. No such appointment should be accepted without prior permission.

**Instructions / Clarifications issued:**

**References:**

- (1) HAL/P&A/19(2)/90/VOL.V dated 05/08/1997**
- (2) HAL/HR/19(3)/VOL.III/2015 dated 06/09/2015**
- (3) HAL/HR/19(3)/VOL.III/2016 dated 15/12/2016**

- (a) *Employees should inform to the respective Divisional / Office Management, through their Sectional / Departmental Head, the fact of the employment of their near relatives (viz. father, mother, spouse, children including step children or legally adopted children, brother, sister) in such Firms with which Divisions / Offices of HAL have business relations.*
- (b) *Employees should not carry out any Trade or Business, either directly or indirectly, in the name of their dependents.*
- (c) *Dependents of employees should not carry out any allied works, either directly or indirectly for or with HAL, without prior intimation of the same being given to the HAL Management by the employee concerned.*
- (d) *Cases brought out other than as at (b) & (c) above would be construed as violation of the Rules & Regulations of the Company and viewed seriously, requiring initiation of Disciplinary Action against such employees, as per Rules.*
- (e) *Upon receipt of prior intimation as at (c) above, the Divisional HR should bring the same to the notice of all the concerned Department Head(s) who is/are involved in handling the said work either directly or indirectly, and also to the Divisional / Office Head.*
- (f) *Transfer the concerned employee to other Divisions / Offices at the same location.*
- (g) *In case of single Division / Office at the location, the employee should be transferred to another Department which has no direct or indirect linkage to the work in which the employee's Dependent proposes to get involved.*

<b>Reference:</b>
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<b>P.C. No. 203 dated 04/04/1972</b>
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**(xxii) Acceptance of Lifts in Aircraft belonging to Foreign Embassies in India or Foreign Government Abroad:**

- (a) No employee should accept, or permit his wife or dependents to accept passage, money or free air transport from a Foreign Mission / Government Organization. Exceptional cases where humanitarian or compassionate grounds are involved should be referred to the Corporate Office for grant of permission.
- (b) There would, however, be no objection to the acceptance of the cost of passage when invited by Foreign Governments and organizations to participate in conferences, seminars, etc., if the invitation is extended to a particular official / employee by name with a view to benefit from the expertise of the employee invited. Cases of such an invitation may be referred to the Corporate Office for obtaining approval of the Ministry of Defence before

acceptance. In other cases, in which participation in conferences, etc., is considered desirable in the interest of the employee concerned or the Division sponsoring his deputation, the cost of passage should continue to be met by the sponsoring Division.

- (c) Within a Foreign Country, an employee could accept a free flight in connection with his official duties only. When employees and their family are in a Foreign Country as State Guests, it would be permissible for them to accept free flights from Foreign Governments.

**(xxiii) Disposal of Immovable Property by Lease from Foreign Nationals and to Foreign Nationals:**

- (a) Employees are forbidden to dispose of or acquire any immovable / movable property, by lease or otherwise, except with the prior knowledge of the Competent Authority. When such a transaction is conducted otherwise than through a regular or a reputed dealer, prior permission of the Competent Authority is necessary. Thus, in either case, i.e., whether the transaction is by direct negotiations or through a regular dealer, the Competent Authority must know the terms & conditions of the proposed transaction and also the party to whom the property is to be leased or acquired. In dealing with all cases relating to disposal/acquisition by HAL personnel of immovable / movable property, whether by lease or otherwise, the Competent Authority concerned should exercise great care where Foreign Missions or their employees are concerned; such authority should keep in mind the security angle and also ensure that the employee does not derive any undue advantage from the transaction, and thus place himself under an obligation, direct or indirect on the Foreign Mission or its employees.
- (b) While employees can give reasonable publicity to the effect that their houses are available for hiring, it shall be undignified and undesirable for them to solicit offers from Diplomatic Missions or Members of such Missions.

**(xxiv) Joining of Foreign Language Classes:**

Employees or their wives who desire to join a School or Language Classes conducted by an Organization controlled or subsidized by Foreign Government / Missions and Indo-Foreign Cultural Organizations may join such classes, with the prior permission of the Management. Normally they are expected to utilize the facilities available in the School of Foreign Languages.

**(xxv) Association of Employees with Indo-Foreign Cultural Organizations:**

Employees should not be allowed to actively participate or become members in the activities of Indian-Foreign Cultural Organizations such as the German-Indian Association, the Indo-Soviet Cultural Society, etc.

**(xxvi) Supply and Procurement of Films / Literature from Foreign Missions for Display among Employees:**

On no account whatsoever, should employees approach Foreign Missions or the Information Services of Foreign Commercial Concerns or Foreign Non-Government Organizations directly for supply of any film or literature. Where Foreign Embassies etc. send any films/literature to Divisions / Offices on their own initiative, the Divisions should return the films / literature to the Embassy, etc., concerned tactfully.

**Reference:**

**HAL/HR/20(27)/2019 dated 12/12/2019**

- (xxvii) Accepting or offering any illegal gratification or indulging in any corrupt practices;
- (xxviii) Possession of pecuniary resources or property disproportionate to the known sources of income by the Workman or on his behalf by another person which the Workman cannot satisfactorily account for;
- (xxix) Acting in a manner prejudicial to the interests of the Company;
- (xxx) Neglect of work, dereliction of duty or habitual negligence in the performance of duty including malingering or slowing down of work;
- (xxxi) Drunkenness or riotous or disorderly or indecent behaviour in the premises of the Company or outside such premises where such behaviour may bring disrepute to the Company;
- (xxxii) Collection of any money within the premises of the Company without permission of the Competent Authority;
- (xxxiii) Commission of any act which amounts to a criminal offence involving moral turpitude;
- (xxxiv) Purchasing Properties, Machinery, Stores, etc. from the Company or selling Properties, Machinery, Stores, etc. to the Company, without express permission in writing from the Competent Authority;
- (xxxv) Commission of any act subversive of discipline or of good behaviour;
- (xxxvi) Participation in go-slow or work-to-rule agitations or inciting others to resort to go slow or stop work or proceed enmass on casual / any other type of leave;
- (xxxvii) Canvassing for a Union or an Association or Party Membership within the Company Premises;

- (xxxviii) Abetment of or attempt to abetment of any act which amounts to misconduct;
- (xxxix) Deliberately making false complaints against employees or superiors knowing them to be false and writing of anonymous or pseudonymous letters criticizing employees / superiors of the Company and making false reports against them;
- (xl) Refusal to accept or to take notice of any order or charge sheet or any other communication served either in person or in due course by post, or by notification on the Company's Notice Boards;
- (xli) Violation of the Terms and Conditions of allotment of Company's Quarters or use of Company's Transport;
- (xlii) Indulging in Political Activities within the Company / Office premises;
- (xlili) Falsification / forging of records and/or defalcation;
- (xliv) Spreading false rumours or giving false information which may bring disrepute to the Company or its employees or spreading panic among the employees;
- (xlv) Falsifying or refusing to give testimony in investigations being conducted by the Management in connection with any accident, misconduct or any other matter.

### **13. LOSS OF LIEN:**

**Reference:**

**P.C. No. 457 dated 14/04/1981**

Where an employee remains absent for more than ten consecutive days and / or absents himself beyond the period of leave originally granted or subsequently extended, he shall be deemed to have lost the lien on his appointment. However, if the employee explains to the satisfaction of the Management the reasons for his un-authorized absence within eight days from the expiry of the above ten days, the Management at its discretion may revoke the order and restore his appointment.

**Instructions / Clarifications issued:**

**Reference:**

**HAL/IR/18(62)/84/597 dated 07/05/1984**

*Since terminations effected under loss of lien are likely to be set aside by the Courts in the light of the Rulings on the subject, on the ground that retrenchment*

*compensation contemplated under the Industrial Disputes Act has not been paid, it has been decided that, until further orders, all cases of absence without permission for more than 10 days should be dealt with as an act of misconduct under the Standing Orders / Disciplinary Action Rules as may be applicable to the Workmen and punishment including dismissal, as appropriate, imposed. In case the individual Workman does not send his explanation to the Charge Sheet issued by the Competent Authority or does not participate in the Enquiry, the Domestic Enquiry may be conducted ex-parte and case cleared with 2/3 weeks of the issue of Charge Sheet and punishment (including dismissal) may be imposed.*

#### **14. PROHIBITION OF SEXUAL HARASSMENT OF WOMEN:**

**Reference:**

**HAL/HR/20(27)/2019 dated 12/12/2019**

No Workman shall indulge in any act of sexual harassment of any woman at her work place.

**Explanation:** For the purpose of this rule, “Sexual Harassment” includes such unwelcome sexually determined behavior (where directly or by implication), as -

- (a) Physical contact and advances;
- (b) A demand of request for sexual favours;
- (c) Sexually coloured remarks;
- (d) Showing pornography;
- (e) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

**Instructions / Clarifications issued:**

**References:**

- (1) HAL/P&A/19(2)/2013 dated 20/06/2013**
- (2) HAL/HR/19(2)/VOL.II/2016 dated 08/07/2016**

- (i) *Important Provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 notified vide Circular No. HAL/P&A/19(2)/2013 dated 20/06/2013 are at **APPENDIX – V.***
- (ii) *In order to aid the Internal Complaints Committees (ICCs) in performing their functions effectively, clarifications / amplifications on the aspects related to sexual harassment matters alongwith the suggested procedure which can be followed by the ICCs were notified vide Circular No. HAL/HR/19(2)/VOL.II/2016 dated 08/07/2016 **[APPENDICES VIA & VIB].***

**15. PREMATURE RETIREMENT OF WORKMEN:**

**Reference:**

**HAL/HR/20(27)/2019 dated 12/12/2019**

- (a) The normal age of superannuation in the Company is 60 years. However, the Management will have the right to terminate the services of any Workman, at any time during his service, if his services are no longer required, under the Scheme for Premature Retirement prevailing in the Company from time to time;
  - (b) Provisions with regard to Scope, Coverage, Competent Authority to approve Premature Retirement, Procedure, etc., will be as notified in the Premature Retirement Scheme;
  - (c) Termination of the services of a Workman under the Scheme shall not amount to Punishment. On Premature Retirement, the Workman will be eligible for various benefits as specified under the Premature Retirement Scheme.
- 16.** Breach of any provisions of these Conduct Rules will make the concerned employee liable to Disciplinary Action.

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## HAL DISCIPLINARY ACTION RULES, 1967

**References:**

- (1) P.C. No. 68 dated 02/11/1967
- (2) HAL/HR/19(2)/2015 dated 07/05/2015

### **1. SHORT TITLE AND APPLICABILITY:**

These Rules may be called the HAL Disciplinary Action Rules. They apply to the Workmen of Corporate Office; Liaison Offices - New Delhi, Mumbai, Chennai & Vishakapatnam; HAL Management Academy (HMA); and Offices of Chief Executive Officers MiG Complex & Accessories Complex, including those on Contract Service, but excluding those who are covered by the Industrial Employment (Standing Orders) Act and Government employees on deputation with HAL except to the extent mentioned in Rules 17 and 18 below.

### **2. DEFINITIONS:**

In these Rules:-

- (a) **“Company”** means Hindustan Aeronautics Limited wherever situated and includes all its Divisions / Offices / Factories / R&D Centres, Corporate Office and other Administrative Offices and Branches.
- (b) **“Employee”** for the purpose of these Rules means any workmen employed in the Company in the Non-Executive Category, to whom these Rules are applicable, including those on Contract Service but excludes those who are governed by the Standing Orders and Government employees on deputation with HAL except to the extent mentioned in Rules 17 and 18 below.
- (c) **“Disciplinary Authority”** means an Officer of the Company empowered under these Rules to impose various types of punishments on employees.
- (d) **“Enquiry Officer or Enquiry Authority”** means the Officer of the Company empowered by a Disciplinary Authority to enquire into allegations of misconduct levelled against employees.
- (e) **“Appellate Authority”** means an Officer of the Company empowered to consider Appeals submitted by employees against orders of punishment passed by a Disciplinary Authority and vested with the power of setting aside, confirming, reducing or enhancing the punishment appealed against.

### 3. PUNISHMENTS:

The following punishments may, for good and sufficient reasons, be imposed on an employee by the Authorities empowered to impose such punishments under these Rules:

#### **Minor Punishments:**

- (a) Written Warning;
- (b) Censure;
- (c) Withholding of promotion;
- (d) Recovery from an employee's pay of the whole or part of any loss caused to the Company on account of his negligence, default or breach of any regulations or orders of the Company;
- (e) Withholding of increments of pay.

#### **Major Punishments:**

- (f) Reduction to a lower stage in the same scale of pay for a specified period, with further directions as to whether or not the employee will earn increments of pay during the period of such reduction, and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay;
- (g) Reduction to a lower scale of pay or post which shall ordinarily be a bar to the promotion of the employee to the scale of pay or post from which he was reduced, with or without further directions regarding conditions of restoration to the post from which the employee was reduced and his seniority and pay on such restorations to that post.

**NOTE:** The order communicating the punishment should clearly indicate the pay which the concerned employee would draw on reduction in the same scale of pay or in the lower scale of pay.

- (h) Compulsory retirement;
- (i) Suspension on loss of pay and allowances;
- (j) Dismissal.

**EXPLANATION:** The following shall not amount to a punishment within the meaning of this Rule, namely:-

- (a) Non-promotion of an employee, whether in a substantive or officiating capacity, after consideration of his case, to a post for promotion to which he is eligible;

- (b) reversion of an employee officiating in a higher post to a lower post, on the ground that he is considered to be unsuitable for such higher post or on any administrative ground unconnected with his conduct;
- (c) reversion of an employee appointed on probation to any post, to his permanent post or during or at the end of the period of probation in accordance with the terms of his appointment or the rules and orders governing such probation;
- (d) termination of the services -
  - (i) of an employee appointed on probation, during or at the end of the period of his probation, in accordance with the terms of his appointment or the rules and orders governing such probation; or
  - (ii) of a temporary employee in accordance with the provisions of his appointment; or
  - (iii) of an employee, employed under a contract, in accordance with the terms of such contract.

**Instructions / Clarifications issued:**

**Reference:**

**HAL/P&A/19(2)/2012 dated 04/12/2012**

- (a) *The number of persons with the rights to address the IFS System should be identified and restricted. Also, the system should create and maintain log of changes made in the column 'next increment date' etc., with ID details, so that accountability can be fixed.*
- (b) *Dealing HR Officer should check all details from the Personal File of the Individual concerned and certify that they have effected the punishment imposed w.r.to the Punishment Order.*
- (c) *HR Department should maintain a Register and all Punishment Orders forwarded to Payroll for implementation should be entered in it and proper acknowledgement obtained in the Register from the Payroll Officer.*
- (d) *Every year, in the month of April, an Officer from the HR Department should verify from Payroll and then certify that all the Punishment Orders have been implemented.*

#### 4. SUSPENSION PENDING ENQUIRY:

**Reference:**

**P.C. No. 481 dated 03/06/1982**

- (a) The Authority competent to impose a Major Punishment is also competent to place an employee under suspension in the following circumstances:-
- (i) Where a disciplinary proceeding against him is contemplated or is pending; or
  - (ii) Where a case against him in respect of any criminal offence is under investigation or trial;
  - (iii) Where an employee is detained in custody on a criminal charge for a period of exceeding 48 hours.
- (b) During the period of suspension, the suspended employee may be paid subsistence allowance as below:
- (i) the amount of subsistence allowance will be equal to half of the total emoluments last drawn by the employee. Subsistence Allowance at this rate will be paid for the first six (6) months of suspension;
  - (ii) if the enquiry gets prolonged and the employee continues to be under suspension for reasons attributable to the employee, the subsistence allowance will be reduced to one-fourth ( $1/4^{\text{th}}$ ) of the emoluments and if the delay is for reasons beyond the control of the employee, the subsistence allowance will be increased to three-fourth ( $3/4^{\text{th}}$ ) of the emoluments.
- (c) However, in cases arising out of rule (a) (ii) & (iii) above, where reasons for continued suspension cannot be attributed to the employee, the rate of subsistence allowance beyond six (6) months will be decided by the Competent Authority on merits of each case.
- (d) Payment of subsistence allowance at the rates mentioned in rule (b) & (c) above is subject to production of a certificate by the suspended employee that he was not engaged in any other employment, or business, profession or vocation during the period for which subsistence allowance is payable; if the certificate is found to be false or incorrect, the subsistence allowance paid will be recovered in such manner as the Management may decide and the employee may be proceeded against for misconduct. The Management also reserves the right to deny payment of subsistence allowance in future in such cases.

- (e) When an employee who has been placed under suspension as in rule (a) above is reinstated, the period of his suspension will be treated as below:
- (i) if he is fully exonerated, the period of suspension will be treated as duty and he will be paid pay and allowances to which he should be entitled if he were on duty less the subsistence allowance already drawn;
  - (ii) In other cases, he will receive such portion of the pay and allowances as the Disciplinary Authority decides and the period spent on suspension shall be treated as on duty only to such extent and for such purposes as that Authority decides; provided that if the employee so desires, the Disciplinary Authority may permit the period of absence from duty being converted into leave due and admissible to the employee.

**Instructions / Clarifications issued:**

**Reference:**

**HAL/P&A/19(3)/97 dated 21/02/2001**

*Divisions / Offices where the practice of requiring employees under suspension to report at the Gate and mark their attendance daily is in existence are advised to discontinue such practice forthwith. The subsistence allowance payable to the concerned employees may be regularized based on the certification by them on monthly basis regarding their non-employment.*

**5. POWER TO AWARD PUNISHMENTS AND COMPETENT AUTHORITIES:**

The Disciplinary Authorities in respect of various categories of employees, the punishments that they can impose and the Authorities to whom aggrieved employees can Appeal are indicated in **APPENDICES - XIII & XIV.**

**6. PROCEDURE FOR AWARDED MAJOR PUNISHMENTS:**

**Reference:**

**P.C. No. 390 dated 21/12/1978**

Where the Disciplinary Authority is of the opinion that there are grounds for an Enquiry into the truth of an allegation of misconduct or misbehavior against an employee, it may itself enquire into or appoint under these Rules, one or more Officers to constitute an Enquiry Authority to enquire into the truth thereof, or appoint a Commissioner for Departmental Enquiries nominated by the Central Vigilance Commission in cases in which the Commission has been consulted or

in cases in which the disciplinary proceedings have been initiated on the advice of the Commission.

**6(a) CONTINUANCE OF DISCIPLINARY PROCEEDINGS / ENQUIRIES AFTER RETIREMENT FROM SERVICE AND IMPOSITION OF PUNISHMENTS:**

**Reference:**

**HAL/HR/20(27)/2019 dated 12/12/2019**

- (a) The Workman against whom Disciplinary Proceedings / CBI Enquiries have been initiated or contemplated will cease to be in service on the date of superannuation but Disciplinary Proceedings will continue as if he was in service until the Proceedings are concluded and final order is passed in respect thereof, including imposition of any of the penalties prescribed in the HAL Disciplinary Action Rules, 1967. For this limited and specific purpose, the concerned Workman shall be deemed to have continued in employment of the Company. He will not receive any Pay and/or Allowance after the date of superannuation. He will also not be entitled for payment of retirement benefits (viz: Gratuity and Vacation Leave Encashment), till the proceedings are completed and final order is passed thereon. Any such punishment imposed by the Disciplinary Authority shall be effective from the date when the workman had attained the age of superannuation.

**NOTE:** Interest will be paid on the amounts so withheld at the Bank Rate which the Company pays on Cash Credit prevailing at the time of effecting the payment subject to the outcome of the Disciplinary Action / Proceedings. Such interest payment will be restricted to the final amount payable after recovery, if any, based on the outcome of the Proceedings.

- (b) Further to Sub-Rule (a) above, the Workman against whom Disciplinary Proceedings / CBI Enquiries have been initiated or contemplated for any alleged 'Grave Misconduct' will also not be entitled for the payment of Pension on 25% of the Management Contribution towards the HAL Defined Contribution Pension Scheme for Workmen, till the proceedings are completed and final order is passed thereon (part Pension will be released on 75% of the Management Contribution plus Full Voluntary Contribution made by the Workman, on superannuation).

**NOTES:**

- (1) The term/expression 'Grave Misconduct' for the purpose of this Rule would mean any one of the following acts of Misconducts only:

- (i) Participation in strikes, gheraos and other agitational activities, or abetting, inciting, instigating or acting in furtherance thereof;
  - (ii) Theft, fraud or dishonesty in connection with the business or property of the Company, or of the property entrusted to the Company or of another employee within the premises of the Company;
  - (iii) Wilful damage to property of the Company;
  - (iv) Accepting or offering any illegal gratification or indulging in any corrupt practices;
  - (v) Possession of pecuniary resources or property disproportionate to the known sources of income by the Workman or on his behalf by another person which the Workman cannot satisfactorily account for;
  - (vi) Commission of any act which amounts to a criminal offence involving moral turpitude;
  - (vii) Falsification / forging of records and/or defalcation;
  - (viii) Sexual Harassment of a woman at her work place.
- (2) Cases of Workmen, if any, who fall under the provisions of Clause 6(a) and in case the punishment of dismissal is awarded in such cases for 'Grave Misconducts' as at Note (1) above, it would be considered as 'deemed dismissal' for the purposes of the HAL Defined Contribution Pension Scheme for Workmen and the 25% of the Management Contribution towards the said Scheme withheld, will be forfeited. In cases where any other punishment is imposed on the Workman or where he/she is exonerated, Pension reckoning the Full Management Contribution to the Scheme will be payable to the Workman w.e.f. 1st of the month, following the month in which Orders are passed & communicated to him / her.

## **7. APPOINTMENT OF PRESENTING OFFICER:**

**Reference:**

**P.C. No. 166 dated 27/07/1970**

Where the Disciplinary Authority itself enquires into any article of charge or appoints an Enquiry Authority for holding any Enquiry into such charge, it may, by an order appoint an Officer to be known as the "Presenting Officer" to present on its behalf the case in support of the articles of charge.

## **8. ENQUIRY PROCEDURE:**

Where it is proposed to hold an enquiry against an employee, the Competent / Disciplinary Authority shall draw or cause to be drawn up :-

- (1) The substance of the imputations of misconduct or misbehavior into definite and distinct articles of charge;
- (2) A statement of the imputations of misconducts or misbehaviour in support of each article of charge shall contain:-
  - (a) A statement of all relevant facts including admission or confession, if any, made by the employee;
  - (b) A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained.
- (3) The Disciplinary Authority shall deliver or cause to be delivered to the employee, a copy of the articles of charge, the statement of the imputation of misconducts or misbehavior, and a list of documents and witnesses by which each article of charge is proposed to be sustained, and shall require the employee to submit, within such time as may be specified, a written statement of his defence and to state whether he desired to be heard in person.
- (4)
  - (a) On receipt of the written statement of defence, the Disciplinary Authority may itself enquire into such of the articles of charge as are not admitted, or if it considers it necessary so to do, appoint under Rule 6 an Enquiry Authority for the purpose and where all the articles of charge have been admitted by the employee, in his written statement of defence, the Disciplinary Authority shall record its findings on each charge taking such evidence as it may think fit;
  - (b) If no written statement of defence is submitted by the employee, the Disciplinary Authority may itself enquire into the articles of charge or may, if it considers it necessary to do so, appoint, under Rule 6 an Enquiry Authority for the purpose.
- (5) The Disciplinary Authority shall, where it is not the Enquiry Authority, forward to the Enquiry Authority:-
  - (a) a copy of the articles of charge and the statement of the imputations of misconduct or misbehaviour;
  - (b) a copy of the written statement of defence, if any, submitted by the employee;
  - (c) a copy of the statements of witnesses, if any;

**Reference:**

**P.C. No. 166 dated 27/07/1970**

- (d) Evidence proving the delivery of the documents referred to in sub-rule (3) above to the employee; and
  - (e) A copy of the order appointing the “Presenting Officer”.
- (6) The employee shall appear in person before the Enquiry Authority on such day and at such time within ten working days from the date of receipt by him of the articles of charge and the statement of the imputation of misconduct or misbehavior, as the Enquiry Officer may, by a notice in writing, specify in this behalf, or within such further time, not exceeding ten days, as the Enquiry Authority may allow.
- (7) The employee may take the assistance of another employee, i.e. a co-employee / co-worker, to present the case on his behalf but is not to engage a legal practitioner for the purpose.
- (8) If the employee who has not admitted any of the articles of charge in his written statement of defence or has not submitted any written statement of defence, appears before the Enquiry Authority, such Authority shall ask him whether he is guilty or has any defence to make and if he pleads guilty to any of the articles of charge, the Enquiry Authority shall record the plea, sign the record and obtain the signature of the employee thereon.
- (9) The Enquiry Authority shall return a finding of guilt in respect of these articles of charge to which the employee pleads guilty.
- (10) If the employee fails to appear within the specified time or refuses or omits to plead, or fails to produce the evidence by which he proposes to rebut the articles of charge, the Enquiry Authority shall adjourn the case to a later date, not exceeding thirty days, after recording an order that the employee may, for the purpose of preparing his defence –
- (a) inspect within five days of the order or within such further time not exceeding five days as the Enquiry Authority may allow, the documents specified in the list referred to in sub-rule (2)(b) above.
  - (b) submit a list of witnesses to be examined on his behalf.

**NOTE:** If the employee applies orally or in writing for supply of copies of statements of witnesses mentioned in the list referred to in sub-rule (2)(b) above, the Enquiry Officer / Authority shall furnish him with such copies as early as possible, and in any case not later than three days, before the commencement of the examination of the witnesses on behalf of the Disciplinary Authority.

- (c) give a notice within ten days of the order or within such further time not exceeding ten days, as the Enquiry Authority may allow, for the production of any documents which are in the possession of the Company, but not mentioned in the list referred to in sub-rule (2)(b) above.

**NOTE:** The employee shall indicate the relevance of the documents required by him to be discovered or produced by the Company.

- (11) The Enquiry Authority shall, on receipt of the notice for the production of documents, forward the notice or copies of it to the authority in whose custody or possession the documents are kept, with a requisition for the production of the document by such date as may be specified in such requisition.

Provided that the Enquiry Authority may, for reasons to be recorded by it in writing, refuse to requisition such of the documents as are, in its opinion, nor relevant to the case, or will compromise security of the State

- (12) On receipt of the requisition referred to in sub-rule (11) above, every Authority having the custody or possession of the requisitioned documents shall produce the same before the Enquiry Authority.

Provided that if the authority having the custody or possession of the requisitioned documents, is satisfied for reasons to be recorded by it in writing, that the production of all or any of such documents would be against the public interest or security of the State, it shall inform the Enquiry Authority accordingly, and the Enquiry Authority shall, on being so informed, communicate the information to the employee, and withdraw the requisition made by it, for the production or discovery of such documents.

**Reference:**

**P.C. No. 166 dated 27/07/1970**

- (13) On the date fixed for the Enquiry, the oral and documentary evidence by which the articles of charge are proposed to be proved, shall be produced by, or on behalf of, the Disciplinary Authority. The witnesses shall be examined by or on behalf of the Presenting Officer and may be cross-examined by or on behalf of the employee. The Presenting Officer shall be entitled to re-examine the witnesses on any points on which they have been cross-examined, but not on any new matter, without the leave of the Enquiry Authority. The Enquiry Authority may also put such questions to the witnesses as it thinks fit.

**Reference:**

**P.C. No. 166 dated 27/07/1970**

- (14) If it shall appear necessary before the close of the case on behalf of the Disciplinary Authority, the Enquiry Authority may, in its discretion, allow the Presenting Officer to produce evidence not included in the list given to the employee or may itself call for new evidence or recall and re-examine any witness and in such case the employee shall be entitled to have, if he demands it, a copy of the list of further evidence proposed to be produced, and an adjournment of the Enquiry for three clear days before the production of such new evidence, exclusive of the day of adjournment and the day to which the Enquiry is adjourned. The Enquiry Authority shall give the employee an opportunity of inspecting such documents before they are taken on the record. The Enquiry Authority may also allow the employee to produce new evidence, if it is of the opinion that the production of such evidence is necessary in the interest of justice.

**NOTE:** New evidence shall not be permitted or called for or no witness will be recalled to fill up any gap in the evidence. Such evidence may be called for only when there is an inherent lacuna or defect in the evidence which has been produced originally.

**Reference:**

**P.C. No. 166 dated 27/07/1970**

- (15) When the case for the Disciplinary Authority is closed, the employee shall be required to state his defence, orally or in writing, as he may prefer. If the defence is made orally, it shall be recorded and the employee shall be required to sign the record. In either case, a copy of the statement of defence shall be given to the Presenting Officer, if any, appointed.
- (16) The evidence on behalf of the employee shall then be produced. The witnesses produced by the employee shall then be examined and shall be liable to cross-examination and re-examination by the Enquiry Authority according to the provisions applicable to the witnesses for the Disciplinary Authority.
- (17) The Enquiry Authority may, after the employee closes his case, and shall, if the employee has not examined himself, generally question him on the circumstances appearing against him in the evidence for the purpose of enabling the employee to explain and circumstances appearing in the evidence against him.

**Reference:**

**P.C. No. 166 dated 27/07/1970**

- (18) The Enquiry Authority, may, after the completion of the production of evidence, hear the Presenting Officer, if any, appointed, and the employee or permit them to file written briefs of their respective case, if they so desire.

- (19) If the employee to whom a copy of the articles of charge has been delivered, does not submit the written statement of defence on or before the date specified for the purpose or does not appear in person before the Enquiry Authority or otherwise fails or refuses to comply with the provisions of this rule, the Enquiry Authority may hold the Enquiry ex-parte.
- (20) (a) Where a Disciplinary Authority competent to impose any of the punishments specified in Clauses (a) to (e) of Rule - 3 (but not competent to impose any of the punishments specified in Clauses (f) to (j) of Rule - 3) has itself enquired into or caused to be enquired into the articles of any charge and that authority, having regard to its own findings or having regard to its decision on any of the findings of any Enquiry Authority appointed by it, is of the opinion that the punishments specified in Clauses (f) to (j) of Rule - 3 should be imposed on the employee, that Authority shall forward the records of the Enquiry to such Disciplinary Authority as is competent to impose the last mentioned penalties.
- (b) The Disciplinary Authority to which the records are to be forwarded may act on the evidence on the record or may, if it is of the opinion that further examination of any of the witnesses is necessary in the interest of justice, recall the witnesses and examine, cross-examine and re-examine the witnesses and may impose on the employee such penalty as it may deem fit in accordance with these Rules.
- (21) Whenever any Enquiry Authority, after having heard and recorded the whole or any part of the evidence in an Enquiry ceases to exercise jurisdiction therein, and is succeeded by another Enquiry Authority which has, and which exercises, such jurisdiction the Enquiry Authority so succeeding may act on the evidence so recorded by its predecessor or partly recorded by its predecessor and partly recorded by itself.

Provided that if the succeeding Enquiry Authority 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, it may recall, examine, cross-examine and re-examine any such witness as hereinbefore provided.

- (22) (i) After the conclusion of the Enquiry, a report shall be prepared and it shall contain:
- (a) The articles of charge and the statement of the imputations of misconduct or misbehaviour;
- (b) The defence of the employee in respect of each article of charge;

- (c) An assessment of the evidence in respect of each article of charge;
- (d) The findings on each article of charge and the reasons therefor.

**EXPLANATION:** If in the opinion of the Enquiry Authority the proceedings of the Enquiry establish any article of charge different from the original articles of charge, it may record its findings on such articles of charge.

Provided that the findings on such article of charge shall not be recorded unless the employee has either admitted the facts on which such article of charge is based on has had a reasonable opportunity of defending himself against such article of charge.

- (ii) The Enquiry Authority, where it is not itself the Disciplinary Authority, shall forward to the Disciplinary Authority the records of Enquiry which shall include:-
  - (a) The report prepared by it under clause (i) above;
  - (b) The written statement of defence if any, submitted by the employee;
  - (c) The oral and documentary evidence produced in the course of the enquiry;
  - (d) Written briefs, if any, filed by the Presenting Officer or the employee or both during the course of the Enquiry; and
  - (e) The orders, if any, made by the Disciplinary Authority and the Enquiry Authority in regard to the Enquiry.

**NOTES:** (1) Disciplinary Authorities / Enquiry Authorities must complete Domestic Enquiries most expeditiously, and ensure that the total process does not lead to inordinate delays. The Enquiry Officers should ensure that the procedure laid down in the relevant Rules for conducting Departmental Enquiries is followed meticulously and principles of natural justice are complied with. Non-observance of the laid down procedure is likely to vitiate the enquiry and in case the affected employee takes up the matter before a Court of Law, the Courts may set aside the punishment imposed by the Disciplinary Authority based on the findings of such vitiated enquiry on grounds of non-observance of the rules / procedure.

- (2) Disciplinary cases should be disposed of within the timelines prescribed by CVC. To ensure this, a suitable mechanism for review of pending disciplinary cases should be evolved. Delay in

disposal of disciplinary cases renders the very purpose for which enquiry is conducted, ineffective.

**Instructions / Clarifications issued:**

**References:**

- (1) HAL/P&A/19(1)/2000 dated 02/03/2000**
- (2) HAL/HR/19(2)/2015 dated 11/03/2015**
- (3) HAL/HR/19(5)-CO/2017 dated 20/02/2017**

- (a) *In all cases, where Vigilance Report advising Domestic Enquiry against an employee has already been received, it would be mandatory for the Parent Division / Complex to conduct and complete the Enquiry, prior to effecting Job Rotation / Transfer of the employee concerned. However, in case Transfer / Job Rotation of the concerned employee is unavoidable, prior concurrence of the local Head of Vigilance in respect of Employees / Officers upto Grade IV, and CVO in respect of Officers in Grade V & above should be obtained.*
- (b) *Guidelines for Enquiry Officers notified vide Circular No. HAL/HR/19(2)/2015 dated 11/03/2015 are at **APPENDIX – X**.*
- (c) *It needs to be ensured that the same Enquiry Committee / Enquiry Officer handles all Composite / same / Identical Cases, irrespective of the fact that the Charge Sheeted Employee is an Officer or a Workman. This will facilitate the Enquiry Committee / Enquiry Officer to arrive at a holistic opinion on the Enquiry Proceedings and arrive at the right conclusions / findings, as Charges alleged on different Employees in a Composite / same / Identical Cases are often similar / interrelated.*

**9. ACTION ON THE ENQUIRY REPORT:**

- (1) The Disciplinary Authority, if it is not itself the Enquiry Authority, may for reasons to be recorded by it in writing, remit the case to the Enquiry Authority for further Enquiry and report, and the Enquiry Authority shall thereupon proceed to hold the further Enquiry as may be necessary or as ordered;
- (2) The Disciplinary Authority shall, if it disagrees with the findings of the Enquiry Authority on any article of 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 of the articles of charge is of the opinion that any of the punishments specified in Clauses (a) to (e) of Rule - 3 should be imposed on the

employee, it shall, notwithstanding anything contained in Rule - 10 below, make an order imposing such penalty.

**NOTE:**

**Reference:**

**HAL/P&A/19(2)/1327 dated 17/05/1990**

If cases of proven charges are not given a deterrent punishment, they encourage others to indulge in the same. Punishments in such cases should therefore be commensurate with the gravity of misconduct committed.

- (4) (a) If the Disciplinary Authority having regard to its findings on all or any of the articles of charge, is of the opinion that any of the punishments specified in Clauses (f) to (j) of Rule - 3 should be imposed on the employee, it shall :-
- (i) furnish to the employee a copy of the report of the Enquiry held by it and its findings on each article of charge, or where the Enquiry has been held by an Enquiry Authority appointed by it, a copy of the report of such authority and a statement of its findings on each article of charge together with brief reasons for its disagreement, if any, with the findings of the Enquiry Authority.
  - (ii) give the employee a notice stating punishment proposed to be imposed on him and calling upon him to submit within 15 days of receipt of the notice or such further time not exceeding fifteen days, as may be allowed, such representation as he may wish to make on the proposed punishment on the basis of the evidence adduced during the Enquiry held under Rule – 8.
- (b) The Disciplinary Authority shall after considering the representation, if any, made by the employee, determine what punishment, if any, should be imposed on him and make such order as it may deem fit.
- (c) The Disciplinary Authority shall consider the representation, if any, made by the employee in pursuance of the notice given to him under the Clause (a) above and determine what punishment, if any, should be imposed on him and make such order as it may deem fit.

**NOTE:** Whenever a major punishment is proposed to be imposed, representation, if any, from the delinquent may be called for, giving a copy of the

report of Enquiry. The Enquiry Report may be considered by the Competent / Disciplinary Authority taking into account the representation, if any, of the delinquent and appropriate punishment imposed having regard to the gravity of the charges, his past records etc. Wherever the Rules provide for issuance of second show cause notice, copy of the Enquiry Report is to be sent to the delinquent along with the second show cause notice. Non-furnishing of the report of the Enquiry will amount to violation of rules of natural justice and would make the final order illegal and liable to be challenged.

**Instructions / Clarifications issued:**

**Reference:**

**HAL/P&A/19(1)/PC/2000 dated 15/02/2000**

*With a view to bring about uniformity in the matter of imposing Punishments for various misconducts proved in the Enquiry and to ensure that the Punishments are commensurate with the gravity of the misconduct, a set Guidelines formulated is enclosed as **APPENDIX - XII** for the guidance of the Disciplinary / Appellate Authorities.*

**10. PROCEDURE FOR IMPOSING MINOR PUNISHMENTS:**

- (1) Subject to the provisions of sub-rule (3) of Rule – 9, no order imposing on an employee any of the punishment specified in clauses (a) to (e) of Rule - 3 shall be made except after :-
  - (a) Informing the employee in writing of the proposal to take action against him and of the imputation of misconduct or misbehaviour on which it is proposed to be taken, and giving him a reasonable opportunity of making such representation as he may wish to make against the proposal.
  - (b) Holding an Enquiry in the manner laid down in sub-rule (2) to (22) of Rule - 8 in every case, in which the Disciplinary Authority is of the opinion that such Enquiry is necessary.
  - (c) Taking the representation, if any, submitted by the employee under Clause (a) and the record of Enquiry, if any, held under Clause (b) into consideration; and
  - (d) Recording a finding on each imputation of misconduct or misbehaviour.
- (2) The record of the proceedings in such cases shall include:
  - (a) A copy of the intimation to the employee of the proposal to take action against him;

- (b) A copy of the statement of imputations of misconduct or misbehaviour delivered to him;
- (c) His representation, if any;
- (d) The evidence produced during the Enquiry;
- (e) The findings on each imputation of misconduct or misbehaviour; and
- (f) The orders on the case together with the reasons therefor.

#### **11. COMMUNICATION OF ORDERS:**

Orders made by the Disciplinary Authority shall be communicated to the employee who shall also be supplied with a copy of its findings on each article of charge. Where the Disciplinary Authority is not the Enquiry Authority, brief reasons for its disagreement, if any, with the findings of the Enquiry Authority on each article of charge shall also be communicated to the employee.

#### **12. APPEALS AND PERIOD OF LIMITATION:**

Appeals, if any, against orders under these Rules have to be preferred within a period of forty five days from the date on which a copy of the order appealed against is delivered to the appellant.

Provided that the Appellate Authority may entertain the appeal after the expiry of the said period, if it is satisfied that the applicant had sufficient cause for not preferring the appeal in time.

#### **13. FORM AND CONTENTS OF APPEAL:**

- (1) Every person preferring an Appeal shall do so separately and in his own name;
- (2) The Appeal shall be presented to the Authority to whom the Appeal lies, a copy being forwarded by the appellant to the Authority which made the order appealed against. It shall contain all material statements and arguments on which the appellant relies, but shall not contain any disrespectful or improper language, and shall be complete in itself;
- (3) The Authority which made the order appealed against shall on receipt of a copy of the Appeal, forward the same with its comments thereon together with the relevant records to the Appellate Authority without any avoidable delay, and without waiting for any direction from the Appellate Authority.

#### **14. CONSIDERATION OF APPEAL:**

- (1) In the case of an Appeal against an order of suspension, the Appellate Authority shall consider whether in the light of the provisions of Rule - 4 and having regard to the circumstances of the case, the order of suspension is justified or not and confirm or revoke the order accordingly;
- (2) In the case of an Appeal against an order imposing any of the punishments specified in Rule - 3 or enhancing any punishment imposed under the said Rule, the Appellate Authority shall consider:-
  - (a) Whether the procedure laid down in these Rules has been complied with, and if not, whether such non-compliance has resulted in the violation of any provisions of the Constitution of India or in the failure of justice;
  - (b) Whether the findings of the Disciplinary Authority are warranted by the evidence on the record; and
  - (c) Whether the punishment or the enhanced punishment imposed is adequate, inadequate or severe.

and pass orders:-

- (i) Confirming, enhancing, reducing or setting aside the punishment; or
- (ii) Remitting the case to the Authority which imposed or enhanced the punishment or to any other Authority with such direction as it may deem fit in the circumstances of the case.

Provided that:-

- (i) If the enhanced punishment which the Appellate Authority proposes to impose is one of the punishments specified in Clauses (f) to (j) of Rule - 3 and an Enquiry under Rule - 8 has not already been held in the case, the Appellate Authority shall itself hold such Enquiry or direct that such Enquiry be held in accordance with the provisions of Rule - 8 and thereafter, on a consideration of the proceedings of such Enquiry and after giving the appellant a reasonable opportunity, as far as may be, in accordance with the provisions of Sub-Rule (4) of Rule - 9, of making a representation against the punishment proposed on the basis of the evidence adduced during such Enquiry, make such orders as it may deem fit;
- (ii) If the enhanced punishment which the Appellate Authority proposes to impose is one of the punishments specified in Clauses (f) to (j) of Rule - 3 and an Enquiry under Rule - 8 has already been held in the case, the Appellate Authority shall after giving the

appellant a reasonable opportunity, as far as may be in accordance with the provisions of Sub-Rule (4) of Rule - 9, of making a representation against the Enquiry, make such orders as it may deem fit; and

- (iii) No order imposing an enhanced punishment shall be made in any other case unless the appellant has been given a reasonable opportunity as far as may be in accordance with the provisions of Rule - 10 of making a representation against such enhanced punishment.

**15. SERVICE OF ORDERS, NOTICES, ETC.:**

Every order, notice and other process made or issued under these Rules shall be served in person on the employee concerned or communicated to him by Registered Post.

**16. POWER TO RELAX TIME LIMIT AND TO CONDONE DELAY:**

Save as otherwise expressly provided in these Rules, the Authority competent under these Rules to make any order may, for good and sufficient reasons or if sufficient cause is shown, extend the time specified in these Rules for anything required to be done under these Rules or condone any delay.

**17. PROCEDURE FOR IMPOSING PUNISHMENTS ON GOVERNMENT EMPLOYEES ON DEPUTATION:**

Except in the case of employees on deputation who are appointed by the President of India and Armed Forces personnel, Chairman & Managing Director has power to initiate Disciplinary Action and also place employees under suspension. Whenever an employee on deputation is placed under suspension, the Parent Department of the employee should forthwith be informed explaining the circumstances leading to the order of suspension or commencement of disciplinary proceedings, as the case may be.

**18. ACTION ON THE FINDINGS OF DISCIPLINARY PROCEEDINGS CONDUCTED AGAINST GOVERNMENT EMPLOYEES:**

- (1) If the Chairman & Managing Director is of the opinion that any of the punishments specified in Clause (a) to (e) of Rule - 3 should be imposed on the Government employees, he may, after consultation with the Parent Department make such orders on the case as he considers necessary;

Provided that in the event of difference of opinion between the Parent Department and the Company, the Government employee shall be reverted to his Parent Department.

- (2) If the Chairman & Managing Director is of the opinion that any of the punishments specified in clauses (f) to (j) of Rule - 3 should be imposed on the Government employee, he shall place the Government employees service at the disposal of the Parent Department and transmit to it, the proceedings of the Enquiry.

**Reference:**

**HAL/PO/18(62)/VOL.I dated 16/07/1973**

**NOTE:** The authorities concerned in Disciplinary Action Proceedings will strictly adhere to the Disciplinary Action Rules as explained above and will pay particular attention to ensure:-

- (a) that the Disciplinary Proceedings are conducted strictly in accordance with the provisions of Disciplinary Action Rules or Standing Orders, as the case may be;
- (b) that the Charge Sheets and orders imposing punishments and decisions of Appellate Authorities are specific and are worded in such a manner that there is no room for doubt. Where necessary, these are to be drafted after obtaining legal advice;
- (c) that when an order of dismissal is modified by an Appellate Authority and the modification has the consequence of retaining him in service, the order of the Appellate Authority should specify as to how the period during which the employee remained absent from work consequent upon the order of dismissal should be treated, and the fact that the employee has been reinstated in service specifying the date should also be mentioned. Mention should also be made of the post in which reinstated. These provisions shall apply equally to cases where orders of suspension are revoked.

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## **CHAPTER – III**

### **TERMS AND CONDITIONS OF SERVICE**

## **TERMS AND CONDITIONS OF SERVICE**

Rules relating to Recruitment of Personnel / HAL Conduct, Discipline & Appeal Rules / Conduct Rules & Disciplinary Action Rules / Standing Orders, etc. as the case may be, govern and specify service conditions of most of the employees. Certain categories of employees are governed by special conditions of service. These are given below:

### **I. RETENTION OF LIEN:**

**Reference:**

**HAL/PO/16(22)/Vol.III dated 28/05/1973**

#### **(1) Lien of Government Employees appointed through Open Selection:**

In the event of quasi-permanent or permanent Government Employees getting selected for appointment through Open Selection against Direct Recruitment Vacancies and their release by the Parent Departments for such appointment is with permission to retain lien on the Post held by them in Government Service, such appointments would be regulated under the following terms:

##### **(a) Information to Parent Department:**

Permanent and Quasi-Permanent Government Employees selected for appointment based on applications forwarded through proper channel against Open Selection are permitted by Government to retain their lien on their Permanent Post in the Government for a period of two years. At the end of two years, the Government Servant should either revert to his Parent Department or resign from the Government Service for being absorbed in HAL service. On selection of such candidates, the Company should inform the Government Department the conditions under which the lien of the employee can be maintained.

##### **(b) Conditions for Retention of Lien:**

The Conditions under which the Company can permit retention of lien are:

##### **(i) Period of Lien:**

The period of lien under no circumstances should be beyond two years. It is open to the Company to confirm or revert the employee to his Parent Department during the period of lien.

**Reference:**

**HAL/PO/1(13) dated 22-29/12/1976**

However, in exceptional cases due to administrative reasons where the Company requires some more time to absorb the Government servant in question, he may be allowed to retain his lien for a further period of one year.

(ii) Confirmation or Reversion:

**Reference:**

**HAL/PO/16(22)/VOL.III dated 23/05/1973**

On satisfactory completion of the prescribed probation period, the Parent Department should be consulted and confirmation orders should be issued only on the acceptance of the employee's resignation by the Government and from the date of acceptance of the resignation. If during the probation period, it is decided not to confirm the employee, he may be reverted to the Parent Department during the lien period. Similarly, the Company shall have no objection, if during the lien period, the employee decides to revert to his Parent Department.

(2) Fixation of Pay on appointment in the Company during the period of Lien:

**References:**

**(1) HAL/PO/16(22)/VOL.III dated 28/05/1973**

**(2) HAL/PO/1(13) dated 18/08/1973**

The pay of an employee who has retained his lien on his Parent Department Post, is to be fixed in such a manner that the pay allowed to him by the Company should not exceed the limits specified in the Ministry of Finance O.M. No. 10(24)/E.III-60 of 9<sup>th</sup> of March 1964 and such other orders restricting the pay during Foreign Service as may be decided by the Government from time to time. Advance increments recommended by the Staff Selection Committee, if any, but not entitled during the period of retention of lien, need not be allowed on re-fixation after absorption.

(3) Payment of Leave Salary and Pension Contribution:

**Reference:**

**HAL/PO/1(33) dated 18/08/1973**

The Company may pay leave salary and pension contribution in respect of an employee whose lien is retained on his Parent Department till he is confirmed in the Company, subject to the terms & conditions prescribed by his Parent Department. The period for which the Company has made pension and leave salary contribution, will not count for purposes of Gratuity, PF and for earning leave, if and when he is confirmed in the Company's service.

**(4) Joining Time / Travelling Allowance:**

While reporting for duty, a Government / Quasi-Government Servant retaining lien and his dependent family members are eligible for entitled class of train fare by the shortest route. In addition to the above, he is also entitled to excess baggage fare paid to the railways after deducting free baggage allowance. In case he is reverting back to his Parent Department on his own before the expiry of one year, he has to refund the TA drawn by him.

**(5) Fixation of Pay on absorption in the Company:**

**References:**

**(1) P.C. No. 148 dated 03/02/1970**

**(2) CAO/HO/134 dated 19/12/1970**

(a) (i) Civil Service Officers on deputation when absorbed in the Company, will be appointed in the Scale of Pay of the Post which they are holding at the time of absorption. The Pay on absorption will be fixed at the lower appropriate stage of the Company Scale, so that the Pay plus Allowances under the Company Rules, are not less than the total emoluments of the deputationist.

(ii) The Officer is entitled to draw proportionate pension and proportionate gratuity sanctioned by the Government in addition to the salary drawn from the Company, provided he gives an undertaking that in the event of his services in the Company getting terminated within a period of two years of the date of absorption, the approval of the Government would be obtained by him before he takes up any private appointment.

(b) On absorption of Defence Service Officers:

**References:**

**(1) P.C. No. 160 dated 02/06/1970**

**(2) P.C. No. 242 dated 21/03/1973**

Defence Service Officers on absorption in the Company will be taken in the Pay Scale of the Post they have been holding in the Company on deputation. The pay on absorption will be fixed at the lowest appropriate stage in the Company Scales of Pay, so that pay plus Allowances admissible according to the Company rules is not less than the total emoluments of the deputationist prior to his absorption. The concessions and allowances such as Special Disturbance Allowance, Kit Maintenance Allowance, the monetary value of rent, furniture, electricity and water will be disregarded but the amount of Deputation Allowance will be notionally taken at the same level as applicable to Civilian Officers deputed to Posts carrying corresponding Scales of Pay. While Qualification Pay will be included in the emoluments for the purpose of the above computation,

flying bounty paid to the Test Pilots will not be included as they are allowed Special Allowances for Test Pilots, etc. per month.

An Officer absorbed in the Company will be entitled to draw pension and gratuity as may be sanctioned by the Government in addition to the salary from the Company provided he gives an undertaking that in the event of his service getting terminated within a period of two years from the date of his retirement from the Government and absorption in the Company, approval of the Government would be obtained by him before he takes up another employment. Service Officers who were in occupation of houses hired by the Company, on the date of their absorption, would be permitted to continue to enjoy this facility on payment of 10% of their pay as rent until they are promoted to the next higher Grade, when they will cease to be eligible for this concession.

**(6) Seniority:**

**Reference:**

**HAL/PO/16(22)/VOL.III dated 28/05/1973**

The seniority of a Government Servant, who is absorbed in the Company under these orders, will be reckoned from the date of his original appointment to the specific Grade in the Company, on deputation.

**(7) Carrying forward of Leave from the Parent Department:**

**References:**

**(1) CAO/HO/134 dated 19/12/1970**

**(2) HAL/PO/1(13) dated 10/02/1978**

**(3) HAL/PO/1(13) dated 05/10/1978**

- (a) Government Servants who are appointed in the Company by retaining lien on the Posts held by them in their Parent Department and are confirmed in the Company after terminating the lien so held are permitted by the Government to carry forward the leave (Earned leave only) upto a maximum of 120 days. Similarly, the leave salary can also be transferred on termination of the lien.
- (b) Government Servants who retain lien and avail of leave during that period are entitled for Compensatory Allowances such as DA and HRA in addition to the leave salary admissible from their Parent Department.
- (c) Government Servants who have been confirmed in the Company after terminating their lien in their Parent Department and are availing of their carried forward leave are entitled to the leave salary to be calculated with reference to the lumpsum salary paid by the Government to the

Company. These Government servants are not entitled for DA and HRA from the Company during the said leave period.

- (d) Carry Forward / Encashment of Half Pay Leave / Sick Leave in respect of absorbed Deputationists / Employees joining the Company on Fresh Appointment from Central / State Government and other Public Sector Undertakings will be done as per the procedure given below:

**References:**

**(1) HAL/P&A/16(1)/86 dated 17/10/1986**

**(2) HAL/P&A/16(1)/88 dated 21/09/1988**

- (i) Application for appointment in HAL should have been forwarded through the Government / Public Sector Undertaking.
- (ii) Transfer of leave accumulation in such cases shall be effected with the consent of both the previous organization and HAL and subject to the previous organization agreeing to pay to the Company the leave salary of the employee to the extent of leave transferred to HAL.
- (iii) In case the employee does not request for payment of cash equivalent of the amount paid by the previous organization to HAL immediately after it is transferred to HAL, the leave standing to his credit will be credited to the Leave Account No. 2 (separately) opened in the case of transfer of vacation / earned leave.
- (iv) If the leave transferred is on full pay basis, then full credit will be given to the leave so transferred to Leave Account No. 2 and if it is on half pay basis, then the credit to Leave Account No. 2 will be at one half of the leave so transferred.
- (v) Such employees would be allowed to encash / avail the leave so transferred after joining HAL. The amount payable on encashment / avilment of such leave would be at the rate at which the transferor organization paid the leave salary to HAL. Period of such leave availed of would be treated as duty for all purposes, except for earning leave and ex-gratia bonus in HAL, as in the case of VL carried forward.
- (vi) If the leave so transferred is not availed of or encashed within a period of 3 years, the leave remaining unutilized at the end of 3 years would be converted as Vacation Leave subject to Clause (iv) above, and added to the Vacation Leave account of the employee on condition that the total VL at credit after such addition will not exceed the accumulation limit permissible under the HAL Rules. The leave salary payable thereafter will be at the rates payable under HAL Rules.

**(8) Applicability to State Government Employees:**

**References:**

- (1) HAL/PO/16(22)/VOL.III dated 28/05/1973**  
**(2) HAL/P&A/37(1)-3/VOL.VII/917/1295 dated 30/11/1988**

- (a) The above conditions may also be made applicable to the State Government Servants appointed in the Company by retaining their lien on their Parent Department Posts, provided the State Government concerned has a procedure for retention of lien of its employees or it agrees to the Company following these Rules in the case of its employees. Even in such cases, the duration for retention of lien should be the same as in the case of permanent Central Government employees. The method of fixation of pay should also be the same unless the State Government has laid down any other ceiling limits.
- (b) The system of engaging people on deputation has been discontinued. However, for Posts such as Test Pilots and Chief of Vigilance which are specifically exempted from the policy of immediate absorption, the tenure of deputation of Central Government Employees will be for two years which could be extended by one year for good work (Initial three years extendable by another two years for CVOs). As regards pensionary benefit and other service conditions, they will be governed by the Offer of Appointment issued to them and the provisions contained below:
- (i) Appointment of Officers belonging to a Regular Service for appointment in Public Sector on Immediate Absorption basis:

**Reference:**

**HAL/P&A/37(1)-7/124/6540 dated 26/12/1989**

No person belonging to a regular service selected for appointment in the Public Sector on Immediate Absorption basis should be allowed to join duties until his resignation from the Government Service is complete in every respect inclusive of the request for resignation, its acceptance and service of the order on the Officer concerned. Both the relieving Ministry / Department and PSU will be under obligation to verify this aspect.

- (ii) TA/DA in respect of Officers joining HAL on Immediate Absorption basis:

**Reference:**

**HAL/P&A/37(1)-2/VOL.VII dated 10/07/1989**

The TA/DA and other benefits in respect of Government Servants including those belonging to Defence Services joining the Company

on Immediate Absorption basis is to be regulated as in the cases of transfers of Company employees of equal status in terms of the TA/DA Rules of the Company.

**(9) Retention of Lien by Employees below Board Level when appointed to Posts at the Board Level, within HAL or in other CPSEs:**

**Reference:**

**HAL/HR/44(2)-14/2019 dated 17/10/2019**

Employees below the Board Level, when appointed to Posts at the Board Level within HAL or in other Central Public Sector Undertakings, are to be permitted to retain Lien on their appointment upto a period not exceeding 6 years.

**II. DEPUTATION:**

**(1) General:**

- (a) Deputation of Government Officers including those belonging to Defence Services to all Posts (Board level as well as below Board level) in Central Public Enterprises except for Posts of Chief Executives, Regional / Zonal Chiefs, Test Pilots / Flight Test Engineers, Chief Vigilance Officers and Chief Security Officers of PSUs who require continuous liaison and co-ordination with Central / State Governments and where expertise acquired in the Central / State Government is needed for organizational efficiency has been stopped.
- (b) The proposals for deputation of Central Government employees are routed through the concerned Administrative Ministry. It should also be indicated therein that no Officers are available within the Organization to man the Post with the requisite qualification / experience and Deputation to such posts is permissible under the Rules of the Organisation.
- (c) The initial period of deputation will ordinarily be for a period of two years and extendable by one year (Initial three years extendable by another two years for CVOs).

**(2) Pay / Allowances:**

- (a) The Government employees who are on deputation will continue to draw the salary as per their entitlement in the Parent Department. Only those who come on permanent absorption basis, will get HAL Scales, Perks and Benefits.
- (b) Deputation Allowance is admissible at the rate of 5% of Basic Pay subject to a maximum of Rs.4500/- per month when the transfer is within the same station; and if the transfer is outside the station 10% of Basic Pay

subject to a maximum of Rs.9000/- per month. Deputation Allowance is not permissible to the Officers of the level of Joint Secretary and above.

**(3) Rules Governing Deputation:**

- (a) In the case of Civilians, their terms of deputation are covered in the Department of Personnel & Training, Ministry of Public Grievances & Pensions OM No. 6/8/2009-Estt.(Pay II) dated 17/06/2010 and DPE Guidelines notified vide No. 18(6)/2001-GM-GL-77 dated 28/12/2005 and as amended from time to time.
- (b) In the case of Service Officers, their terms of deputation are governed as per the General Terms & Conditions for Deputation of IAF Officers notified vide Circular No. HAL/HR/37(14)/2019 dated 07/05/2019.
- (c) In the case of All India Service Officers such as IAS, IPS, etc., their terms of deputation are to be determined with reference to the specific statutory Rules / Orders applicable to them.

**(4) General Terms and Conditions for Deputation of Indian Air Force (IAF) Officers to HAL:**

**References:**

- (1) HAL/HR/37(1)/2018/02 dated 12/03/2018**
- (2) HAL/HR/37(14)/2019 dated 07/05/2019**

HAL has been inducting IAF Pilots / FTEs on deputation basis in areas of Test Flying & Flight Test Engineering. The mutually agreed Terms & Conditions between Indian Air Force (IAF) and HAL for deputation of IAF personnel to HAL are as follows:

- (a) Tenure: Period of deputation will be 2 years extendable by one year on mutual agreement between the IAF and HAL. The period of deputation will commence from the date the officer is relieved at the last duty station in the Indian Air Force and terminate on the date prior to rejoining the Indian Air Force. This period will be treated as Air Force service for all purposes. During the period of deputation, the Officers are liable to be recalled at any time, if exigencies of service so necessitate. It may be noted that the extension of deputation is to be resorted as an exception and not as a rule, instead rotation of the Posts should be considered as a preferred option. In case the extension is considered essential, HAL would require to justify the requirement as to why the post cannot be rotated. The case for extension of deputation shall be processed by HAL with Air HQ (JDPO-1(Dep)), at least six months prior to the date of reversion.
- (b) Promotion: Grant of promotion while on deputation would be subject to willingness of HAL to accept the Officer in the higher Rank. In case HAL is

unable to provide in-situ promotion to the Officer on deputation, the Officer would be reverted back.

- (c) Functional and Administrative Control: The Officer will be under the Administrative and Functional control of the Competent Authority of HAL and will, however, be subject to the IAF Act and Rules made here under for disciplinary purpose. The Officer will be attached to nearest Air Force unit for required admin support as per terms and conditions.
- (d) Appraisal Report: Appraisal Report of the Officer will be rendered in the prescribed Form every year and will be processed in the AR Channel.
- (e) Place of Posting: The place of posting will not be changed from the initial place where the Officer was posted on deputation without the consent of Air HQs.
- (f) Joining Time & Travelling Allowances on Posting In/Out: While proceeding to join the appointment in HAL or on reversion to the IAF, the officer will be entitled to joining time and travelling allowances in accordance with the IAF rules. As per the rule in vogue the Officers are authorized for six days for preparation and journey days as per the mode of travel. The Travelling Allowances as per the Officer's entitlement is to be paid by HAL for both ways (i.e. on Posting In and Posting Out).
- (g) Pay and Allowances: IAF deputationist in HAL will continue to receive the service rates of pay of his rank in the Air Force as laid down in the Air Force rules from time to time and that he would have received had he continued to carry out duties at Air Force flying establishment. All applicable Allowances as authorized to the Officer vide GOI MoD letter No 1(16)/2017/D(Pay/Services) dated 18 Sep 17 will be paid to the Officer, except Flying related Allowances admissible in IAF, viz., Flying Allowance, Test Pilot Allowance & FTE Allowance. For ascertaining the admissibility of various other Allowances, the Officer may produce his Last Pay Certificate. In addition, the Officer will be paid various Flying related Special Allowances as applicable to HAL Pilots of the same status.
- (h) The current rates of flying related Special Allowances / Incentives admissible in HAL and which would be payable to the Deputationist, are as given below:

Sl. No.	Name of the Allowances	Rates (Rs. per month)			
		ETPs	PTPs	FTEs	CPs
(a)	Flying Allowance	80,640	80,640	75,600	80,640
(b)	Test Pilot Allowance	42,000	21,000*	NA	NA
(c)	FTE Allowance	NA	NA	31,500	NA
(d)	Hazardous Flying Allowance	58,800	42,000**	54,600	NA
(e)	Flying Kit Maintenance Allowance	21,000	21,000	21,000	21,000

Sl. No.	Name of the Allowances	Rates (Rs. per month)			
		ETPs	PTPs	FTEs	CPs
(f)	Pre Flight Meal Allowance (Rs. 840 per working day)	21,000	21,000	21,000	21,000
(g)	Civil License Pay (wherever applicable)	31,500	31,500	NA	31,500
(h)	Insurance Coverage	Rs. 3.5 Crores			

\* The rate of Test Pilot Allowance would be Rs. 42,000/- if ETP is deputed for PTP Post.

\*\* The rate of Hazardous Flying Allowance would be Rs. 58,800/- if the Aircraft is single engine or if ETP is deputed for PTP Post.

Notes:

- (i) DA would be paid on the Flying Allowance at (a) above, as applicable to HAL Pilots / FTEs.
  - (ii) Other than the Pay & Allowances admissible to IAF [Para (g) above refers] and the Flying related Special Allowances indicated Para (h) above, the deputationist will not be eligible for any Allowance admissible to HAL Officers.
  - (iii) Rates of the Allowances at Para (h) above would be revised for IAF Test Pilots on deputation to HAL, as and when HAL revises the rates for their employees.
- (i) Insurance and Pensioner Awards: In addition to insurance cover provided by IAF to the Officer, HAL will take out a Life Insurance Policy at their cost in respect of each such Officer as per the prevailing rate in HAL. Present rate of insurance coverage is Rs. 3.5 Crores. The insurance will cover fatalities arising out of HAL test and communication flying duties. Any special family pensioners awards admissible under IAF rules will, however, continue to be admissible in addition to this insurance cover. In all other causalities, awards will be paid at the rates and under the conditions laid down in the IAF rules, with Insurance money, if any, payable by HAL. Pension Contribution will be paid by HAL at appropriate Foreign Services rates.
- (j) Deputation (Duty) Allowance: As per Govt of India, Ministry of Defence letter No 1(16)/2017/D(pay/Services) dated 18 Sep 17 Defence forces personnel will be given an option to draw:-
- (a) Either 50% of Deputation (Duty) Allowance applicable to Civilian Officers along with service concession.

**OR**

- (b) Draw 100% of Deputation (Duty) Allowance but forego the service concession subject to following ceilings (i) Rs. 4,500 p.m for

deputation within the same station and (ii) Rs. 9000 p.m. for deputation involving change of station.

Officer is to submit option within one month of joining their deputation post under intimation to this Headquarters.

- (k) Ration Allowances: The Officers on deputation to HAL will be paid Ration Allowance @ Rs.97.85/- per day (present rate). Further, the rates of the allowances will be revised as and when the rates of ration allowances are revised by the Govt.
- (l) TA/DA during deputation: For tours undertaken during the period of deputation, the officer's entitlement to free conveyance and travelling allowances will be regulated in accordance with HAL Rules. However, it should not be less than his entitlement and status authorized by Govt of India, applicable to his rank in the IAF. As per HAL Rules, TA for the return journey is not admissible in case leave taken during TD exceeds 6 days. However, keeping in view the IAF rules, the deputationist will be allowed to retain the leave privileges (i.e., availing enroute annual / casual leave when proceeding on TD) as per the entitlements in IAF.
- (m) Grant of Leave and Leave Travel Concessions: The IAF deputationist will continue to be governed by Air Force Leave Rules. They will be granted all types of leave as is admissible to them while serving in Indian Air Force Establishments. They will also be authorized to avail Leave Travel Concessions as admissible to their counterpart in Air Force Establishment. In case issue of Railway Warrants or Concessional Vouchers are not feasible under such rules, the deputationist will be allowed the cash value in lieu as per their entitlement. Details of the leave taken by the Officer and LTC availed during the deputation would be furnished to PHS c/o Air Force Station, New Delhi, for necessary documentation. For ascertaining leave entitlements and LTC, the nearest affiliated Air Force Unit of the deputationist may be contacted.
- (n) Dress Allowance: The deputationist will be paid Rs. 20,000/- per year towards dress allowance. Further, in case of any upward revision of the rates in future, the Officer will be paid revised rate of the allowance automatically. The Dress Allowance is in addition to Flying Kit Maintenance Allowance authorized to IAF deputationist at par with the HAL personnel.
- (o) Children Education Allowance, Transport for School Going Children and Hostel Subsidy: The deputationist will be paid Children Education Allowance for the first two children's for the education upto 12<sup>th</sup> class as per the prevailing rates notified by MoD. Transport facilities for School going Children will also be provided. In case of non-availability of transport, the transport charges would be admissible to IAF deputationist.

- (p) Transport Allowance: Officer will be paid Transport Allowance in accordance with GOI MOD letter 12630/Tpt A/Mov C/246/D(Mov)/17 dated 15 Sep 2017.
- (q) Telephone: Officer will be provided telephone facility at their residence and authorized free calls as per their authorization in Air Force. In case the same is not provided, the officer will be paid the allowances accordingly.
- (r) Payment Procedure: Air Force Central Accounts Office will close the account of the Officer and issue his Last Pay Certificate to HAL. Thereafter, HAL will be responsible for maintaining the Accounts and effecting payment to the deputationist directly. Air Force Central Accounts Office will re-open the Individual Running Ledger Account (IRLA) of the Officer on his reversion to Air Force on basis of Last Pay Certificate issued by HAL.
- (s) Subscriptions: The subscription to Defence Services Officers Provident Fund (DSOPF) will continue to be recovered from the Service Officer by HAL, and the amount will be sent to AFCAO, Subroto Park, New Delhi – 110010 through Demand Draft in favour of 'Air Force Public Fund Account (Central Accounts)'. Subscription of AFGIS, FAS, Contributory Education Scheme and IAFBA will sent directly by the Air Force Officer on deputation to HAL to these Agencies.
- (t) Recoveries (on Account of Advances / Loan etc.): Recoveries of Govt. advances in respect of Motor Car and other entitled Loans availed by IAF deputationist will be recovered by HAL and effected through Demand Draft for credit to the JCDA (AF), New Delhi to Jt CDA (AF) (0-4 Sec), Subroto Park, New Delhi.
- (u) HAL authorities will send to Air Force Central Accounts Office, New Delhi, the full pay commissioned service certificate and Last Pay Certificate for the period the officer serves with HAL, after his return to AF on completion of deputation.
- (v) Medical Facilities: IAF Pilots on deputation to HAL and their families will be authorized to avail medical facilities of the HAL as possible to their civilian counterparts. They will also have the option of availing Air Force Medical facilities for themselves and their families under Air Force rules, the cost of which will be recovered from HAL. The Pilots will also be subject to periodical medical inspection as required under IAF rules.
- (w) Accommodation / Rent and Furniture: HAL will provide Company accommodation for IAF deputationist as per their entitlement in the scales of accommodation for which rent and allied charges will be charged according to IAF rules (only licence fee will be charged). In case of accommodation is hired or on lease, the Officers will also be reimbursed with hiring charges of furniture's and water supply is free and electricity charges as admissible to them while serving in IAF.

Officer will have to surrender Defence pool accommodation, if any in their possession. In case the Officer continue to retain Defence Accommodation, he will be treated as unauthorized occupant and recovery of rent will be regulated as per IAF rules in vogue and assessed rent/market rent, whichever is more, will be recovered from the Officer.

- (x) HAL will pay the Income Tax on the perquisite value of the accommodation in respect of IAF deputationist each month to the Government Account. The amount so deposited would be indicated / shown by the Officer in his Return of Income.
- (y) Leave Salary and Pension Contribution: Leave Salary and Pension contribution will be paid by HAL under the provisions of GOI, MoD letter No. 1(5)/61/D(Pen/Policy) GOI MOD dated 16 Dec 08.
- (z) General: The issue(s) not addressed or provided for in these terms and conditions are to be mutually resolved by HAL and IAF through their authorized representatives. Any disputes or differences arising from the implementation of these terms and conditions will be referred to a Joint committee comprising of ACAS (PO) at Air HQ (VB) and General Manager (Human Resources) HAL.

The Pay & Allowances mentioned in the terms and conditions are based on current Govt Orders. Hence, as and when Govt. Orders are issued for revision of Pay and Allowances, the rates will be revised accordingly in respect of deputationist.

The terms and conditions would be subject to periodical review with periodicity of two years or whenever the need is felt by either organization.

**(5) Deputation of Government Officers to Central Public Enterprises – Immediate Absorption Basis:**

- (a) Deputation of Government Officers including those belonging to Defence Services to all Posts (Board level as well as below Board level) in Central Public Enterprises except for Posts of Chief Executives, Regional / Zonal Chiefs, Test Pilots / Flight Test Engineers, Chief Vigilance Officers and Chief Security Officers of PSUs who require continuous liaison and co-ordination with Central / State Governments and where expertise acquired in the Central / State Government is needed for organizational efficiency has been stopped. Suitable Serving Officers interested in appointment in Central Public Enterprises could join only on Immediate Absorption basis.
- (b) Immediate Absorption means acceptance of resignation of an Officer from Government Service to enable him to take up an appointment in a Central Public Enterprise for which he had applied with proper permission, i.e. through proper channel.

- (c) No person belonging to regular service selected for appointment in the Public Sector Undertaking on immediate absorption basis should be allowed to join duties until his resignation from Government Service is complete in every respect (inclusive of the request for resignation, its acceptance and service of the Order on the Officer concerned). The relieving Ministry and Public Sector Undertaking must be under obligation to verify this aspect.
- (d) No lien / quasi-permanent status of the Government Servant concerned will be retained in his Parent Cadre. All his connections with the Government will be severed on the release for appointment in an Enterprise and he will not be allowed to revert to his Parent Cadre.

**References:**

- (1) HAL/HR/37(14)/2017 dated 20/12/2017  
(2) HAL/HR/37(1)/2018/01 dated 12/03/2018

- (e) As per Company Rules, Defence Service Officers, especially Deputationists from IAF [i.e., Test Pilots / Flight Test Engineers (FTEs) / Aeronautical Engineers (AE) Officers] are absorbed in the Company, based on the Manpower requirements. In order to facilitate smooth lateral movement of IAF Officers to HAL on absorption, a **Memorandum of Understanding (MoU)** was signed between IAF & HAL on 12/12/2017, covering the following:

- (i) Category of IAF Officers: In order to meet the requirements of Design & Development Projects and Manufacturing & Overhaul Programmes of HAL, IAF will endeavour to provide Officers of following categories subject to availability and spareability:

- Test Pilot (Fixed Wing / Rotary Wing)
- Flight Test Engineer (Fixed Wing / Rotary Wing)
- Flight Test Engineer (Avionics)
- Communication Pilot
- AE Officer

- (ii) Selection: Eligible IAF Officers will be nominated for permanent absorption from the list of volunteers drawn up by 'IAF based on the requirement projected by HAL. Procedure for selection will be as per Para (vii) below.

The Officers nominated by IAF will undergo a Selection Interview by a Selection Committee duly constituted by HAL under its Recruitment and Promotion Rules at HAL as per the existing Policies of Govt. and HAL for recruitment of personnel into PSUs.

- (iii) Age and Seniority: IAF shall nominate the Officers with less than 45 Years of age for Test Pilots and less than 47 years for Flight Test Engineers & AE Officers, which is relaxable upto 50 years at

the discretion of HAL. A minimum of 20 years service in IAF will be the qualifying service requirement for eligible Officers to volunteer for permanent absorption in HAL.

Note: The age limit of 45 years for ETPs / Pilot and 47 years for FTEs / Engineers specified above could be relaxed on case to case basis on mutual agreement between HAL and IAF. However, the maximum age relaxable will be kept as 50 yrs only.

The seniority of IAF Test Crew to be permanently absorbed in HAL will be determined by his date of joining in HAL. The Level / Grade into which the Officer will be absorbed in HAL will be dependent on the Rank of the Officer in IAF. The equivalent Grade in HAL vis-a-vis the IAF Ranks is as follows:

Sl. No.	Rank in IAF	Absorption in HAL [Grade / Scale of Pay in HAL (2017)]
1	Wg Cdr (with three years experience in the Rank) (entry level for induction)	VI / 80000-220000
2	Gp Capt	VII / 90000-240000
3	Air Cmde	VIII / 100000-260000
4	AVM	IX / 120000-280000

If two Officers of the same Rank join HAL on the same date, then the Officers' seniority in IAF will determine their inter-se-seniority in HAL.

- (iv) Qualification and Medical Standards: The Qualification Requirement, Medical Standards and number of Flying Hours required for the Volunteer for permanent absorption in HAL will be as per MoU.
- (v) Pay and Allowances: The Serving Officer's last drawn Basic Pay (in the 7<sup>th</sup> CPC Pay Matrix) and DA on Basic Pay will be protected as Basic Pay + DA + Personal Pay (Personal Pay, if required) on permanent absorption in HAL as Test Pilot / Flight Test Engineer / Communication Pilot / AE Officer in the applicable Scale of Pay in HAL. The Qualification Pay or Technical Pay or Technical Allowance, if any, drawn in IAF, will be protected as per Rules.

The Officer's Pay will be fixed within the HAL Scale of Pay as per the Rank of the Officer in IAF as enumerated in Para (iii) above. Further, if the Officer's Pay calculation exceeds the maximum limit of the Scale of Pay (HAL), his Basic Pay will be fixed two Increments lower than the maximum limit of the Scale (HAL) and the remaining amount will be paid as Personal Pay, which will be counted as Pay for all purposes.

Details of Pay, Perquisites & Special Allowances admissible will be as follows:

- Basic Pay in the applicable HAL Scale of Pay plus Personal Pay (if applicable);
- Dearness Allowance in IDA pattern, linked to AICPI (2001-100) link point of 277.33 as on 1.1.17, as revised from time to time;
- Perks & Allowances under the Cafeteria System at the rate of 35% of the Basic Pay;
- Special Allowances viz. Flying Allowance, Test Pilot Allowance, Hazardous Flying Allowance, Flying Kit Maintenance Allowance, Pre-Flight Meals Allowance, etc. as per Rules;
- Retention Incentive (applicable only to Permanent HAL Test Crew) – the rate increases from Rs. 60,000/- to Rs. 1,00,000/- per month in respect of Test Pilots / CPs & Rs. 50,000/- to Rs. 90,000/- in respect of Flight Test Engineers, based on their year of service as per Rules;
- The Officer will be eligible to draw full pension from the IAF as per Govt. Rules applicable to those allowed to join PSUs on immediate absorption basis;
- Depending upon the performance of the Division where the Officer is posted, the Officer will be eligible for payment of Performance Related Pay (PRP), as per Rules;
- In addition to Insurance Coverage of Rs. 3.5 Crores for Test Pilots / CPs / FTEs, the Officer will also be covered under the Group Insurance Scheme (which is in lieu of the EDLI Scheme under the PF Act) to the extent of Rs. 6,02,000/-;
- The Officer will become a member of the Employees Provident Fund, under the Employees' Provident Fund and Miscellaneous Provisions Act, 1952, as amended from time to time;
- The Officer will be eligible for Gratuity as per the provisions of the Payment of Gratuity Act, 1972, as amended from time to time;
- The Officer will be entitled for 2 ½ days of Vacation Leave for every 30 days of service and 12 days of Casual Leave in a year as per Rules. Vacation Leave can be accumulated upto 300 days and upto 50% of the Vacation Leave at Credit can be encashed in a year, subject to minimum of 10 days, as per

Rules. Vacation Leave at his credit at the time of superannuation, resignation, etc. to the extent of 300 days is fully encashable as per Rules.

**Reference:**

**HAL/HR/16(1)/2019 dated 22/03/2019**

Note: Encashment of VL is kept in abeyance in the Company at present. Encashment is allowed only at the time of cessation of service viz. superannuation, resignation, death, medical termination, etc. Further, in case of VL accumulation in excess of 300 days during the Calendar Year, encashment will be allowed for the number of days, in excess of 300 days.

- The age of superannuation in the Company at present is 60 years.
- (vi) Medical: Officers will be entitled to avail medical facilities for self and eligible dependant family members as per the Rules of the Company.
- (vii) Procedure for Release: Panel of names of the suitable Officers for permanent absorption in HAL based on the availability and spareability will be forwarded by IAF for finalisation at HAL. Names of suitable Officers will be intimated to Air HQ by HAL after due process of screening / selection at HAL. IAF will release such Officers so as to enable them to join HAL on immediate absorption basis. As far as possible, Air HQ will try to sponsor a panel of three names for each post.
- (viii) Representation of SC/ST & OBC: Though there is no fixed quota in terms of reservation for candidates (from Defence Services) belonging to SC/ST/OBC categories, due consideration will be given to ensure proper representation of these categories as this is a Government of India requirement. The existing % of Reservations is SC – 15%, ST -7.5% & OBC – 27%.
- (ix) Insurance & Survival Benefit: Test Pilots / Communications Pilots and Flight Test Engineers will be provided with Insurance Coverage of Rs. 3.5 Crores, which is inclusive of the Compensation payable under the Employee's Compensation Act, 1923, for covering fatalities arising out of flying activities. Towards this Insurance Coverage, no Premium is required to be paid by the Officer.

Test Pilots / Communication Pilots / Flight Test Engineers on the permanent rolls of the Company are eligible for Survival Benefit at the following rates for every completed month of permanent service in HAL (on Test Flying Duties), at the time of superannuation /

resignation / termination of employment under the Premature or Voluntary Retirement Scheme of the Company or on Medical grounds:

Test Pilots / Communication Pilots	Rs 10,000/- Per Month
Flight Test Engineers	Rs 8,000/- Per Month

The Officer should complete a minimum of 5 years of permanent service in HAL to become eligible for the Survival Benefit.

- (x) Accommodation and Perquisites (if any): The Officer will be provided with Company owned / hired unfurnished accommodation appropriate to his Grade, subject to availability. Recovery of rent would be as per HAL rules. In case the Officer makes his own arrangements for his residential purpose, HRA as per rules of the Company will be paid to him.
- (xi) Training and Licensing: HAL will facilitate permanently absorbed IAF Test Crew to obtain necessary licenses / waivers / endorsements to enable them to fly with HAL as per the rules of the Company. HAL shall conduct or subject the Officers for all flying and training activities necessary to obtain licenses / endorsements / waivers etc. necessary for clearances from DGCA.

Officers who are in possession of Civil License will be eligible for Civil License Pay as per the rules of the Company.

- (xii) Medical Standards: Test Crew (Test Pilots / Communication Pilots / Flight Test Engineers) should have passed a valid Medical Examination. The Medical Category of the Test Crew A1G1 or A2G2 (P) standard as given by Air Force is acceptable to HAL. If the Test Crew is holding A2G2(P) Category, it should not have any annotation restricting the Officer to carry out flight test duties for which he is to be employed.

Such Test Crew will not be required to undergo medical examination when they join HAL. The validity of the Medical Category A1G1 or A2G2(P) will be for one year from the date the medical test is done.

The AE Officers would be required to undergo pre-employment Medical examination as per HAL Pre-employment Medical Standards and prescribed rules of HAL. The Medical Exam would be conducted by IAF and the Medical Results would be forwarded to HAL by IAF, in the Formats prescribed under the HAL Rules, duly signed & certified by the authorized Medical Officer of IAF.

- (xiii) Alternate Employment – Medical Unfitness: In the event the Officer becomes medically unfit for carrying out Test flying duties in the Company, for reasons attributable to service with the Company and not attributable to any negligence or irresponsibility on the part of the Officer, the Company will offer a suitable ground duty job appropriate to his status. However, payment of the Special Allowances will be discontinued. In the event the Officer becoming unfit for ground duty jobs, HAL will consider termination of his services on medical grounds as per Rules.
- (xiv) Seniority: In case of permanent absorption of the Test Pilots / Flight Test Engineers / Communication Pilots / AE Officers while on deputation, the deputation period in HAL limited to the equivalent Grade of absorption, would be reckoned for seniority in HAL.
- (xv) Other Terms & Conditions: Consideration of Test Pilots and Flight Test Engineers of Indian Air Force willing to be absorbed in HAL will be subject to acceptance by HAL.

A Bond needs to be executed at the time of joining the Service of HAL by the Officer. The tenure of Bond for Test Pilots / Flight Test Engineers / Communication Pilots, & AE Officers on permanent absorption will vary from 3 to 5 years, as given below:

SI. No.	Officers Rank	Age	No of Years of Bond
1	Wg Cdr	38 years	5
2	Wg Cdr	39 years	5
3	Wg Cdr	40 years	5
4	Wg Cdr	Above 40 years	3
5	Gp Capt & Above	Above 40 years	3

The Officer will serve HAL for a minimum period as indicated above from the date of his permanent absorption in HAL or till he attains the age of superannuation in HAL, namely 60 years, whichever is earlier.

The compensation amount for leaving HAL before completion of the bond period will be Rs. 3 Lakhs (Rupees Three Lakhs Only) per year for the remaining period of the Bond.

A Bond will be executed between the Officer and HAL incorporating all the above mutually agreed Terms & Conditions for Permanent Absorption.

- (xvi) Residual Matters: In respect of matters which are not specified above (specifically covered in the MoU), the Officer will be governed by the applicable Rules and Regulations of HAL.

**(6) Optimum Utilization of Flight Test Crew:**

**References:**

- (1) MD(BC)/1031/036/2004 dated 10/05/2004**
- (2) HAL/P&A/37(1)-1.VOL.V/MPA/99/114 dated 09/02/1999**
- (3) HAL/HR(37)(1)/2019 dated 12/07/2019**
- (4) WAN Message dated 31/01/2020**

- (a) The spurt in the indigenous design and development activities in the field of aviation has resulted in manifold increase in the requirement of Flight Test Crew (FTC) namely Test Pilots and Flight Test Engineers. FTC are valuable asset trained by IAF in the Country and are being utilized in various Flight Test Agencies in the Country. Thus, recognizing the need to treat the FTC as common assets and to optimally utilize this vital resource, a Memorandum of Understanding (MoU) on sharing of FTC posted (including IAF FTC on deputation or permanent absorption at HAL or Aeronautical Development Agency (ADA), was entered on 05/05/2004 between ADA, IAF and HAL.
- (b) The Air Crew of IAF whose services are obtained on occasional Loan by the Company on “as and when required” basis are also to be paid, on pro-rata basis. Divisions shall extend the Flying – related Special Allowances to IAF Test Pilots on Occasional Loan / Attachment to HAL for undertaking Contractor Flights, as applicable to HAL Test Pilots, [(i.e., (Flying related Special Allowances / 26 days + Pre Flight Meal Allowance per working day)] per working day, on pro-rata basis, based on the concerned CTP’s certification.
- (c) Insurance coverage is extended to IAF FTC when they fly HAL Produced (Manufactured, Overhauled & Upgraded) Aircraft / Helicopters at HAL (both for Contractor & Customer Flights) till Customer Acceptance and release of Signal Out Certificate (SOC), at all concerned Divisions. The Insurance Coverage extended will be on par with that extended to Pilots / FTEs coming to the Company on Deputation (presently 3.5 Crores). It will be taken as Unnamed Policy, on per day basis.

**(7) Other Instructions for Deputation of Personnel to HAL:**

**References:**

- (1) HAL/PO/13(1) dated 02/09/1972**
- (2) HAL/PO/13(1)/Policy dated 19/07/1982**

- (a) Proposals for Deputation are to be referred to Corporate Office, which will in turn take up the matter with the authorities concerned. The Divisions are not to enter into any correspondence on the subject with outside Organizations. Proposals regarding reversion, replacement or absorption of Central Government Deputationists are to be sent to Corporate Office atleast 7 to 8 months in advance.

**Reference:**

**HAL/PO/13(18)/VOL.III dated 07/05/1979**

- (b) Permanent absorption is to be offered only to those Deputationists whose permanent retention would be in the interest of the Company and whose absorption would not affect the seniority of the Company employees. Further, a Deputationist is to be absorbed in the services of the Company, only where suitable Company employees are not available for promotion and suitable personnel are not likely to be available in the open market for recruitment to the Post. Officers whose normal dates of superannuation in their parent service fall within 2 years in the case of those on Deputation to the posts in Grade - IX and above and 3 years in the case of others from the date of commencement of their Deputation to HAL are not to be considered for permanent absorption. If such personnel are to be retained in the Company beyond the date of their normal superannuation, as stated above, they are to be treated as retired and re-employed in HAL. Before permanent absorption is offered to any Deputationist, prior approval of the concerned Appointing Authority is to be obtained. All cases of absorption require prior approval of the Chairman & Managing Director.

**III. FIXATION OF PAY OF GOVERNMENT PENSIONERS:**

**Reference:**

**P.C. No. 300 dated 29/03/1975**

The following procedure is followed with regard to the Fixation of Pay of Pensioners in the Company:

**Initial Appointment:**

- (1) Pay of the Pensioners on initial appointment may be fixed either:-
- (a) under the Rules of the Government of India applicable to re-employed Pensioners, by allowing all applicable benefits, or
  - (b) by grant of advance increments not exceeding five in a manner and subject to the same conditions as for open market candidates, with a further provision that full Pension or Residual Pension (Pension includes Pension equivalent of Gratuity and other forms of

retirement benefits), as the case may be, is to be deducted, whichever is more favourable to the employee.

**Notes:**

**References:**

**(1) HAL/P&A/38(1)VOL.XII dated 24/06/1986**

**(2) HAL/P&A/38(1)VOL.XII dated 21/04/1989**

In the case of Ex-Servicemen and Government Civilian Personnel retiring before attaining the age 55 years, Pension, as indicated below, is to be ignored while fixing their Pay on re-employment:-

- (i) In the case of Service Officers and Officers holding Group - A Posts (equivalent to Grade - II and above) in the Civil side, the first Rs.15,000/- of the Pension plus Pension equivalent of Gratuity;
- (ii) In the case of Service Personnel below Commissioned Officer Rank and Officers holding Group - B or lower Posts (equivalent to Grade - I and below) in the Civil side at the time of their retirement, the entire Pension plus Pension equivalent of Gratuity.

(2) As a matter of normal practice, Government Rules for Fixation of Pay will be applied. However, if in exceptional cases, strict application of these Rules stands in the way of attracting retired Government Servants possessing useful experience, the alternative as at Note (ii) in Para (1) above may be adopted.

(3) The following Guidelines should be kept in view in the matter of Fixation of Pay according to the Government Rules:-

- (a) The Pay of the re-employed Pensioners should normally be fixed at the minimum of the Scale;

**Reference:**

**P.C. No. 300 dated 29/03/1975**

- (b) Where such a fixation results in hardship to the Officer, the initial Pay can be fixed by giving advance increments at the rate of one increment for each year of service rendered in equivalent or higher Post. The Pay will be raised in such a manner to such a stage in the time Scale of Pay of the re-employed Post where the Pay plus Full Residual Pension does not exceed the Pre-retirement Pay. Comparison of Pay for the purpose of granting advance increments should normally be made on the basis of the Scales of Pay. However, comparison with reference to the duties / responsibilities attached to the Post may also be resorted to in the cases where comparison exclusively on the basis of Pay Scale results in hardship.

(c) Pre-retirement Pay means and includes the following:

**Reference:**

**HAL/P&A/38(1)/VOL.XI dated 19/12/1985**

- (i) Rank / Grade / Basic Pay or any other emoluments classified by the Government as Pay (according to the Government clarifications, the following emoluments have been classified as “Pay”):
- Officiating or Acting Rank Pay if drawn continuously for not less than one year immediately before retirement;
  - Personal Pay granted for loss of Substantive Pay;
  - Technical Pay / Post Graduate Allowance;
  - Non-Practicing Allowance minus the Non-Practicing Allowance admissible in HAL;
  - Special Pay like Deputation (Duty) Allowance granted under Fundamental Rules 9(25) or Personal Pay granted for other than loss of Substantive Pay if drawn continuously for more than one year immediately before retirement;
  - Good Service Pay, Good Conduct Pay, Deferred Pay, Badge Pay, Qualification Pay and Classification Pay drawn by Non-Commissioned Personnel, i.e., Junior Commissioned Officers or other Ranks;
- (ii) DA under the Government (as on the date of his retirement) minus HAL DA ;
- (iii) Interim Relief, if any.

**Notes:** (1) Other Allowances like HRA, Kit Maintenance Allowance etc., will not form part of the Pre-retirement Pay;

(2) No Personal Pay can be given to protect the difference in the Pre-retirement Pay and the stage in the time scale of the re-employed Personnel.

The re-employment Pensioner including Family Pensioners will not be entitled to draw any relief sanctioned to the Pensioners / Family Pensioners by the Government from time to time during their re-employment with HAL.

**References:**

- (1) HAL/P/139 dated 18/03/1983**
- (2) HAL/P/139 (14) dated 13/02/1984**
- (3) HAL/P&A/38(1)/VOL.XII dated 24/06/1986**

- (d) In the case of Service Officers and Civilian Officers holding Group - A Posts retired before attaining the age of 55 years, the first Rs.15,000/- of the Pension is to be ignored while fixing their Pay on initial appointment. The entire Pension is to be ignored in the case of other categories, i.e. Non-Commissioned Ex-Service Personnel & Civilian employees holding below Group - A Posts and retiring before attaining the age of 55 years.
- (e) In cases where the minimum Pay of the Post in which the Pensioner is re-employed is more than the last Pay drawn, he may be allowed the minimum of the prescribed Scale of the Post less Full Pension or Residual Pension, as the case may be.
- (f) The Pay of persons who have retired from Government service (except in the case of resignation, removal or dismissal) without earning any Pension, Gratuity or other retirement benefits, on initial re-employment, is to be fixed in accordance with these Rules by treating the element of Pension in such cases as NIL.

(4) In the case of re-employment of Government Servants, the individual is to be paid, during the period of his terminal leave at the minimum of the Scale of Pay in which he has been re-employed. From the date on which he actually retires from service and becomes entitled to Pension / Gratuity, his Pay is to be re-fixed with reference to the Rules for Fixation of Pay of re-employed Pensioners. The emoluments during such period of terminal leave when the employee is permitted to take up the employment pending retirement will be the full Pay and Allowances of the Post in which he is re-employed. The Pay / Allowances so admitted by HAL is to be intimated to the concerned Accounts / Audit Officer, who is to regulate the Pay / Allowances in accordance with Departmental Rules for the terminal leave. Once the initial Pay is fixed in the above manner, increments in the normal time scale can be allowed as if the Pay has been fixed at the minimum or higher stage as the case may be. When the Pay is fixed at the minimum of the Pay Scale, he should be given the benefit of the entire period of service rendered during the terminal leave granted by the Government for the purpose of future increments. In other words, his service from the date on which he is re-employed would count for grant of further increments. However, where the Pay has been fixed at a stage higher than the minimum after retirement and as a result of which he gets advance increments, he will earn the next increment only after completing the requisite service from the date from which his Pay has been re-fixed.

(5) In addition to the Pay so fixed in the Company, the employee will be allowed to draw his Pension, provided Pay allowed by the Company plus Pension / Pension equivalent of Gratuity or other forms of retirement benefits does not exceed the Pre-retirement Pay. Where the Pre-retirement Pay is

exceeded in this manner, he will be allowed to draw the Pension in full and the amount by which the Pay plus full Pension / Residual Pension etc. exceeds the Pre-retirement Pay, will be shown as a Constant Deduction in the Pay Bill on the debit side. The Pension element that has been deducted at the time of initial appointment would continue to be deducted during the entire service.

(6) Treatment of Military Service Pay (MSP): MSP is granted to Defence Forces Officers / Personnel while they are serving in the Defence Forces. Accordingly, on their re-employment in civilian Organizations, the question of grant of MSP to such Officers / Personnel does not arise.

(7) All the instructions issued from time to time by the Government of India regarding the Fixation of Pay of re-employed Pensioners shall be followed in the Company.

#### **IV. FORWARDING OF APPLICATIONS FOR EMPLOYMENT TO OUTSIDE ORGANIZATIONS:**

**Reference:**

**P.C. No. 15 dated 21/05/1965**

- (1) Every employee at the time of joining the Company is required to give an undertaking not to apply for any appointment elsewhere without first obtaining the written permission from the Competent Authority.
- (2) Employees should submit their Applications to the HR Department, through their Department Heads, with their specific recommendations.

**References:**

**(1) HAL/P&A/27(22)/2005 dated 23/11/2005**

**(2) HAL/P&A/27(22)/2006 dated 09/03/2006**

- (3) Only Employees who have completed three years of service in the Company, may be permitted to forward Applications for employment to outside Organizations in a Calendar Year, as detailed below:
  - (a) Maximum of two Applications in respect of Workmen and Officers upto and including Grade - IV.
  - (b) Maximum of one Application in respect of Officers in Grade - V and above.
  - (c) In case of surplus and SC/ST employees, Applications may be forwarded without any restriction;
  - (d) Applications of Officers in the Design Discipline are to be forwarded to Corporate Office, with the recommendation of the

concerned CEO / Director. Corporate Office will take decision on such cases, based on the merit of each case.

- (e) Divisional / Complex Managements need to exercise due discretion while forwarding the Application. The Management, for justifiable reasons, in the interest of the Company's work, reserves the right not to forward or withhold Application of any employee.

**Reference:**

**HAL/PO/18(6)/VOL.II/1318 dated 29/01/1972**

- (4) In case where there are compelling grounds for withholding of Application of the SC/ST employees for employment in outside Organizations in the interest of the Company's work, a report to that effect is required to be sent to Corporate Office giving the reasons and details in the month following that in which the Application is withheld.

**References:**

**(1) HAL/HR/47(85)/11 dated 22/06/2011**

**(2) HAL/HR/47(85)/11 dated 25/08/2011**

- (5) Employees are required to obtain prior approval of the Competent Authority / NOC before forwarding the Application in any form i.e., hard copy or online Application, for employment outside HAL and it applies to all employees of the Company including SC/ST employees.

**Reference:**

**HAL/HR/47(85)/15 dated 12/10/2015**

- (6) Divisions / Offices need to ensure speedy processing of the requests received for forwarding of Applications / Issuance of NOC, as per Rules. Desirous employees also need to submit requests for forwarding of Applications / Issuance of NOC well in advance, taking into consideration the lead time required for processing such Applications.

**Reference:**

**P.C. No. 568 dated 05/09/1986**

- (7) The Management reserves the right not to forward or withhold Application of any employee in the interest of Company's work.

**Reference:**

**HAL/P&A/27(22)/89 dated 25/11/1989**

- (8) In the Offer of Appointment issued to Applicants selected for employment in the Company, a specific clause to the effect that after their joining the Company, their Applications for employment outside HAL will not be forwarded for a period of three years from the date of their joining is to be included.
- (9) Applications of Officers in Grade - VII and above of other functional areas of the R&D Centres for outside employment may be forwarded to Corporate Office with the recommendations of the Director (Engg. and R&D) for further action.

**Reference:**

**HAL/P&A/27(22)/92 dated 07/11/1992**

- (10) Forwarding of Applications of Officers belonging to Design Discipline for outside employment will be considered on a case-to-case basis. Applications of individual Officers of Design Discipline are to be forwarded to Corporate Office with the recommendations of the concerned CEO / Director, which would be considered on the merits of each case.

**Reference:**

**HAL/P&A/27(22)/MPA/95/308 dated 14/03/1995**

- (11) Application of individual Officers of Design Complex can be forwarded to outside Organizations limited to one Application per year.

**References:**

- (1) P.C. No. 191 dated 16/11/1971  
(2) HAL/PO/18(6)/VOL.II/1318 dated 29/01/1972  
(3) HAL/P&A/27(22)/85 dated 07/01/1986

- (12) Applications of all temporary employees, employees belonging to the Scheduled Castes / Scheduled Tribes Communities and that of permanent employees in Grade / Trades in which the Division has surplus employees may be forwarded for employment in outside Organizations without restrictions.
- (13) There is no restriction on the number of Applications to be forwarded for employment within the Company, i.e., against Posts notified / advertised by other Divisions / Offices of the Company. However, if a Division / Office cannot spare an employee on selection, it should make a mention about the same while forwarding the Application.

**References:**

- (1) HAL/PO/18(6) dated 31/01/1984  
(2) HAL/P&A/27(28)/88/445/262 dated 29/10/1988

- (14) In the matter of forwarding of Applications, the following guidelines are to be kept in view:
- (a) Applications of SC/ST employees including those who are under Bond / Contractual Obligations are to be forwarded to other Government / Public Sector Undertakings without any restriction. In the event of selection of SC/ST employees under Bond / Contractual Obligations whose Applications are forwarded through proper channel, enforcement of Bond need not be insisted upon subject to the condition that the employee concerned executes a fresh bond to serve the new employer for the balance of the Original Bond period with HAL. In case Divisions / Complexes wish to withhold any Application of SC/ST employee, who is working on a Special Assignment / Project, prior approval of Corporate Office should be obtained.
  - (b) Applications of the employees other than the SC/ST employees who are under Bond are not to be forwarded till the expiry of the Bond period. If any exception is made, Corporate Office is to be informed of the situation under which the Application was forwarded.

**Reference:**

**HAL/P&A/27(22)/MPA/96/239 dated 11/04/1996**

- (15) In respect of forwarding of Applications of employees to ADA / DRDO Authorities, one Application per year can be forwarded with the specific approval of the Competent Authority as per Rules.
- (16) Applications of Officers of Functional Areas other than Design, working in R&D Centres for outside employment may be decided, on a case-to-case basis.

**Reference:**

**HAL/P&A/27(22)/DMP/9219 dated 18/12/1992**

- (17) Applications of Executives in Design Discipline for outside Employment are to be recommended for being forwarded only if the Officer can be spared to the Organization on his selection without replacement. Applications of Officers who cannot be spared on their selection need not be recommended / forwarded.

**Reference:**

**HAL/PO/18(6)/VOL.III dated 18/10/1979**

- (18) Where it is decided to withhold permission to appear for Competitive Examinations conducted by the Union Public Service Commission or

forwarding of Application for recruitment to Posts which are made by selection through the UPSC, the UPSC should be informed about the withholding of permission immediately. All precautions are to be taken in order to ensure that timely intimation about the rejection of permission is given to the UPSC, so that the candidature of such employees is not considered by the UPSC.

**References:**

- (1) HAL/PO/18(6)VOL.II/6549 dated 28/04/1975**
- (2) HAL/PO/18(6)VOL.II/9350 dated 24/06/1975**
- (3) HAL/P/18(6)/978 dated 02/08/1983**

- (19) Applications of Officers in Grade - VIII and above are to be forwarded only with the prior approval of the Chairman & Managing Director. Applications of Officers in Grade - VII are to be forwarded with the prior approval of the CEO / Director concerned. When Applications of Officers in Grade - V and above for employment in outside Organizations are forwarded, a copy of the Division's letter forwarding the Application should be endorsed to Corporate Office. Wherever, Applications of Officers in Grade - IV and above, in the Finance / Accounts / Audit Departments are forwarded for employment in outside Organizations, a copy of the forwarding letter should be endorsed to the Director (Finance) for information.
- (20) While forwarding Applications against notifications of the Company for employment in Organizations in Foreign Countries / under Foreign Governments, the Divisions / Offices should clearly indicate whether it would retain the lien of the employee on the Post held by him and does not require any replacement during the period of his employment abroad.

**Reference:**

**HAL/PO/18(6)/VOL.II dated 18/07/1972**

- (21) Applications of the Company employees for employment in Organisations in Foreign Countries or under Foreign Government would not to be forwarded if such employment has not been notified by the Company. No employee is to be permitted to apply directly for such employment while he is in the service of the Company. It is only after the employee resigns or retires from the service of the Company that he will be free to apply for employment in Organizations in Foreign Countries or under Foreign Governments / Agencies.

**V. NO OBJECTION CERTIFICATE TO THE EMPLOYEES FOR REGISTERING NAMES IN THE EMPLOYMENT EXCHANGES:**

**Reference:**

**P.C. No. 109 dated 03/12/1968**

The Executive Directors / General Managers / Division may, at their discretion, issue 'No Objection Certificate' to the following categories of employees for registration of their names with the local Employment Exchange:

- (a) All Temporary employees in Scale SS and below;
- (b) Permanent employees during the period of notice of resignation / termination;
- (c) Employees who are likely to be retrenched in the near future.

#### **VI. PERMISSION TO JOIN HOME GUARDS ETC:**

- (1) The Territorial Army (TA) is the second line of Defence of the Country which plays an important and useful role for the defence of the Country in an emergency as also during natural calamities. The main source of recruitment to the Territorial Army is Civil Government Servants, employees of Public Sector Undertakings / Corporations and also employees of Public Utility Institutions. As such, it is necessary that Government, Semi-Government / PSU employees are encouraged to join Territorial Army.
- (2) The Territorial Army invites Applications from time to time from Citizens of India and Ex-service Officers who are :-
  - (a) Gainfully employed and medically fit;
  - (b) A Graduate from a recognized University;
  - (c) Between the age group of 18 to 42 years (as on last date prescribed for receipt of Applications).
- (3) Selected candidates have to undergo one month basic training in the first year of Commission and 75 days post commissioned training within first two years. The Officers commissioned in TA Infantry may be called out for Military Service for longer durations depending upon the requirement.
- (4) During the period of training as well as Military Service, the Pay & Allowances admissible to his rank will be borne by the Territorial Army. They would be promoted upto the rank of Lt. Col. subject to their passing requisite promotion examination and to the rank of Brigadier on selection.
- (5) The Government has issued instructions that Government Servants should be encouraged to join Territorial Army as the same has to play an important and useful role for the Defence of the Country in an emergency as also during natural calamities etc.

**Reference:**

**HAL/PO/3(4) dated 08/08/1980**

- (6) There is no objection for the Company employees joining Auxiliary Police Organizations, such as Home Guards, National Volunteer Corps, Prantiya Rakshadal etc., provided that this can be done without detriment to their official duties. Where such permission is granted, it is subject to the following conditions:-
- (a) That the period of training and duty as Home Guard etc., will be treated as Special Casual Leave and the person concerned is permitted to receive in addition to his pay such emoluments as the State Governments may offer;
  - (b) The Company will not be responsible for any risks, injuries, damages or other consequences arising out of or during the course of employment in such Auxiliary Forces.
- (7) The Directors / CEOs / Executive Directors / General Managers may impose additional conditions, considered necessary to suit local conditions.

#### **VII. ATTENDANCE OF EMPLOYEES IN COURTS OF LAW:**

**Reference:**

**P.C. No. 54 dated 26/08/1967**

- (1) Employees summoned by Courts to give evidence regarding facts that have come to their knowledge in their capacity as employees of the Company and are permitted by the Company to tender such evidence, will be treated to be away on duty and will be paid TA/DA at duty rates, subject to production of proof in support of their attendance at the Courts and provided they have not received such payment from the Courts.
- (2) Employees summoned by Courts to give evidence not connected with or arising out of their employment with the Company may be granted Casual or Vacation Leave, as the case may be. They will not be eligible for any TA and DA from the Company for attending Courts.

#### **VIII. LEGAL ASSISTANCE TO EMPLOYEES FOR DEFENCE IN COURTS OF LAW:**

**Reference:**

**HAL/PO/18(127) dated 26/04/1969**

Under Article 164 of Articles of Association of the Company, it is obligatory on the part of the Company to indemnify its employees against liability arising through acts they perform in discharge of their official duties. There will, however, be no such obligation, if the liability arises out of the employee's negligence, default etc. The question of rendering legal assistance to the

employees for defence in the Courts of Law, in such cases should, therefore, be decided on the merit of each case.

#### **IX. LEGAL ASSISTANCE TO DRIVERS:**

**Reference:**

**P.C. No. 267 dated 01/03/1974**

- (1) With a view to provide legal assistance to the Company Drivers who are involved in Police cases for accidents arising in the performance of their official duties and for the prosecutions launched, the following arrangements are in vogue in the Company:
  - (a) As soon as prosecution is launched by the Police against a driver, he may, if he applies, be paid an amount not exceeding Rs.200/- by the Company, as its discretion, as advance towards expenses that he might incur in defending himself in the Court;
  - (b) If the driver is not found guilty of the charges, both in the Criminal Court and in the Departmental Action, if any, instituted against him in connection with the accident, the advance paid is to be treated as an ex-gratia grant made to him, to the extent of expenditure actually incurred by him and the balance, if any, of the advance is to be recovered from his wages. For this purpose, the driver shall produce a statement of expenditure supported by documentary evidence such as receipt for fees paid to the lawyer, a certificate from the lawyer in respect of the Court Fees / Stamps and fine levied by the Court, if any. However, if the fine levied on the driver is attributable to his neglect, he will not be entitled to the adjustment of the advance against the expenditure incurred by him in defending the case and for payment of the fine;
  - (c) If the driver is acquitted by the Court, the driver's absence from duty on account of attendance in Court will be treated as duty, provided he produces attendance certificate(s) from the Court. No other expenses such as TA etc. will be reimbursable to the driver;
  - (d) If, on the other hand, the driver is convicted, the entire advance will be recovered from the wages of the driver without charging any interest thereon and the period of absence for the purpose will be treated as leave that may be due to him;
  - (e) The driver will be required to submit to the Management a Certified Copy of the Judgment within 15 days of the pronouncement of judgment whether it is in his favour or not.
- (2) The Competent Authority for this purpose will be the Executive Director / General Manager / Chief of Design / Chief of Projects / Chief of Planning / Chief Test Pilot (Grade IX) in so far as the Divisions are concerned or any

other Officer of the Division duly authorized in this behalf by the Executive Director / General Manager. In so far as the Offices of the Chief Executive Officers / Director (Eng. and R&D) / Corporate Office are concerned, the Competent Authority will be stipulated by the concerned the CEO / Director / Chairman & Managing Director, as the case may be.

**X. RESTRICTIONS OF DEPENDENTS OF EMPLOYEES TAKING UP CERTAIN APPOINTMENTS:**

**Reference**

**P.C. No. 45 dated 11/07/1967**

If an employee's wife / dependents (in case of female employee, whose husband whether dependent on her or not, or whose other dependents) intends to take up employment with Foreign Missions in India / Abroad, he/she should apply through proper channel and obtain a 'NO OBJECTION CERTIFICATE' from the Corporate Office before accepting such employment. No such appointment should be accepted without prior permission.

**XI. CONCESSIONS TO MILITARY RESERVISTS:**

**Reference:**

**P.C. No. 149 dated 28/02/1970**

Military Reservists employed in the Company are given certain concessions when they are called up for Military Training / Duty. Pay & Allowances and other Conditions of Service in respect of Military Reservists employed in the Company when called up for Military Training / Military Duty will be regulated in the following manner:

- (1) **During Training:**
  - (a) The entire period of Military training including the period of transit will be treated as duty for purposes of leave & increments.
  - (b) During the transit period, they will be entitled to the Company rates of Pay & Allowances.
  - (c) For the period of training (excluding period of transit) if the Pay & Allowances (including concessions in kind e.g. free ration etc.) admissible as a Reservist, are less than the Pay & Allowances admissible in the Company post, the difference will be paid by the Company.
  - (d) Where the employee chooses to avail himself of leave at his credit in order to undergo training, the Company's Leave Salary & Allowances will be paid in addition to Service Pay & Allowances.

- (e) Where the employee does not avail himself of leave at his credit for undergoing training, Company or Service Pay & Allowances, whichever is favourable, will be paid to him. Where the Company's Pay & Allowances are higher, the difference between the Company Pay & Allowances and the Service Pay & Allowances will be borne by the Company.
- (f) No Travelling Allowance will, however, be admissible to them because they would travel on Railway Warrants and would draw money in lieu of ration and mineral water and Ice Allowance during the summer months.

(2) **On active service:**

(a) Pay and Allowances:

- (i) The Company or Military Pay & Allowances whichever is favourable will be paid.

Where the Company Pay & Allowances are higher than the Military Pay & Allowances, the Reservists will be paid the higher emoluments and the difference will be borne by the Company.

**Note:** In the case of Reservists, who are JCOs and other ranks, the Company rates of Pay & Allowances which would have been admissible to them from time to time shall be reduced by Rs.25/- p.m. on account of free rations.

- (ii) The period of active service will count as duty if the Reservist avails himself leave during the period and he will be allowed to draw only the Company leave salary for this period. If however, he does not avail any leave during this period, he will be entitled to the Company rates of Pay & Allowances.

(b) T.A. for the Employees and their Families:

- (i) No Traveling Allowance / advance of pay on being called up for active service will be admissible, as the individuals would travel on Railway Warrant and would draw money in lieu of ration and mineral water and ice allowance during summer months.
- (ii) During active service or on voluntary resignation due to circumstances beyond control or on dismissal / removal from service or on being permitted to resign, the Reservists will be entitled to conveyance to the intended place of residence in India at the same rate as admissible to corresponding ranks in the Army etc.
- (iii) Where the employee, on being called up for active service, wishes to leave his family in his native place or elsewhere where the family intends to reside, train fare to the nearest Railway Station will be paid via the shortest route to the employee and to each member of his family.

- (c) (i) Lien:
- A permanent employee will have a lien on his Post in the Company and will be employed by the Company, on termination of the period during which he has been called up, in an occupation and under conditions not less favourable to him than those which have been applicable to him had he not been called up on duty.
  - A temporary employee will, however, have no lien on his Post or in any other Post, on termination of the period during which he was called up.
  - On release from the Military Duty, all such persons should be absorbed in the Posts in which they would have continued but for their 'embodiment' subject to those Posts being available. If the Post held by them is abolished while they are on active service, they will be treated to have ceased to be in Company's employment.
- (ii) Filling up of Vacancies:
- The vacancies caused by the calling up of Reservists may be filled up on a purely temporary basis. Temporary Posts which were held by Reservists even if they are made permanent, should not be filled on permanent basis by persons holding them temporarily in their place.
- (d) Accommodation, Medical & Educational Facilities:
- (i) An employee who is forced to keep his family in the quarter belonging to the Company will be allowed to keep the accommodation subject to recovery of rent at the rate last paid. An undertaking, however, is to be given by the employee to the Company to enable recovery of rent from his Pay through the Military Authorities.
  - (ii) The family will continue to be entitled to medical and educational facilities etc., as may be admissible to the Company employees' families from time to time so long as the family continues to live at the headquarters of the employee concerned, and provided that they are not given medical, educational facilities etc., granted to families of Military men's families under the regulations applicable to them.
  - (iii) The period of absence from duty from the Company necessitated due to the interview / medical examination etc., in connection with his joining the Defence Services Training Centre or active service will be treated as Special Casual Leave. This concession would, however, be admissible only in those cases where it may not be possible for the employees concerned to attend to their duties the

same day after the interview / medical examination etc. If an employee withdraws his candidature at the interview, he would not be entitled to any Special Casual Leave.

(e) Provident Fund:

The employee will be allowed to subscribe to Provident Fund, and Company's contribution as may be admissible from time to time will be credited to his account if the active service does not count from Military Pension / Gratuity under the Army, Navy, Airforce Rules. Both the subscription and contribution will be based on the Company salary. The recovery of the employee's subscription will be effected from the salary every month by the Army authorities and remitted to the Company.

(f) Appointment to Permanent Commission:

In case an employee who is permitted to take an emergency commission is subsequently granted permanent commission, he will be considered as having resigned from the Company service with effect from the date of his appointment to permanent commission.

(g) Indentured Employees:

Where an employee has executed an Agreement to serve the Company for any stipulated period, the period of his Military Service in the present employment will be counted as qualifying service for the purpose of discharging his obligations under the Agreement.

(h) Gratuity:

The entitlement of Gratuity to a reservist is the same as any other employee of the Company, if the period of active service does not count for Military Pension / Gratuity under the Army, Navy, Air force Rules.

**XII. HAL EMPLOYEES PREMATURE RETIREMENT SCHEME:**

**References:**

- (1) P.C. No. 710 dated 05/04/2016**
- (2) HAL/HR/20(27)/2019 dated 12/12/2019**

A Scheme for Premature Retirement was notified in the Company w.e.f. 22/01/1976 for annual review of Officers in Grade – I and above, who have completed 50 years of age with a view to improve the effectiveness of the Administrative Machinery by weeding out Officers who have ceased to be useful to the Company or whose integrity is questionable, as determined by the Competent Authority, in the interest of the Organization. Retention or otherwise of such Officers was to be determined by a Screening Committee constituted for

the purpose, which would submit its recommendations to the Competent Authority for approval / decision.

The Administrative Machinery rests its functions upon efficient employees. Accordingly, the then existing Scheme for Premature Retirement was reviewed and a revised Scheme to enable the Company to energize its administrative machinery & augment efficiency was introduced in the Company vide Personnel Circular No. 710 dated 05/04/2016.

Considering that inefficiency / non-performance can set in at any early age also, the age of coverage under the Revised Scheme was brought down. As such, the revised Scheme will be applicable to all Employees who have completed 15 years of continuous service in the Company or attained 45 years of age. It is to be noted that weeding out is not the intended purpose of the Scheme; the Scheme essentially aims at improving efficiency & performance of the employees in the Organization, so that the Organization is able to continuously move towards the Mission of 'Managing Business in a Climate of Growing Professional Competence'.

The revised Scheme is applicable to all employees and is ought to be implemented in content & spirit. While the Scheme is applicable in respect of Executives from the date of Notification of the Personnel Circular, and for Workmen of Corporate Office, HAL Management Academy Office of Chief Executive Officer of MiG & Accessories Complexes and Liaison Offices from 12/12/2019, the same will be made applicable to Workmen of Divisions / R&D Centres, etc. after suitable modifications in the Certified Standing Orders. The revised Scheme is as detailed below:

**(1) Title:**

- (a) The Scheme shall be known as "HAL EMPLOYEES PREMATURE RETIREMENT SCHEME".
- (b) Premature Retirement under the Scheme is not to be treated as a punishment and it carries no stigma.

**(2) Scope:**

The Scheme shall be applicable in case of all Permanent Employees of the Company. The term Employee shall cover all Workmen and Officers in Grades I to X, who are borne on the Regular Rolls of the Company.

**(3) Coverage:**

- (a) Permanent Employees who fall in the following categories will be considered for Premature Retirement under the Scheme:
  - (i) Those who have completed 15 years of continuous Service in the Company or attained 45 years of age as on the last day of September every year.

**and**

- (ii) Those who have Performance Rating of 'Below Average' (presently Marks of below 50) for three times in the entire service period.

**or**

Those who have been imposed with 2 Major Penalties on account of Misconducts during the preceding 10 years.

**or**

Those Direct Workmen whose efficiency remains below 70% consistently during the preceding twelve quarters despite availability of sufficient Workload.

Notes:

- (1) If employees are not able to perform in the existing Departments / Shops on account of reasons like less workload, job misfit etc., they may be given an option to move to another Department / Shop in line with the Organizational requirements, against a written consent, before being considered under the Scheme. They may also be nominated for Training Programs to improve efficiency.
  - (2) An employee whose Physical or Mental Health is such that it makes him / her inefficient would be considered for retirement under the Scheme.
- (b) The Scheme will also be applicable to Employees who have completed 15 years of continuous service in the Company or attained 45 years of age; and whose integrity is indicated as 'Open to doubt' in the PARs / APARs during the preceding three years of service. Chief Vigilance Officer, Corporate Office should be consulted in such matters. Cases of doubtful integrity will be considered only after clear, cogent & substantial grounds are available for such action.
- (c) The following categories of Employees will not be covered under this Scheme:
- (i) Employees promoted under Vacancy based Promotions in the preceding three years;
  - (ii) Employees under Suspension;
  - (iii) Employees in respect of whom Disciplinary Action has been initiated by issue of Charge Sheet, till the proceedings are closed;

- (iv) Employees in respect of whom prosecution for a Criminal Charge is pending or Sanction for Prosecution has been issued or a decision has been taken to accord Sanction for Prosecution;
- (v) Employees against whom an Enquiry / Investigation on allegations of Corruption / Bribery or Misconduct is in progress either by CBI or any other Agency.

**(4) Feedback:**

Head of Department / Section Head are required to give Oral / Written Feedback to Employees periodically about their performance. The Oral Feedback, if any, needs to be documented alongwith the signature of the employee and records of such feedback given have to be incorporated in the Personal File of the concerned Employee. In addition to the feedbacks, Employees may also be Counseled during the preceding two years before he is considered for Retirement under the Scheme.

**(5) Competent Authority:**

The Competent Authority to approve cases of Premature Retirement would be as follows:

<b>Level</b>	<b>Competent Authority</b>
For Workmen & Officers in Grades I, II & III	Executive Director / General Manager (Head of the Division / R&D Centre / Office)
For Officers in Grades IV, V & VI	Chief Executive Officer (CEO) / Director / Functional Director
For Officers in Grades VII & VIII	Chairman & Managing Director (CMD)
For Officers in Grades IX & X	Board of Directors

**(6) Procedure:**

- (a) Each case for Premature Retirement is to be reviewed by the Screening Committee constituted for the purpose, which will submit a detailed Report with justification alongwith recommendations to the Competent Authority of the respective Grades / Scales for approval / decision. Screening will normally be effected twice in the career of an employee, first after completing 15 years of continuous service or passing the age of 45 years as indicated at Para 3(a)(i) above; and the second after completing 20 years of continuous service or passing the age of 50 years respectively. In addition, Management may at its discretion, screen the case of an Employee who has passed the age of 45 years at any time during his career thereafter.

- (b) The Screening Committee will comprise of the following:

Level	Screening Committee
For Workmen & Officers in Grades I, II & III	Senior most AGM in the Division / R&D Centre / Office as Chairman, Head of MSD, concerned HoD, one co-opted Member in the level of DGM / CM and Head of HR as Members.
For Officers in Grades IV, V & VI	ED / GM of the Division / R&D Centre / Office as Chairman, Head of MSD, concerned AGM / DGM / HoD, one co-opted Member in the level of AGM and Head of HR as Members.
For Officers in Grades VII & VIII	CEO / Director / Functional Director as Chairman, ED / GM of the concerned Division / R&D Centre / Office, two EDs / GMs of other Divisions of the Complex and Head of Complex HR as Members.
For Officers in Grades IX & X	CMD as Chairman, all whole-time Directors, one Independent Director, all CEOs and Head of Corporate HR as Members.

**Note:** Member Secretary to be nominated from the HR Department.

- (c) HR Department will evaluate cases for consideration and submit all the data available about the Employee and provide a comprehensive Brief to the Screening Committee, by end of August every year. The Committee shall take note of the entire Service Record of the Employee and give due weightage for any adverse entries and un-communicated remarks made in the PARs / APARs / Personal Files, before making recommendations to the Competent Authority. While the entire Service Record of an Employee should be considered at the time of review, greater emphasis will be placed on his performance during the three years preceding the review, also keeping in view any evidence of deterioration in efficiency and unsatisfactory performance.
- (d) Retirement under the Scheme would be effective from the afternoon of the last working day of the month in which the approval of the Competent Authority is accorded.
- (e) Every employee who is prematurely retired under the Scheme shall be entitled to submit, within a period of one month, from the date on which the order was communicated to him / her, an Appeal before the Appellate Authority. Appellate Authority would mean the next higher Authority above the respective Competent Authority for Officers / Workmen. In respect of Officers in Grades IX & X, the Competent Authority will also be the Appellate Authority. The decision of the Appellate Authority in this regard shall be final. The Appeal will be disposed of by the Appellate Authority within a period of 60 days from the date of receipt of Appeal. If the Appeal is not disposed off within this period, the decision of the Competent Authority will prevail.

- (f) In case the Appellate Authority disagrees with the decision of the Competent Authority, the Employee will be reinstated with continuity of service. The period of absence will be treated as Leave and will be adjusted from the Vacation Leave balance of the Employee. If sufficient Vacation Leave balance is not available, it will be considered as Leave Without Pay.

**(7) Notice Period:**

No Notice Period will be admissible to Employees under the Scheme. However, Employees will be eligible for Notice Pay in lieu of Notice Period, as applicable to them in cases of resignations. Payment of applicable Notice Pay will be simultaneously made with the passing of the Order of Premature Retirement.

**(8) Benefits:**

- (a) Balance in his Provident Fund Account (Employer & Employee contribution) with accretions thereto subject to the provisions of the Provident Fund Rules.
- (b) Gratuity for each completed year of service or part thereof as admissible under the Payment of Gratuity Act, 1972.
- (c) TA/DA Benefits for self and family for proceeding to Home-town or to the place where he intends to settle down in India, as admissible on Superannuation, under the Travelling Allowance Rules - Inland.
- (d) Encashment of Vacation Leave at the credit of the Employee as admissible under the Rules of the Company.
- (e) Benefits under the Post Superannuation Group Health Insurance Scheme & Pension Scheme, as admissible on Superannuation.
- (f) The Employee will not be eligible for any extra benefits from the Company on Premature Retirement.

**(9) General Conditions:**

- (a) An Employee who retires under the Scheme shall not be eligible for re-employment in the Company.
- (b) All Outstanding Loans, Recoveries, Bond Liabilities (if any) etc. due from the Employee who retires under the Scheme will be fully adjusted against the payments due to him.

**XIII. SCHEME OF ADDITIONAL COMPENSATION / EX-GRATIA PAYMENT TO THE EMPLOYEES WHO ARE MEDICALLY UNFIT AND ARE TERMINATED FROM SERVICE ON ACCOUNT OF CONTINUED ILL-HEALTH:**

**References:**

- (1) P.C. No. 549 dated 05/08/1985**
- (2) P.C. No. 600 dated 24/01/1990**
- (3) HAL/P&A/15(2J)16/PF dated 30/06/2016**

- (1) Under the Company Rules / Standing Orders, services of an employee who is found Medically Unfit to perform the job for which he is employed can be terminated on account of continued ill-health after due intimation to him. With a view to provide generous means to the terminated employees for rehabilitation, the Scheme of additional compensation / ex-gratia payment to the employees who are medically unfit and are terminated from service on account of continued ill-health is put in place.
- (2) Taking a compassionate view of the circumstances in which the employment is terminated, an employee who has rendered atleast 10 years of continuous service in the Company and whose services are terminated due to continued ill-health will be given ex-gratia payment in addition to his normal terminal benefits as indicated below:-

1 ½ months' emoluments for each completed year of service OR the monthly emoluments multiplied by the balance months of service left before the normal date of superannuation, whichever is less. The ex-gratia payment will, however, be subject to an overall ceiling of Rs. 7 Lakhs.

**Note:**

“emoluments” means Basic Pay + DA drawn by the employee as on the date of termination due to continued ill health.

**XIV. NOMINATION OF OFFICERS TO OTHER ORGANISATIONS – ACCEPTANCE OF HONORARIUM VIS-A-VIS TREATING THEIR ABSENCE AS ON DUTY:**

**Reference:**

**HAL/PO/9(22)/84 dated 07/11/1984**

The Company Officers are required from time to time to serve as Members on Selection Committees of other Organizations in or outside their headquarters. Some of the outside Organizations pay honorarium to these Officers in addition to payment of Traveling Allowance. Their absence & acceptance of honorarium are to be regulated as given below:

- (a) Absence of Officers for attending Selection Committee meetings in other Organizations as Members / Experts is treated as on duty provided such assignment had the prior approval of the Competent Authority;
- (b) The Officers may be allowed to retain the honoraria received from other Organizations subject to the limit of Rs. 5,000/- per annum;
- (c) In case an Officer is required to attend as Member / Expert of Selection Committee in other Organizations outside his headquarters, TA/DA will be borne by the Organization seeking his services. However, the difference in the TA/DA drawn by him from the Organization borrowing his services as compared to his entitlement under the Company Rules, if any, will not be admissible to him.

**XV. VIGILANCE CLEARANCE – CONSOLIDATED INSTRUCTIONS AND PROCEDURE:**

**Reference:**

**HAL/HR/27(1)/Policy/2019 dated 25/04/2019**

Comprehensive instructions indicating the purposes for which Vigilance Clearance is to be obtained was issued during 2007. Thereafter, amendments / clarifications were issued from time to time. The consolidated instruction on Vigilance Clearance and procedure for issuance of Vigilance Clearance are as follows:

**(a) Purposes for which Vigilance Clearance is to be obtained:**

Vigilance Clearance is to be obtained for the following purposes:

- (i) Promotion of Officers & Workmen to higher Scales viz. both under the Vacancy Based and Time Bound Promotion Schemes (CPP, TSP & CPS Schemes);
- (ii) Selection & Appointment of Internal Candidates against Open Selection;
- (iii) Confirmation on first Appointment;
- (iv) Compulsory Retirement / Premature Retirement / Superannuation from service (Normal Retirement) / Voluntary Retirement / Optional Retirement / Resignation / Termination on account of continued ill health;
- (v) Issuance of No Objection Certificate for obtaining Passport;

- (vi) Posting to Sensitive Departments / Sections / Areas notified vide Circular No. HAL/HR/46(10)/2016 dated 07/12/2017 on the subject '*Transfer/Job Rotation of Employees posted in Sensitive Areas*' and as amended from time to time;
- (vii) Deputation to other Organizations within the Country and for Foreign Assignments;
- (viii) Training Abroad including Seminars / Conferences;
- (ix) Private Visit to Foreign Countries;
- (x) Permanent absorption of Government Servants;
- (xi) Officers who are being considered for assignment / posting as Offg. General Manager / Offg. Chief of Projects / Offg. Chief Designer, before such assignment / posting.

**Note:** There may be requirements to ensure that no Disciplinary / Vigilance Case is contemplated / pending for other purposes like Reward Scheme for Exemplary Performance, Sponsorship for Higher Studies, etc. In such cases, it is for the Division / Office to ensure compliance of the same before forwarding the nominations. HR Departments would take up with the respective Vigilance HoDs, only to confirm no Vigilance Case is contemplated against the concerned Employees. All other information would be available with HR and they should ensure requisite compliances. In other words, no Vigilance Clearance shall be sought in such Cases; or for any purposes other than those indicated at (i) to (xi) above.

**(b) Vigilance Clearance in respect of Board level Officers:**

- (i) The practice of obtaining Vigilance Clearance in respect of CMD and Directors (Board level Officers) from CVO, HAL was discontinued during 2012. In their cases, Vigilance Clearance is required to be obtained from the CVO of the Ministry (MoD).
- (ii) In respect of Officers recommended by the PESB for appointment to Board level Post in PSUs, Vigilance Clearance is obtained by the Department/Ministry, from CVC.
- (iii) However, Vigilance Status of the Officers as available with the CVO, HAL on the date shall be intimated to the Ministry.

**(c) Officers (Members) being nominated as Selection Committee Members for Recruitment & Promotion:**

HR Department should ensure that Officers (Members) being nominated as Selection Committee Members for Recruitment & Promotion (Vacancy Based & Time Bound) in respect of Officers & Workmen have not been

issued Advisory / Punishments in Recruitment/Promotion Cases during the preceding three years, reckoning the date of the Selection Committee Meeting. In other words, Officers (Members) against whom Advisory/Punishments in Recruitment/Promotion Cases have been issued during the preceding three years will not be nominated as Selection Committee Members.

**(d) Vigilance Clearance for Promotion in respect of Officers in Grade VI & above:**

- (i) The following information, amongst others, are required to be provided in the Online Vigilance Clearance Request Portal (in the 'Note / Recommendation' Cell) while seeking Vigilance Clearance for Promotion in respect of Officers in Grade VI & above:
- Mode/Category of Promotion viz. DPC/IMS/Selection;
  - Date of Seniority of the Officer in the present Grade;
  - Date of consideration for Promotion.
- (ii) Vigilance Clearance Requests are to be raised / forwarded 15 days prior to the date of interview.

**(e) Vigilance Clearance for Private Visit Abroad:**

- (i) The revised Format/Application for obtaining Vigilance Clearance for Private Visit to Foreign Countries was notified during 2010. The said Format mandates Employees to enclose a copy of the 'Visa Application'.
- (ii) As certain Countries do not issue 'Pre-Visa' (before the Visit) but grant 'Arrival Visa' to Indians on arrival in their Country, Employees would not be able to enclose a photocopy of the 'Visa Application' while seeking Vigilance Clearance. Therefore, Vigilance Clearance will be issued in such cases, subject to obtaining an Undertaking from the Employees that they will submit a copy of the 'Visa' on return to India.
- (iii) The modified Format/Application for obtaining Vigilance Clearance for Private Visit to Foreign Country; and the Format for obtaining the Undertaking from Employees who visit Countries that issue 'Arrival Visa' was notified during 2014.
- (iv) The Format seeking Vigilance Clearance for Private Visit abroad should also indicate the exact dates of travel and stay abroad.

**(f) Leave availed by Employees abroad, during the period of Deputation / Assignment abroad:**

As Vigilance Clearance is to be obtained for Private Visits abroad, the period of leave to be availed abroad, prefixed and/or suffixed to the period of deputation / assignment abroad, should be indicated while seeking

Vigilance Clearance. In other words, the entire duration of stay abroad should be indicated while seeking the Clearance. .

**(g) System of submission of 'Prior Intimation' letter in place of obtaining 'No Objection Certificate' for obtaining Passport:**

(i) System of obtaining 'No Objection Certificate (NOC)' for obtaining Passport by Employees is existing in the Company for which Vigilance Clearance is also being obtained before processing the Application for issuance of NOC.

(ii) As notified by the Ministry of External Affairs, Govt. of India, vide OM No. VI/401/01/05/2014 dated 26/05/2015, new System of submission of 'Prior Intimation' letter to the Controlling Authority (Head of HR Department), without obtaining the NOC from the Company, was notified during 2015. The procedure to be adopted by the Divisions/Offices in case of receipt of 'Prior Intimation' letter is as follows:

- HR Department shall apply for Vigilance Clearance immediately upon receipt of the Prior Intimation Letter;
- If Vigilance Clearance is issued and if there is no objection from the Division/Office administratively, apart from Vigilance Clearance, no intimation need to be given to the concerned Passport Issuing Authority;
- If Vigilance Clearance is not issued or if the Division/Office has any objection for issuance of Passport to the concerned employee, the Divisional/Office HR, with the approval of the Competent Authority, will revert back to the concerned Passport Issuing Authority immediately, bringing out the details of such objections.

**(h) Time period for issuance of Vigilance Clearance:**

Vigilance Department would issue Vigilance Clearance within 15 days of receipt of Vigilance Clearance Request (Online Application Request). In case Clearance is not received within 15 days, it would be presumed that Clearance is given.

**(i) Procedure for Issuance of Vigilance Clearance:**

Corporate Vigilance has brought out the need to have a standard procedure for issuance of Vigilance Clearance in the Company. They have examined the various Guidelines on the matter and has come up with a Standard Procedure for issuance of Vigilance Clearance. This would result in a transparent system for issuance of Vigilance Clearance in the Company and would also streamline the procedure in obtaining Clearance. The procedure / details in this regard, are as follows:

- (i) Vigilance Clearance Request for all purposes indicated at Para (a)(i) to (xi) above shall be forwarded to the Vigilance Department through the Online Vigilance Clearance System (OLIV) only.
- (ii) Vigilance Clearance Request is to be forwarded through the HR Department. The concerned HR/Legal Officers need to endorse all the details of Vigilance/Non-Vigilance/Criminal Case(s), if any, against the Employee for whom Vigilance Clearance is sought.
- (iii) For the purpose of issuance of 'No Objection Certificate' for obtaining Passport/Renewal of Passport; and for Private Visit to Foreign Countries, scanned copy of the prescribed Format duly signed by the concerned Officials (through Proper Channel), need to be attached in the OLIV Portal while seeking Clearance.
- (iv) Vigilance Clearance shall be issued by the respective Vigilance HoDs of the Division/Complex/Corporate Office, depending upon the Grade/Level of the Employee, as per the powers delegated to them by CVO from time to time.
- (v) While issuing the Vigilance Clearance, the following aspects would be considered by the Vigilance Department:
  - Employees under Suspension;
  - Employees in respect of whom Charge Sheet has been issued and Disciplinary Proceedings are pending;
  - Employees in respect of whom prosecution for a Criminal Charge is pending;
  - Employees in respect of whom Disciplinary Action is contemplated;
  - Employees who are undergoing Penalty / Punishment imposed by the Disciplinary Authority or sentence ordered by a Court of Law.
- (vi) In respect of Employees falling under the circumstances indicated at (v) above, Vigilance Clearance will be 'Withheld' or 'Status Report' issued, on a case to case basis.
- (vii) The Standard Operating Procedure (SOP) i.e., 'Vigilance Clearance Issued / Withheld or Status Report issued' for various purposes for which Vigilance Clearance will be sought, is indicated at **APPENDIX - XV**. This would facilitate the HR & Vigilance Functionaries in processing / taking appropriate decisions when Vigilance Clearance is sought. In all instances other than those indicated in **APPENDIX - XV**, Vigilance Clearance will be issued.
- (viii) There may be certain circumstances, where the Competent Authority has to take an informed decision, notwithstanding the fact that Vigilance

Clearance is not withheld by the Vigilance Department. Such circumstances / situations are also indicated at **APPENDIX - XV** wherein the Vigilance Department will issue the 'Status Report'.

- (ix) Decision on issuance of Vigilance Clearance or otherwise on certain occasions are to be decided on a case to case basis by the Vigilance Department. Such instances are also indicated in **APPENDIX – XV**.
- (x) HR Department shall regularly intimate the Vigilance Department on issuance of Charge Sheet & Punishment Orders in Vigilance / Non-Vigilance Cases for updating the Vigilance Database in the OLIV Portal. To facilitate updation / uploading of Non-Vigilance Cases by the HR Department, Vigilance Department will create a provision in OLIV Portal for the same. Till such time, hard copies of Charge Sheets & Punishment Orders shall be forwarded to the Vigilance Department.
- (xi) Vigilance Clearance would be processed only in the Online mode in the OLIV Portal. The System Generated Report shall be taken by the HR Department. The same does not require any signature.
- (j) **Implementation of simple Application Format for Vigilance Clearance for obtaining/renewal of Passport:**

The modified Format notified during 2014 is being used for obtaining Vigilance Clearance for Private Visit to a Foreign Country. The same Format is also being used for obtaining Vigilance Clearance for the purpose of obtaining new Passport as well as renewal of existing Passport. It has been decided to put in place separate Formats for the said purposes. Accordingly, the following Formats shall be used:

- (i) The Formats notified during 2014 (**APPENDICES – XVI & XVII**) would be used only for the purpose of obtaining Vigilance Clearance for a Private Visit to Foreign Country;
- (ii) A new simple Format as at **APPENDIX – XVIII** need to be used for obtaining Vigilance Clearance for obtaining new/renewal of Passport.

If at any stage, it is found that the Government instructions on the subject are at variance with the above instructions, the Government instructions on the same would prevail.

## **XVI. HOLIDAYS:**

The number of holidays shall be regulated according to the provisions in the respective Standing Orders of the Divisions. In addition to the three National Holidays, viz Republic Day, Independence Day and Gandhi Jayanti, the total number of festival holidays in a year shall not be more than nine. The list of holidays each year for the Division will be notified in advance in consultation with the recognized Trade Union.

## **XVII. GENERAL ELECTIONS – DEPUTATION OF STAFF:**

**Reference:**

**HAL/PO/21(54) dated 20/02/1972**

According to Section 134 of the Representation of Peoples Act, 1951, the employees of the Public Sector Undertakings may be called upon to carry out duties in connection with the General Elections to the Legislative Assemblies / Parliament. Where such requests are received from the authorities concerned for deputing Company Officers and Staff for polling duties, the minimum number of non-Technical staff may be deputed for such duties.

## **XVIII. DECLARATION OF PAID HOLIDAY ON THE DAY OF GENERAL ELECTIONS:**

The date of polling may be declared by the Divisions concerned as an additional paid holiday, if the State Government has declared it as a local holiday for industrial workers in the particular area or constituency, provided that it does not fall on a Sunday or a paid holiday. If the State Government has not declared the polling day as a paid holiday for any particular area or constituency, such arrangements may be made for providing facilities to the employees to exercise franchise as the State Government proposes for the employees working in other industrial undertakings in the area. Necessary action in this respect should be taken in consultation with the Chief Electoral Officer of the State concerned.

## **XIX. CLOSING OF OFFICES / DIVISIONS ON THE DEATH OF HIGH DIGNITARIES:**

According to the directions of the Ministry of Defence and the Ministry of Home Affairs, closed holiday may be declared in the event of death of the President, for the Company Offices / Divisions located at the place where the funeral takes place on the date of the funeral. The Company is not required to declare a holiday in the event of the death of any other dignitary.

## **XX. ISSUE OF BADGES / BIO-METRIC IDENTITY CARDS:**

**Reference:**

**P.C. No. 5 dated 23/01/1965**

Every employee on joining duty is issued a badge with a serial number. This number is known as Permanent Badge Number (P. B. No.) or Employee ID No. (EID No.). Similarly, each employee will be assigned a Departmental Serial Number. The Departmental Badge Number always go with the accounting numbers issued to the various Departments for Costs / Accounts purposes. These numbers will be assigned by the HR Department at the time of employment. Departmental Badge Number, however, change on transfer of the

employee from one Department to another and such changes should be effected in all personal records of the employee.

## **XXI. EMPLOYMENT OF CONTRACT LABOUR:**

### **References:**

- (1) HAL/P&A/20(18)/2013 dated 30/04/2013**
- (2) HAL/HR/20(18)-1/VOL.IV/2017 dated 18/01/2017**
- (3) HAL/HR/20(18)-1/VOL.IV/2019 dated 21/08/2019**

### **(1) Ban on Increase in Engagement of Contract Labour:**

There is a complete ban on increase in engagement of Contract Labour in one form or the other in the Company, as notified vide Circular No. HAL/P&A/20(18)/2013 dated 30/04/2013. Divisions / Offices should maintain the Contract Labour strength as on 31/03/2013, as the maximum permissible number to be engaged; and concerted action to be taken for reduction. The concerned Divisional / R&D Centre Heads alongwith HR Heads will be held personally responsible for any increase in number.

### **(2) Instructions / Guidelines for Engagement of Contract Labour:**

- (a) Instructions / Guidelines on engagement of Contract Labour have been issued from time to time and Divisions / Offices have been advised to ensure adherence of all the instructions, in the interest of Company.
- (b) Further, as there was increase in the instance of engagement of Contract Labour under different terminologies during 2013, need for reduction of Contract Labour has been emphasised from time to time. Complexes and Divisions / Offices would appreciate that the same is being emphasized not only from the point of view of statutory implications but also from the perspective of the fact that unabashed increase in the strength of Contract Labour would have very severe implication for the Company.
- (c) In this regard, though several instructions / guidelines have been issued over a period, the following instructions are hereby reiterated for strict compliance by the Divisions / Offices and to maintain discipline of Contract Labour and improve productivity in all spheres of engagement of Contract Labour in the larger interest of the Company:
  - (i) HAL holds no Employer - Employee Relationship as far as Contract Labour is concerned. HAL is only the Principal Employer and need to carryout / monitor the responsibilities entrusted upon the Principal Employer under various Statutes. The same may be ensured scrupulously.
  - (ii) Supervision of Contract Labour is to be made by the Supervisors of the Contractors. Deployment of Contract Labour by the Contractors

and not by HAL should be ensured. Therefore, maintenance of discipline by the Contract Labour is the primary responsibility of the Contractor / his Supervisor.

- (iii) Any letter to the Contract Labour including Offer of Engagement, if any, is to be issued only by the Contractor. No letters including Experience / Service Certificate, etc. are to be issued by HAL Employees to Contract Labour.
- (iv) Whenever it becomes necessary that any Settlement / Agreement is to be made / arrived at with the labour engaged by the Service Contractors, it should be ensured that the Settlement / Agreement is signed by the respective Contractors only. HAL's representatives should sign only as a Witness. Also, it needs to be ensured that the preamble of the Settlement / Agreement should clearly state that the Labour engaged by the Contractor are not the employees of HAL, but of the Contractor.
- (v) Service Contracts for engagement of Contract Labour should be awarded for the total work. The Scope of Work should clearly indicate the quantum of work to be carried out; and not the number of Labour required to be engaged.
- (vi) Contract Labour should not be engaged in any Direct Jobs and in Sensitive Areas. In other words, they can be engaged only in Indirect and Non-Sensitive Jobs / Areas. Contract Labour should not be employed for works of perennial nature for which regular staff of the Company are also engaged.
- (vii) Identity Badges for Contract Labour are to be issued by the Contractor, with Logo affixed by the Security Department after ensuring all Security Compliances. Further, the Engineer In-charge of the concerned Contract should ensure that the Contractor surrenders all the Identity Badges, upon expiry of the Contract, so as to avoid misuse of the Logo affixed in the Identity Card.
- (viii) All Contract Labour should attend duty only with the prescribed Uniform issued to them by the Contractors. Unauthorized staying back of the Contract Labour, after their normal Shift / Office timing, without prior intimation to the Security Department, should be avoided.
- (ix) Contract Labour who have attained the age of 60 years should not be engaged by the Contractors. No replacement should be made against such wastages.
- (x) Entry / Exit and Movement of Contract Labour within the Division / Office are to be strictly monitored.

- (xi) Contract Labour engaging in any form of indiscipline and those involved in illegal activities, unauthorized movements, illegal money transactions, stealing stationery items, unauthorized use of mobile phones, indiscipline in the Division / Office premises, etc. are to be summarily removed from engagement in the Divisions / Offices, by the Contractor.
- (xii) All Security Instructions issued from time to time (including Police Verification Reports) to safe guard and protect the Company's Properties, amongst others, are to be strictly complied with.
- (xiii) It needs to be ensured that the periods and hours of work and the lunch break are strictly monitored by the Contractors' Supervisors. Strict actions, including deduction in wages, are to be taken for misutilizing the interval / lunch break timings, etc;.
- (xiv) Adherence of the stipulated Factory / Office timings and punctuality by the Contract Labour are to be strictly ensured. Cases of repeat / chronic absentees, late comers, etc. are to be dealt with sternly.
- (xv) In line with the Security Instructions, unauthorized mobile phones within the Company premises are strictly prohibited. Any Contract Labour found in possession of mobile phone within the Company should be dealt with severely including removal from engagement in HAL by the Contractor.
- (xvi) The Contract Labour should not be employed in areas where regular employees are working. They should be paid fair remuneration. At any rate, it should not be less than the minimum wages, if any, prescribed by the Central Government under the Minimum Wages Act.
- (xvii) As far as possible, all major Contracts should be awarded to the reputed Contractors who deploy their regular employees by transferring them from their existing establishments and after the Contract is over, these workers shift back to some other establishments of the Contractors.
- (xviii) Only those Contractors should be engaged who are having separate PF/ESI Code Numbers and they should comply with the provisions of various statutory provisions.
- (xix) All Sham Contracts i.e., contract which attract the provisions of Section 10(2) of the Contract Labour (Regulation & Abolition) Act need to be reviewed, if any.
- (xx) Divisions may consider introduction of mechanization in suitable measures, awarding contract for the total work by way of Service Contract by indicating comprehensively Scope of Work to be carried out rather than number of labour required.

- (xxi) Facilities under the ESI Scheme should be extended where such scheme exists. Where the ESI Scheme is not applicable, medical assistance is to be provided to the Contract Labour, but not to their family members.
- (d) Permanency claims by Contract Labour against the Principal Employers are not a recent phenomenon. Many such Cases have been witnessed in various Industrial & other Establishments in the Country over the years. It is important that Divisions / Offices, being the Principal Employers, are conscious of the Two-Part Test laid down by the Apex Court [*viz. whether Principal Employer pays the salary instead of the Contractor and controls & supervises the work of the Contract Employee*], while employing Contract Labour. Further, to avoid such claims, the Terms & Conditions in the Contract being entered into with the Contractors for engagement of Contract Labour needs to explicitly lay down the rights & obligations of the Principal Employer & the Contractor. Divisions / Offices needs to ensure that the ultimate '**Supervision and Control**' over the Contract Labour rests with the Contractor.

**(3) General:**

In so far as the Contract Labour employed through Contractors are concerned, the primary responsibility for providing the conditions of service will be that of the Contractor. All the Contracts for the supply of labour or service should include a Clause making it incumbent on the Contractors to provide these conditions of service to the labour that they may employ in the Company's premises. If the Contractor fails to comply with these Contractual Obligations, HAL as the Principle Employer will extend the facilities to the Contract Labour and recover the cost from the Contractor.

**XXII. MAINTENANCE OF SERVICE RECORDS:**

**References:**

- (1) HAL/PO/18(155)/13894 dated 17/12/1971**  
**(2) HAL/PO/18(155) dated 11/12/1972**

Service Records of all the employees are to be maintained up-to-date as in the Employee Master Record Form by computerizing the data wherever possible. One set of Employee Master Record for employees in Grade-VII and above will be kept in the Corporate Office. The Service records of employees need not, as a rule, be shown to the employees, but extracts may be supplied on request.

### **XXIII. BAN ON POSTING OF BACHELORS TO EAST EUROPEAN COUNTRIES:**

**Reference:**

**HAL/PO/21(89)/12/805 dated 12/09/1972**

For administrative convenience, no bachelors will be posted against non-representational posts in Indian Missions located in East European Countries.

### **XXIV. RATIONALISATION OF DESIGNATIONS:**

Every employee of the Company is given an appropriate designation commensurate with the Trade and Post in which he is working. The list of standard designations will be as notified by the Corporate Office from time to time.

### **XXV. DEALING WITH ANONYMOUS AND PSEUDONYMOUS COMPLAINTS:**

**References:**

**(1) HAL/P&A/27(1)/Policy/2009/251 dated 13/05/2009**

**(2) HAL/P&A/27(1)/Policy/2011 dated 19/09/2011**

- (1) The Complaint Handling Policy is notified in the Company. In accordance with the Policy, Vigilance Department would act as the Nodal Agency for handling complaints and all complaints are to be forwarded to the CVO by the Divisions / Offices.
- (2) No action is warranted required to be taken on anonymous / pseudonymous complaints against employees of the Company. These complaints are to be filed.
- (3) Complaint containing vague allegation could also be filed without verification of identity of the Complainant.
- (4) If a Complaint contains verifiable allegations, the administrative Ministry / Department may take cognizance of such Complaint with the approval of the Competent Authority. In such cases, the Complaint will be sent to the Complainant for owning / disowning, as the case may be. If no response is received from the Complainant within 15 days, a reminder will be sent if still nothing is heard in the next 15 days, the said complaint may be filed as pseudonymous complaint.
- (5) HAL CDA Rules, Conduct Rules and Standing Orders stipulates making of false complaints as misconduct and Disciplinary Action can be initiated thereto in such cases.

**Note:** Replies / comments on Ministry / VIP references are to be sent within a fortnight. Divisions / Offices should, therefore accord top priority to such references and details / reply / comments should be furnished to Corporate Office within a period of seven days from the date of receipt of such communications. In cases where delay is anticipated, an interim reply should be given to the Ministry / VIP, indicating the possible date of reply.

**XXVI. PROGRESSIVE USE OF HINDI IN THE COMPANY FOR OFFICIAL PURPOSE:**

**Reference:**

**P.C. No. 212 dated 20/07/1972**

(1) The Constitution of India lays down that Official Language of the Union shall be Hindi in Devanagari script and the form of numerals to be used for official purposes of the Union shall be the International form of Indian numerals. The Official Languages Act, 1963, provides for the languages which may be used for official purposes of the Union, for transaction of business in the Parliament, for use in the Central and State enactments and for certain purposes in the High Courts. While the Official Languages Act is applicable to whole of India, the Official Languages Rules are applicable to entire Country except to the State of Tamil Nadu. The Undertakings owned or controlled by the Central Government and Government Enterprises are treated on par with the Central Government Offices as far as applicability of the Official Languages Act, 1963, and Rules made there under are concerned. Section 3 of the above Act came into force on 26<sup>th</sup> January 1965, the salient features of which are as follows:

- (a) According to Section 3(1) of the Act., English Language shall be used in addition to Hindi even after 26<sup>th</sup> of January 1965 (i) for all the official purposes of the Union for which it was being used immediately before that day and (ii) for the transaction of business in Parliament.
- (b) English shall be used for correspondence between the Central Government and States which have not adopted Hindi as their Official Language. Similarly, where Hindi is used for purposes of communication between one State which has adopted Hindi for the purposes as its Official Language and another State which has not adopted Hindi as its Official Language, such communications in Hindi shall be accompanied by a translation of the same in English Language. However, with mutual consent, any two States could correspond in Hindi.
- (c) Where Hindi or English Language is used for purposes of communication between one Ministry or Department or Office of the Central Government and another, or between one Ministry or Department or Office of the Central Government and any Corporation or Company owned or controlled by the Central Government or any Office thereof, or, between any Corporation or Company owned or controlled by the Central Government or any Office thereof and another; a translation of such communication in English Language or, as the case may be in Hindi shall

also be provided till such date as the staff of the concerned Ministry, Department, Office or Corporation or Company aforesaid have acquired a working knowledge of Hindi.

**Note:** 'Union' means 'Union of India'.

**(2) Use of Hindi and English for specific purposes:**

- (a) According to Section 3(3) of the Act, both Hindi and English shall be used for the following documents:
- (i) Resolutions, General Orders, Rules, Notifications, Administrative or other Reports or Press Communiqués issued or made by the Central Government or by a Ministry, Department or Office thereof or by a Corporation or Company owned or controlled by the Central Government or by any Office of such 'Corporation or Company';
  - (ii) Administrative and other Reports and Official Papers laid before a House or the Houses of Parliament;
  - (iii) Contracts and Agreements executed and Licenses / Permits, Notices and Forms of Tender issued by or on behalf of the Central Government or any Ministry, Department or Office thereof or by a Corporation or Company owned or controlled by the Central Government or by any Office of such Corporation or Company.
  - (iv) Those Advertisements, which are issued by Ministry / Departments / Offices / Undertakings in English / Regional Languages, must be issued in Hindi Language as per Presidential Order vide OM No. 20012/01/2017-OL(Policy) dated 30/06/2017 issued by Department of Official Language, Ministry of Home Affairs, New Delhi.
- (b) It is binding on the Government Companies to adopt the instructions issued by the Government from time to time. The Department of Official Languages prepares an Annual Programme for the progressive use of Hindi for official purposes of the Union. The Department of Official Languages has grouped the Country into three regions, viz., 'A', 'B' and 'C' respectively and certain targets have been prescribed for each region on annual basis. Detailed targets issued by the Government are contained in the Annual Programme.

**(3) Use of Hindi for prescribed purposes:**

- (a) (i) Hindi alone should be used for correspondence with a State, Union Territory or Office located in Region 'A', i.e. Uttar Pradesh, Bihar, Madhya Pradesh, Uttarakhand, Jharkhand, Chattisgarh, Rajasthan, Haryana, Himachal Pradesh, NCT of Delhi and Union Territories of Andaman and Nicobar Islands and persons residing therein. If in exceptional cases a letter is required to be issued in English, it should be accompanied by a Hindi translation thereof.

- (ii) All mutual correspondence between Central Government Offices located in Region 'A' (except Ministries & Departments) should be in Hindi.
  - (iii) All letters received in Hindi must be replied to in Hindi.
  - (iv) All Applications, Appeals and Representations made or signed in Hindi should be essentially be replied to in Hindi.
- (b) Similarly, communications meant for States situated in Region 'B' i.e. Gujarat, Maharashtra, Punjab & Chandigarh and Union Territories may ordinarily be in Hindi, and if any letter is sent in English, Hindi translation of the same may also be sent therewith. However, communications to any individual in a State or Union Territory of Region 'B' may either be in Hindi or English.
- (c) It is the overall responsibility of the Officer signing a letter, circular or document to see that letters, circulars etc., required to be in Hindi alone or in Hindi and English bilingually according to the Official Languages Act and the Rules made there under are so prepared and issued accordingly.

**(4)** (a) Extent of use of Hindi in Correspondence in the various Divisions of the Company:

To be in accordance with the Annual Programme notified by the Government of India for each Financial Year.

(b) Hindi may be used for:

- (i) Noting on files.
- (ii) Preparation of drafts.
- (iii) For writing addresses on envelopes to be sent to Offices and individuals in Hindi speaking areas.

(c) Hindi and English both are to be used for:

- (i) Invitation Cards for functions, Forms, Seals, Rubber Stamps and Letter Heads.
- (ii) Employment Advertisements, Tender Notifications and other Advertisements meant for All India coverage or for Hindi speaking areas.

It may be noted here that those Advertisements, which are issued by Ministry / Departments / Offices / Undertakings in English / Regional Languages, must be issued in Hindi Language as per Presidential Order vide OM No. 20012/01/2017-OL(Policy) dated 30/06/2017 issued by

Department of Official Language, Ministry of Home Affairs,  
New Delhi.

- (iii) Agenda / Minutes and other connected material for holding Meetings, Conferences and Seminars by every Office of the Government of India should be issued invariably in both the languages i.e. Hindi and English.

Agenda / Minutes etc. and the connected material to be circulated in Region 'A' may be issued only in Hindi or in Bilingual (Hindi and English).

**(5) Arrangements and Measures to be adopted:**

- (a) Translation Arrangements: The translation of Departmental Procedural Literature such as Manuals, Forms, Codes, etc., is an important preparatory measure for the progressive use of Hindi for official purposes. The Procedural Literature which is to be translated into Hindi is not only enormous in quantity but is of varied nature covering Administrative, Legal, Technical and Scientific subjects. The translation work has been assigned to three Agencies. The Hindi translation of statutory documents like Central Acts, Rules Regulations, etc. is provided by the Official Language (Legislative) Commission of the Ministry of Law. The Hindi translation of all Manuals, Forms and other Procedural Literature of non-statutory nature is done by the Central Translation Bureau of the Ministry of Home Affairs. The Departmental Staff should translate other materials, i.e., non-statutory Notifications & Resolutions, General Orders, Administrative & other Reports, Parliament Questions and Papers to be laid before either House of Parliament.

The translation arrangements indicated above are also applicable to the Public Sector Undertakings. All Divisions of HAL may also send their translated materials related to Manuals, Procedural Literature and Training Material etc. for vetting to OL Section of Corporate Office.

- (b) Provision of Hindi Staff: For the purpose of implementing the instructions regarding progressive use of Hindi for official purposes, minimum number of Post in Hindi Section in each of the Division and Corporate Office and Office of the Chief Executive Officer / Director has been set up.

The Hindi Section in each Division / Office functions under the administrative control of the HR Head of the respective Division / Office. This Section is to assist the various Departments of the Division / Office concerned in dealing with correspondence in Hindi, translation of documents from Hindi to English and vice-versa.

- (c) Provision of help literature: To facilitate use of Hindi in noting and drafting, all the Ministries / Departments are to make available to their Section and Offices necessary help literature according to their requirements. As per Annual Programme issued by Department of Official Language, Ministry of Home Affairs, about 50% expenditure for the purchase of Hindi Books

etc. including digital matters i.e. Hindi e-books, CD/DVD, Pen Drive including amount incurred on translation in Hindi from English and Regional Languages out of the total Library Grant excluding Journals and Standard Reference Books.

- (d) Provision of Hindi Electronic Equipments / Computer System: Purchase of all Electronic Equipment, including Computers should be in Hindi - English Bilingual Form only. As per Government of India, Ministry of Home Affairs instructions, UNICODE System should be activated in all the Computers. In addition, it may be noted that provision for bilingual facility must be provided in any software to be used in data entry / official day to day work, so that routine / ministerial work could be done in Hindi also in addition to English.
- (e) Check points in Divisions / Offices: According to Rule 12 of the Official Languages Rules, 1976, it is the responsibility of the Administrative Head of each Office of the Central Government to devise effective check-points for ensuring compliance of the provisions of the Official Languages Act, 1963, and Rules framed there under. Accordingly, the following check points are to be operated in Offices in all Regions:-
- (i) Printing of Forms, Codes, Manuals and Gazette Notification in bilingual forms: Check-points should be devised by printing presses to ensure that (1) Notifications, Rules, Resolutions to be published in the Gazette of India and (2) Codes, Manuals, Forms and headings of Registers etc., are both in Hindi and English.
- (ii) Purchase of Computers Hardware/Software: The Officer concerned responsible for indenting the Computer should see that Computers Hardware / Software are purchased to the prescribed percentages. As per Government of India, Ministry of Home Affairs instructions, all the Computers Hardware / Software are purchased to the prescribed percentage. In all types of data / routine work related software to be purchased for Company use, Hindi typing provision must be provided as per guidelines issued by Department of Official Languages, Ministry of Home Affairs, New Delhi.
- (iii) Obligatory Issue of general orders and other documents etc. in bilingual form: Documents etc., as mentioned in Section 3(3) of the Official Languages Act, 1963 should be both in Hindi and English. For this purpose, the Section where documents etc., are prepared / originated should be made a check-point. These documents should be prepared only when they are accompanied by their Hindi translations. In addition, Sections responsible for dispatch of these documents should issue them simultaneously, in Hindi and English. If in view of the time-limit a particular document has to be issued in Hindi or English alone, permission of higher Officers, nominated for the purpose, may be obtained for such action. Nevertheless, English or Hindi version of such communication should also follow within three days.

- (iv) Letters required to be sent to State Governments in 'A' & 'B' Regions: The Dispatch Section should be made a check point and it should be asked to ensure that letters meant for State Governments in regions 'A' & 'B' are accepted for dispatch only when written in Hindi or when accompanied by a Hindi version. For granting permission for such letters to be sent in English alone, some higher Officer should be nominated. He should ensure that such permission is given only in exceptional circumstances and not as a general rule.
- (v) Writing of addresses in Hindi on envelopes: The Dispatch Section may be made a check-point and it should be ensured that addresses on envelopes meant for dispatch to regions 'A' & 'B' are written in Hindi.
- (vi) Rubber Stamps, Name Plates, Sign Boards, etc. to be in bilingual form: All the Offices of the Government of India, located in India or abroad, and the Institutions receiving Grants from the Central Government located in 'A' and 'B' Regions should also ensure that their respective Name Plates, Rubber Stamps, Letter Heads, Logos etc., be prepared in bilingual form and such Institutions located in 'C' Region should get these items prepared in trilingual form. While getting these Letter Heads, Name Plates etc. prepared, it should be kept in mind that size of letters in all the languages is equal.
- (vii) Sending Replies in Hindi to letters received in Hindi: It should be the responsibility of the signing Officer to ensure that reply to a letter received in Hindi is invariably sent in Hindi.

Note: Divisions are to ensure that efforts are made to make correspondence in Hindi and issue fax in Hindi utilizing the services of trained employees of the Department and maintain statistics so that the monitoring Agencies could be apprised of the progress during their visits.

- (viii) Overall responsibility: It is the responsibility of the Officer signing a Letter, Circular or Document to see that Letters, Circulars, etc. required to be issued in Hindi alone or in Hindi and English bilingual form according to the Official Languages Act and Rules made there under are so prepared and issued. The Officers should, therefore, ensure before signing that such Letters, Circulars or Documents are issued in the prescribed manner.
- (ix) In addition to the above, the following check-points can also be operated in the Offices located in Regions 'A' & 'B': The Officer in-charge of the Section responsible for maintenance of Service Books of employees should ensure that entries in Service Books of employees are made in Hindi.

- (f) The following Reports are required to be submitted to the Ministry regularly based upon the inputs need for the Division:-

**Reference:**

**HAL/CA/Adm/303(2)/80 dated 01/12/1980**

- (i) Progress Report on implementation of the targets laid down in the Annual Programme for the year.
- (ii) Quarterly Report on the progressive use of Hindi for official purposes.
- (iii) Half Yearly Report on the training of employees, in Hindi to the Ministry.
- (iv) Furnishing of information and replying to the Questionnaire as and when required.
- (v) Compliance Report to the Ministries on the deficiencies pointed out by them on the reports submitted to them.

**Reference:**

**HAL/P&A/59(25)/89 dated 15/06/1989**

- (g) Official Language Implementation Committee: Official Language Implementation Committee should be set up at Division / Complex levels to monitor implementation of various directives issued by the Government in connection with the progressive use of Hindi for official purposes. Meetings of these Committees should be held once in 3 months. The Official Language Implementation Committee in the Divisions should be headed by the General Manager / Executive Director of the Division.
- (h) Conducting of Hindi Workshops: With a view to remove hesitation to work in Hindi of the employees having working knowledge of Hindi, Workshops should be conducted in every quarter i.e. 4 workshops in a financial year by each Division.
- (i) Hindi Day / Fortnight / Utsav: With a view to create awareness on the Official Language Policy of the Government, Hindi Day is observed on 14<sup>th</sup> September every year, and a fortnight either commencing or concluding on 14<sup>th</sup> September is observed as Hindi Fortnight throughout the Company. This is aimed at bringing linguistic harmony amongst the employees. In this connection, various Competitions in Hindi as well as Singing Competitions in Hindi alongwith other Indian languages, Seminars, Debates, Meetings, Workshops, Cultural programmes etc., are organized as a part of the fortnight long celebrations.

With a view to create greater awareness amongst the Divisions to spread the need for use of Hindi in the day-to-day official work in all the Divisions, and providing an opportunity to have interactions between employees working in the Divisions located in Hindi Speaking Areas and non-Hindi Speaking Areas, Hindi Utsav is celebrated at Corporate level biennial basis. As part of the Celebrations, inter-Divisional Competitions are organized in Essay-writing, Noting & Drafting, Hindi Typewriting on Computers, Hindi Stenography, and Drama / Cultural Programmes in different groups, i.e. Divisions located in Regions 'A' and other Divisions. Selections are made from amongst the prize winners at the Divisional level competitions, to participate in Hindi Utsav competitions, duly ensuring equal opportunity for one and all. All HAL Official Language Conference and Official Language Exhibitions are also organized during the Hindi Utsav. Prizes are distributed at the Hindi Utsav on the Valedictory Day to the winners in various competitions for encouraging the employees to use more and more Hindi in their day-to-day working at the Office. Wide publicity of the Hindi Utsav activity is to be given in various magazines and other publications. Hindi Utsav, which is aimed at creating an atmosphere for understanding among employees working in various regions, is organized centrally by Corporate Office in one of the Units of the Company by inviting delegates from various Divisions of the Company.

**(6) Training in Hindi:**

The Official Language Sections are also responsible for arranging training of the employees of the Company for various Hindi Examinations like Prabodh, Praveen, Pragya, Hindi Typing and Hindi Stenography conducted by the Hindi Teaching Scheme of the Ministry of Home Affairs, Govt. of India. The various standards of courses upto which the employees are to be trained as per guidelines issued by DPE are as follows **[APPENDICES – XIX, XX & XXI]**:

- (a) The employees for whom the educational qualification prescribed is Matriculation or below and who are not required to do ministerial work in office, write notes or deal with correspondence (e.g. Engine Drivers, Record Sorters, Electricians, Fitters, Gestetner Operators and Telephone Operators, etc.), training upto Prabodh should be prescribed.
- (b) The employees who are not generally required to do any ministerial work themselves but have to be conversant with Hindi to be able to attend to correspondence and reports etc. in that language (e.g. Doctor, Scientists, Supervisory Staff in Workshops & Laboratories, etc.) course upto Praveen only should be prescribed.
- (c) The employees, who are to do ministerial work, record notes or deal with correspondence, training upto Pragya should be prescribed.

Based on the above Guidelines, the following Standards of Hindi Training have been prescribed in the Company:-

**Reference:****HAL/P&A/59(44)/89 dated 02/03/1989**

- (i) Various categories of employees to be trained upto various standards of Hindi i.e. Prabodh, Praveen and Pragma examinations have been notified.
- (ii) It is obligatory for all Officers (Technical and Non-Technical) to pass Hindi Pragma Examination or equivalent recognized Hindi Examination for being declared as having working knowledge of Hindi.
- (iii) Workmen in Scales 1 & 2 (unskilled category), direct labour and indirect technical personnel are exempted from the provisions of obligatory in service training in Hindi.

**(7) Grant of Incentives:**

- (a) As per Government Orders, an Incentive Scheme for employees on passing Hindi / Hindi Typing / Hindi Stenography Examinations conducted by the Hindi Teaching Scheme has been introduced in the Company. Details of the courses conducted by the Hindi Teaching Scheme and the incentives granted for passing the various Hindi Examinations have been notified in the Company through various Circulars from time to time.

**Reference:****HAL/HR/59(24)/2018 dated 11/06/2018**

- (b) Incentive Scheme for doing work in Hindi: A Monthly Incentive Scheme exists in the Company for working in Hindi and the same has been notified throughout the Company vide Corporate Office Circular No. HAL/HR/59(24)/2018 dated 11/06/2018.

<b>Monthly Incentive Scheme related to Official Language - 2018</b> (Total words written during Month)			
<b>Group I (Fully Hindi Speaking Regions) Prescribed words for Officers / Workmen of Region A</b>	<b>Group II (Partially Hindi Speaking Regions) Prescribed words for Officers / Workmen of Region B</b>	<b>Group III (Fully Non Hindi Speaking Regions) Prescribed words for Officers / Workmen of Region C</b>	<b>Incentive Amt. (Rs.)</b>
3000 words	2000 words	1000 words	250/-
4000 words	3000 words	2000 words	500/-
5000 words	4000 words	3000 words	750/-
<b>Words prescribed for Direct Workmen</b>			
600 words	400 words	200 words	250/-
800 words	600 words	400 words	500/-
1000 words	800 words	600 words	750/-

- (c) Incentive for Dictation: Officers, who give maximum dictation in Hindi, are given incentive as notified **[Appendix - XXII]**.

**(8) Lumpsum Awards:**

- (a) An employee, who has already passed Matriculation or an equivalent or a higher examination conducted by a Board or a University or a Government Agency or a Private Body with Hindi as a subject (in any form) or through Hindi Medium or whose mother tongue is Hindi or who has been exempted from the in service training in Hindi will not be eligible for the grant of lump sum Award on passing any of the Hindi Examinations.
- (b) An employee, who has already passed the Middle School (Class VIII) or an equivalent or higher examination conducted by a Board or University or a Government Agency or a Private Body with Hindi as a subject (in any form) or through Hindi Medium will not be eligible for the grant of lump sum Award on passing the Hindi Prabodh and Praveen Examinations.
- (c) An employee, who has already passed the Primary School (Class V) or an equivalent or a higher examination conducted by a Board or University or a Government Agency or Private Body with Hindi as a subject (in any form) or through Hindi Medium will not be eligible for the grant of lumpsum Award on passing the Prabodh Examination.

- (d) An employee –

Who, before joining the Company had declared that he had a speed of 25 w.p.m. or more in the Hindi Typing;

OR

Who has already received training in Hindi Typing from a Institution recognized by the Government and has passed a test in Hindi Typing therefore;

OR

For whom training in Hindi Typing is not obligatory, will not be eligible for grant of Lumpsum Award on passing the Hindi Typing Examination.

- (e) An employee –

Who, before joining the Company had declared that he had a speed of 80 W.P.M. or more in the Hindi Stenography;

OR

Who has already received training in Hindi Stenography from an Institution recognized by the Government and has passed a test in Hindi Stenography there from;

OR

For whom training in Hindi Stenography is not obligatory, will not be eligible for the grant of Lumpsum Award on passing the Hindi Stenography Examination.

- (f) The above mentioned Lumpsum Award will be granted, in addition, to the operational staff (operational staff has been generally defined to cover such staff as have no fixed place of duty or uniform hours of work or who remain mostly on tour and for that reason cannot be spared or are unable to attend Hindi classes regularly) to only those employees who are posted at places, where there are no arrangements for imparting training in the concerned courses. As per the Guidelines / Rules issued by Government of India, Ministry of Home Affairs, from time to time for payment of Lumpsum Award will be followed.
- (g) The employees, who pass an examination higher than the one prescribed for them as the final examination, will not be granted Lumpsum Award therefore.
- (h) The Lumpsum Award will be granted in addition to the Hindi Allowance and the Cash Award to which an employee may be eligible in accordance with the instructions issued from time to time in this regard.
- (i) For the grant of Lumpsum Award, the employee concerned will have to pass the prescribed examination within a period of 15 months from the date of his first appearance at the said examination.
- (j) The employees, who had at any time received training at any centre of the Hindi Teaching Scheme, for howsoever small a period, will not be eligible for the grant of Lumpsum Award or passing the examination pertaining to the said training.

However, no deduction will be made from the Lumpsum Award of the operational staff, if they are otherwise eligible for it, merely because they had occasionally attended the classes of the Hindi Teaching Scheme.

- (k) The employees, who prepare privately for the examination conducted by the Hindi Teaching Scheme will be provided with text books free of cost, as in the case of other trainees, who attend Hindi Classes during office hours. However, the employees preparing for the recognized examination of the voluntary Hindi Organizations will not be given the facility of free text books.

- (l) The employees preparing privately for the examinations will be entitled only for the Lumpsum Award. The coverage charges incurred by them or the fees paid by them to the institution will not be reimbursed.

**(9) Cash Awards:**

- (a) An employee who has already passed the Matriculation, equivalent or higher examination, conducted by a Board / University / Government Agency / Private Body with Hindi as a subject (in any form) or part of higher secondary examination or medium of examination or whose mother tongue is Hindi will not be eligible for the grant of Cash Award.
- (b) An employee who has already passed the Middle Standard, equivalent or higher examination conducted by School Authorities / Government Agency / Private Board with Hindi as subject or who belongs to Category 'B' under the Hindi Teaching Scheme, viz., whose mother-tongue is Punjabi, Urdu, Kashmiri, Sindhi or other allied languages, will not be eligible for grant of Cash Award on passing the Praveen Examination.
- (c) An employee who has already passed the Primary, equivalent or a higher examination conducted by a School Authority / Government Agency or a Private Body with Hindi as a subject or as a medium of Examination or whose mother-tongue is Hindi or who belongs to Category 'B' or 'C' under Hindi Teaching Scheme, viz., whose mother-tongue is Punjabi, Urdu, Kashmiri, Sindhi (Category 'B') Marathi, Gujarati, Bengali, Oriya, Assamese (Category 'C') or other allied languages, will not be eligible for grant of Cash Awards.
- (d) An employee who has already stated before joining the HAL employment that he knows Hindi typewriting or Hindi Stenography, and an employee, who has received training from an Institution recognized by the Government or passed the Hindi Typewriting or Hindi Stenography Test there from shall not be eligible for the grant of Cash Award.

**(10) Hindi Allowance:**

- (a) An employee, who has already passed the Matriculation, equivalent or higher examination conducted by a Board or University or a Private Body with Hindi as an elective, regular, additional or optional subject and an employee whose mother-tongue is Hindi and who can express himself well in Hindi or who has been exempted from in service training in Hindi will not be eligible for the Hindi Allowance on passing Prabodh, Praveen and Pragya examinations and the examinations of the Voluntary Hindi Organizations.
- (b) An employee on passing Hindi Typewriting or Hindi Stenography Examination or for whom training in Hindi Typewriting and Stenography is not obligatory will not be eligible for the Hindi Allowance, if he has already passed an examination in Hindi Typewriting and Hindi Stenography.
- (c) The Hindi Allowance is granted in addition to the Cash Award and Lumpsum Award.

- (d) (i) The Hindi Allowance will be granted with effect from the date on which the results of the examination are declared by the Ministry of Home Affairs, Government of India, New Delhi.

OR

- (ii) The date on which the normal annual increment falls due after the declaration of such results [which would mean advance increment(s) over and above the normal increment] whichever date is opted by the person concerned within a period of 3 months from the date of declaration of the results;
- (e) The concerned employee will have to exercise his/her option in this regard within a period of three months from the date of the declaration of results. The option once exercised is final. If an employee is on leave on the date of declaration of the results, the period of three months will count from the date on which he resumes duty after return from leave.
- (f) If an employee does not exercise the option within a period of three months from the date of declaration of the result of the examination, it will be deemed that the concerned employee is not interested in the Hindi Allowance. No Hindi Allowance will be granted to such an employee. In special circumstances, the Directors / CEOs / EDs / GMs may consider extension of date of exercising the option on merits of each case.
- (g) The Hindi Allowance will be granted only to those employees who pass the prescribed final examination within a period of 15 months of the completion of the course. In respect of the employees who pass the examinations as private candidates without undergoing regular training, the period of 15 months would count from the date of their first appearance in the said examination.
- (h) In case an employee passes Hindi, Typewriting and Hindi Stenography Examination simultaneously or in quick succession, Hindi Allowance shall be granted separately for each examination. Hindi Allowance for the second examination should be admissible only after completion of a full year after the grant of the first Hindi Allowance and it will also be for a period of 12 months.
- (i) The post, which an employee was holding on the date of announcement of the result or on the date given in the first option, shall be the post in which the Hindi Allowance will be allowed as per (d)(ii) above. However, the typists, who are promoted to other Posts (for which training in Hindi Typewriting is not obligatory) during the course of their training in Hindi typewriting or after appearing at the Hindi Typewriting Examination but before the results are declared or after the declaration of the results of the examination but before the date from which Hindi Allowance could have been drawn as per their options, shall subject to fulfillment of other prescribed conditions, be entitled to the Hindi Allowance at the same rate and for the same period as it would have been admissible to them.

**(11) An employee in receipt of Hindi Allowance in a lower Post:**

- (a) An employee in Workmen Category on being promoted to a higher Post in the same Category, will continue to draw the Hindi Allowances at the rate and for the period he/she would have drawn it, had he/she not been promoted to the higher grade.
- (b) The employee in receipt of Hindi Allowance in a lower group on being promoted from a Workmen Category to Officer Category, will continue to draw the Hindi Allowance for the remaining period only if she/he would have drawn it in the Officers Post; however, the rate and the period would be the same as he/she would have drawn it, had he/she not been promoted to the Officers Post.
- (c) A Typist in receipt of Hindi Allowance on passing the Hindi Typewriting Examination on being promoted to other Posts (for which training in Hindi typewriting is not obligatory) will also continue to draw the Hindi Allowance at the rate and for the period he/she would have drawn it, had he/she not been promoted to other Posts.
- (d) In the cases of employees mentioned at (a) to (c) above, if they are reverted to a lower Posts, they will continue to draw the Hindi Allowance as he/she would have drawn according to the option, had they not been promoted to the higher Post.
- (e) An employee who has been granted Hindi Allowance while holding a higher Post, will on reversion to the lower Post draw the Hindi Allowance at the rate equal to the increment in lower Post for the period he/she would have drawn it in the higher Post but for reversion, subject to the condition that the total of Pay plus Hindi Allowance shall not exceed the maximum of the scale of the lower Post.
- (f) In case an employee has already reached the maximum of the Scale of Pay, Hindi Allowance equal in amount to one increment, should be granted for a period of 12 months or till the employee is promoted to a higher scale whichever is earlier. Similarly, the non-Hindi speaking English Stenographers who have reached the maximum of their scale of pay, on their passing Hindi Stenography Examination, will be granted Hindi Allowance equal in amount to two increments in the last year and one increment in the second year. But on their promotion to next higher Grade, they will cease to get the Hindi Allowance.
- (g) Hindi Allowance will not be reckoned as pay for any purposes.
- (h) A specimen of the Declaration Form required to be filled by every employee for grant of Hindi Allowance is at **Appendix - XXIII**. On the basis of the particulars furnished in the Declaration Form, the eligibility for the grant of Hindi Allowance shall be decided.

-oOo-

## **APPENDICES**

**APPENDIX – I***[Rule 10 of HAL CDA Rules, 1984 refers]***DISCIPLINARY AND APPELLATE AUTHORITIES UNDER THE HAL CDA RULES, 1984****References:**

- (1) HAL/P&A/19(2)/2013 dated 05/07/2013
- (2) HAL/HR/19(2)/2014 dated 06/06/2014
- (3) HAL/HR/19(2)/VOL.VI/2016 dated 05/04/2016
- (4) HAL/HR/19(2)/VOL.VI/2017 dated 04/07/2017

**FOR ALL DIVISIONS / OFFICES:-**

SL. NO.	GRADE OF THE EXECUTIVE	DISCIPLINARY AUTHORITY	APPELLATE AUTHORITY
1	I to V	Concerned Divisional Head in respect of Divisions and R&D Centres; and concerned HOD in respect of Complex Offices and Corporate Office.	Concerned Director / CEO
2	VI	Concerned Director / CEO	CMD
3	VII & VIII	CMD	Management Committee
4	IX & X	Management Committee	Board of Directors
5	CEO	Board of Directors	Board of Directors
6	Officers appointed by the President of India	As per the Terms of Appointment	As per the Terms of Appointment

**FOR SYSTEMS AUDIT DEPARTMENT:-**

SL. NO.	GRADE OF THE EXECUTIVE	DISCIPLINARY AUTHORITY	APPELLATE AUTHORITY
1	I to V	GM(Sys. Audit), Corporate Office	Director (Finance)
2	VI	Director (Finance)	CMD
3	VII & VIII	CMD	Management Committee
4	IX & X	Management Committee	Board of Directors

**FOR VIGILANCE DEPARTMENT:-**

<b>SL. NO.</b>	<b>GRADE OF THE EXECUTIVE</b>	<b>DISCIPLINARY AUTHORITY</b>	<b>APPELLATE AUTHORITY</b>
1	Upto & including Grade - VI	CVO, Corporate Office	CMD
2	VII & VIII	CMD	Management Committee
3	IX & X	Management Committee	Board of Directors

Explanation (1): If the Disciplinary Authority / Appellate Authority mentioned above is not available in respect of any Executive, the next Higher Authority will exercise the powers of such Authority.

Explanation (2): With respect to cases which call for imposition of punishments as at Rule 6(ii) (h), (i) or (j) of the CDA Rules and Disciplinary Authorities are not the Appointing Authorities for the respective Grades, the concerned Appointing Authority (as per DoP), on consideration of the entire case, shall pass orders as “Disciplinary Authority”.

Explanation (3): In cases of Executives transferred / job rotated from one Division / R&D Centre / Office / Complex to another, wherein the alleged irregularities have taken place in the Transferor Division / R&D Centre / Office / Complex i.e., prior to the transfer, the designated Disciplinary Authority of the Transferor Division / R&D Centre / Office / Complex will be empowered to take Disciplinary Action against such transferred Executives by signing and issuing the Charge Sheet, etc. All communications from the Disciplinary Authority to such Executives are to be issued through the Head of the Transferee Complex / R&D Centre / Office / Division, as the case may be.

Explanation (4): In cases where transferred Employees fail to report for duty at the Transferee Division / Office, after issuance of Relieving Order from the Transferor Division / Office, the Transferee Division / Complex would only initiate Disciplinary Action against such transferred Employee(s).

Explanation (5): Head of HMA will be the Disciplinary Authority in respect of MTs / DTs till the date of their absorption.

Explanation (6): Officers who are themselves implicated in Composite Cases shall not act as Disciplinary Authority (including for issuance of Advisory / Counselling) in respect of their subordinate employees who are involved in the same case. In such cases, the next Higher Authority or an Independent Authority at the same level, will act as the Disciplinary Authority of such subordinate employees.

**APPENDIX – II**

[Rule 1(a)(i) of Schedule - I of HAL CDA Rules, 1984  
& Rule 4(a)(i) of HAL Conduct Rules, 1967 refers]

**HINDUSTAN AERONAUTICS LIMITED**  
(..... DIVISION/OFFICE)

**RETURN OF ASSETS & LIABILITIES ON FIRST APPOINTMENT OR AS ON 31<sup>ST</sup> MARCH,**

\*\*\*\*\*

1. Name of the Employee in Full : .....  
(in block letters)
2. (a) EID No. : .....  
Designation : .....  
Grade (Officer) : .....  
Scale (Workman) : .....
- (b) Department : .....

**Declaration:**

I hereby declare that the Return enclosed, namely Forms I to IV are complete, true & correct to the best of my knowledge & belief, in respect of information due to be furnished by me under the Provisions of Section 44 of the Lokpal and Lokayuktas Act, 2013.

Counter Signature:..... Signature : .....

Date : Date :

- In case of First Appointment, please: .....  
indicate the date of Appointment

**Note :** If the employee is a member of Hindu Undivided Family with co-parcenary rights in the properties of the family either as a "Karta" or as a member, he should indicate in the Return in Form No. III the value of his share in such property and where it is not possible to indicate the exact value of such share, its approximate value. Suitable explanatory Notes may be added, wherever necessary.

**APPENDIX – III (FORM – NO. I)**

[Rule 1(a)(ii) of Schedule - I of HAL CDA Rules, 1984  
& Rule 4(a)(ii) of HAL Conduct Rules, 1967 refers]

**HINDUSTAN AERONAUTICS LIMITED**  
(..... DIVISION/OFFICE)

**FORM No. I**

**DETAILS OF THE EMPLOYEE, HIS/ HER SPOUSE AND DEPENDENT CHILDREN**

Name : ..... EID No. : .....

Department : ..... Designation : .....

Grade (Officer) : ..... Date of Joining HAL: .....

Scale (Workman) : .....

Sl. No.	Details	Name	Public Position held, if any	Whether return being filed by him/her, separately
1	Self			
2	Spouse			
3	Dependent-1			
4	Dependent-2			
5	Dependent-3			

Counter Signature : .....

Signature : .....

Date :

Date :

**APPENDIX – III (FORM – NO. II)**

[Rule 1(a)(iii) of Schedule - I of HAL CDA Rules, 1984  
& Rule 4(a)(iii) of HAL Conduct Rules, 1967 refers]

**HINDUSTAN AERONAUTICS LIMITED**  
(..... DIVISION/OFFICE)

**FORM No. II****STATEMENT OF MOVABLE PROPERTY ON FIRST APPOINTMENT OR AS ON THE 31<sup>ST</sup> MARCH,**

.....

**Name** : ..... **EID No.** : .....

**Department** : ..... **Designation** : .....

**Grade (Officer)** : ..... **Date of Joining HAL** : .....

**Scale (Workman)** : .....

Sl. No.	Description	Value in Rs. / Weight in Gms. / Details	Remarks, if any
(i) <sup>(1)</sup>	Cash and Bank Balance		
(ii) <sup>(2)</sup>	Insurance (Premia paid)		
	Fixed / Recurring Deposit(s)		
	Shares / Bonds		
	Mutual Fund(s)		
	Pension Scheme / Provident Fund		
	Other Investments, if any		
(iii)	Personal Loans / Advances given to any Person or Entity including Firm, Company, Trust, etc., and other Receivables from Debtors and the Amount.  (Exceeding Two Months Basic Pay or Rs. 1.00 Lakh, as the case may be)		
(iv)	Motor Vehicles  (Details of Make, Registration Number, Year of Purchase and Amount Paid)		
(v)	Jewellery  [Give details of approximate weight (plus or minus 10 Gms. in respect of Gold & Precious Stones; and plus or minus 100 Gms. in respect of Silver)]		
	Gold		
	Silver		
	Precious Metals and Precious Stones		
	Composite Items (Indicate Approximate Value) <sup>(3)</sup>		

Sl. No.	Description		Remarks, if any
(vi)	Any other Assets [Give details of Movable Assets not covered in (i) to (v) above]  (a) Furniture (b) Fixtures (c) Antiques (d) Paintings (e) Electronic Equipments (f) Others  [Indicate the details of an Asset, only if the total Current Value of any particular Asset in any particular category (eg. Furniture, Fixtures, Electronic Equipments, etc.) exceeds two months Basic Pay or Rs. 1 Lakh, as the case may be]		

Counter Signature:.....  
 .....

Signature :

Date :

Date :

**Note 1:** Details of Deposits in Foreign Bank(s) to be given separately

**Note 2:** Investments above Rs. 2 Lakhs to be reported individually. Investments below Rs. 2 Lakhs may be reported together.

**Note 3:** Value indicated in the First Return need not be revised in subsequent Returns as long as no new composite Item had been acquired or no existing items had been disposed of during the relevant year.

**APPENDIX – III (FORM – NO. III)**

*[Rule 1(a)(iv) of Schedule - I of HAL CDA Rules, 1984  
& Rule 4(a)(iv) of HAL Conduct Rules, 1967 refers]*

**HINDUSTAN AERONAUTICS LIMITED  
(..... DIVISION/OFFICE)**

**FORM No. III**

**STATEMENT OF IMMOVABLE PROPERTY ON FIRST APPOINTMENT OR AS ON THE 31<sup>ST</sup> MARCH, .....**  
(e.g. Land, House, Shops, Other Buildings, etc.)

Name : ..... EID No. : .....

Department : ..... Designation : .....

Grade (Officer) : ..... Date of Joining HAL : .....

Scale (Workman) : .....

Sl. No.	Description of Property (Land/House/ Flat/Shop/ Industrial etc.)	Precise location (Name of District, Taluk and Village in which the Property is situated and also its distinctive number, etc.)	Area of Land (in case of Land and Buildings)	Nature of Land in case of Landed Property	Extent of interest	If not in the name of the employee, state in whose name held and his/her relationship, if any to the employee	Date of acquisition	How acquired (whether by purchase, Mortgage, lease, inheritance, gift or otherwise) and name with details of person/persons from whom acquired (address and connection of the Government Servant, if any, with the person/persons concerned) (Please see Note below) and cost of acquisition.	Present value of the Property (If exact value not known, approx. value may be indicated)	Total Annual Income from the Property	Remarks
1	2	3	4	5	6	7	8	9	10	11	12

Counter Signature:.....

Signature : .....

Date :

Date :

**Note:** For purpose of Column 9, the term "Lease" would mean a Lease of Immovable Property from year to year or for any term exceeding one year or reserving a yearly rent. Where, however, the Lease of Immovable Property is obtained from a person having official dealings with the Government Servant, such a Lease should be shown in this Column irrespective of the term of the Lease, whether it is Short Term or Long Term, and periodicity of the payment of rent.

**APPENDIX – III (FORM – NO. IV)**

*[Rule 1(a)(v) of Schedule - I of HAL CDA Rules, 1984  
& Rule 4(a)(v) of HAL Conduct Rules, 1967 refers]*

**HINDUSTAN AERONAUTICS LIMITED**  
(..... DIVISION/OFFICE)

**FORM No. IV**

**STATEMENT OF DEBTS AND OTHER LIABILITIES ON FIRST APPOINTMENT OR AS ON 31<sup>ST</sup>**  
**MARCH, .....**

Name : ..... EID No. : .....

Department : ..... Designation : .....

Grade (Officer) : ..... Date of Joining HAL : .....

.....

Scale (Workman): .....

Sl. No.	Debtor (Self/Spouse or dependent children)	Name and Address of Creditor	Date of Debt / Liability and Amount	Remarks
1	2	3	4	5

Counter Signature:.....

Signature : .....

Date:

Date :

**Note 1:** Individual Items of Loans not exceeding two months Basic Pay (where applicable) and Rs. 1.00 Lakh in other cases need not be included.

**Note 2:** The Statement should include various Loans & Advances (exceeding the value in Note 1) taken from Banks, Companies, Financial Institutions, Central / State Government and from Individuals.

**FORMAT FOR SUBMISSION OF FEEDBACK / REPORT ON RETURNING  
FROM DEPUTATION TO FOREIGN COUNTRIES**

**PART – I – DETAILS OF DEPUTATION  
(SPACE CAN BE INCREASED IF REQUIRED)**

1. Name of the Employee & EID No.  
Designation & Division :
  
2. Duration of Assignment :
  
3. Nature of Assignment :
  
4. Country of Assignment  
and Details of places  
visited in the Foreign Country :
  
5. Particulars of persons met  
(i.e. Name, Designation,  
Name of the Company,  
Nationality, details of  
discussion etc.) :
  
6. Special tasks if any, given  
at the time of departure :

**PART – II – COMMERCIAL ASPECT**

7. **Details / Objective of Commercial Activity:** The Official must bring out very clearly the task assigned whether the employee was able to fulfill the task or not, difficulties experienced.

8. **Assessment / Recommendations:** Deputed Official must give Assessment / Recommendations very objectively even if these happens to be negative, so that Company can draw benefit out of these visits. Under this para Official must bring out financial aspects of the project and suitable suggestions by him.

### **PART – III – TRAINING ASPECT**

9. **Details / Objectives of Training:** The employee must fully narrate the type of assignment, contents of the Training / Course, areas of the Training well covered or weaknesses in the Training (enclose Photocopies of the contents).

10. **Assessment / Recommendations:** Whether contents of the Training can be included for our own Personnel, if so at what level.

### **PART – IV – VIGILANCE ASPECT**

11. General behaviour of the host Country / Company any undue overtures shown towards our employees e.g. expensive gifts or mementos.

### **PART – V – SECURITY ASPECT**

12. In case the employee has exchanged addresses telephone / fax etc., such details should be furnished with circumstances / reasons to do so.

Signature of the  
Employee with Date

## **APPENDIX – V**

*[Rule XXVIII of Schedule - I of HAL CDA Rules, 1984  
& Rule 14 of HAL Conduct Rules, 1967 refers]*

### **IMPORTANT PROVISIONS OF THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT, 2013**

#### **1. Internal Complaints Committee:**

A Complaints Committee has to be constituted by each Division / R&D Centre / Office, as per Section 4 of the Act, headed by a senior lady Officer (Presiding Officer). Not less than half of the Committee Members should be Women.

#### **2. Complaint of Sexual Harassment:**

The complaint can be made within a period of three months from the date of incident or in case of series of incidents, within a period of three months from the date of last incident. Prompt action should be taken by the Committee and Employer when complaints are received. The Committee is required to complete the inquiry within 90 days of the receipt of the complaint. On completion of the inquiry, the Report will be submitted to the Employer. The Employer is mandated to take action on the Report within 60 days.

#### **3. Duties of the Employer:**

Section 19 (Chapter VI) of the Act states the duties of the Employer. Every Employer shall:-

- (a) Provide a safe working environment at the workplace which shall include safety from the persons coming into contact at workplace;
- (b) Display at any conspicuous place in workplace, the penal consequences of sexual harassment; and the order constituting the Internal Committee;
- (c) Organize workshop and awareness programmes at regular intervals for sensitizing the employees with the provisions of the Act and orientation programmes for the members of Internal Committee;
- (d) Provide necessary facilities to the Internal Committee for dealing with complaints or conducting enquiry;
- (e) Assist in securing the attendance of respondents and witnesses before the Internal Committee;
- (f) Make available such information to the Internal Committee as it may require having regard to the complaints received;
- (g) Provide assistance to women if she so chooses to file a complaint in relation to offences under the Indian Penal Code or any other Law for the time being in force;

- (h) Cause to initiate action under the Indian Penal Code or any other law, against the perpetrator, or if the aggrieved women so desires, where the perpetrator is not an employee, in the workplace where sexual harassment took place;
- (i) Treat sexual harassment as a misconduct under the Service Rules and initiate action for such misconduct;
- (j) Monitor the timely submission of reports by the Internal Committee.

**4. Annual Reports (Section 21 & 22 of the Act):**

The Internal Committee shall in each Calendar Year prepare & submit an Annual Report as on 31<sup>st</sup> December, to the respective Division / R&D Centre / Office and also to the District Officer as under Section 5 of the Act. Copies of such Reports shall also be forwarded to Corporate Office for including the details in the Annual Report of the Company.

**5. Penalty for non compliance with the provisions of the Act:**

Section 26 (Chapter VIII) of the Act stipulates the penalty for non-compliance with the provisions of the Act, as indicated below:

If the Employer fails to comply with the provisions of the Act, he shall be punishable with a fine which may extend to Fifty Thousand Rupees. Repeated violations may lead to higher penalties and cancellation of registration of the Company.

**6.** The details indicated at para 1 to 5 above are only summary of certain provisions from the Act. Divisions / Offices are advised to go through the entire Act for appreciation of all the provisions and their implementation.

**7.** The relevant provisions in the Circulars / Guidelines referred in the Circular dated 20/06/2013, to the extent they are not contradictory / inconsistent with the provisions in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, will continue to be in force.

**8.** Divisions / Offices shall constitute the Internal Committee and implement the provisions of the Act. Provisions of the Act may be brought to the notice of all the employees also.

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## **APPENDIX – VIA**

*[Rule XXVIII of Schedule - I of HAL CDA Rules, 1984  
& Rule 14 of HAL Conduct Rules, 1967 refers]*

### **CLARIFICATIONS / AMPLIFICATIONS ON THE ASPECTS RELATING TO SEXUAL HARASSMENT:**

The Government had promulgated the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for related matters. The said Act was notified in the Company vide the Circular dated 20.6.13, highlighting the salient features of the Act, for implementation.

2. Different Divisions have raised queries with regard to the procedure to be followed in handling complaints received in sexual harassment cases, conducting Inquiries by the Internal Complaints Committee (ICC) and disposal of the Case thereof after receipt of the Inquiry Report, etc.

3. In this regard, it is felt appropriate to issue clarifications / amplifications on the aspects related to sexual harassment matters, as detailed below. The purpose of this Circular is also to aid the Internal Complaints Committee (ICC) in performing their functions effectively.

#### **4. Acts amounting to Sexual Harassment:**

The following circumstances, amongst others, if it occurs or is present in relation to or connected with any act or behaviour of sexual nature, would also amount to sexual harassment:

- a) implied or overt promise of preferential treatment in her employment; or
- b) implied or overt threat of detrimental treatment in her employment; or
- c) implied or overt threat about her present or future employment status; or
- d) conduct of any person which interferes with her work or creates an intimidating or offensive or hostile work environment for her; or
- e) humiliating conduct constituting health and safety problems for her.

#### **5. Constitution of Internal Complaints Committee (ICC):**

The Constitution of the ICC shall, in addition to complying with the provisions in the Act, be in accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013. Amongst other Members, there should be one Member in the

Committee from amongst Non-Governmental Organisations or Associations committed to the cause of women or a person familiar with the issues relating to sexual harassment. Such a member should not be an employee of HAL.

6. **Tenure of Members in the ICC:**

The Presiding Officer and every Member of the ICC shall hold office for a period not exceeding three years from the date of their nomination. They will be eligible for re-nomination.

7. **Verification of ICC:**

Each Complex Office shall verify the correctness of the ICCs constituted in the Offices/Divisions under its Control.

8. **Register for maintaining Sexual Harassment Complaints:**

Each Office/Division shall maintain a Register in which details of Sexual Harassment Complaints should be entered.

9. **Procedure to be followed:**

Suggested procedure which can be followed by the ICCs is at **APPENDIX - VIB**. For reasons to be recorded in writing, the ICC will have the right to make exceptions to the said procedure, within the purview of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act / Rules, 2013 / HAL CDA Rules, 1984 (as amended) / Certified Standing Orders.

10. **Submission of Report by the ICC:**

The ICC shall submit its Report to the Competent / Disciplinary Authority, as applicable to the employee against whom the complaint was made, as per the HAL CDA Rules / Standing Orders.

11. **Powers of Competent / Disciplinary Authority:**

11.1 The Competent / Disciplinary Authority shall have the same powers as under the HAL CDA Rules / Standing Orders. The Report received from the ICC will be processed like in the case of a Domestic Enquiry Report.

11.2 Upon receipt of the Enquiry Report, a copy of the same shall invariably be given to the delinquent by the Competent / Disciplinary Authority and Representation, if any, from the delinquent called for.

11.3 Thereafter, the Report will be considered by the Competent / Disciplinary Authority, taking into account the Representation, if any, of the Delinquent and appropriate decision taken / punishment imposed, as provided under the HAL CDA Rules / Standing Orders.

12. **Power of Suspension:**

Nothing contained herein or in the Circular dated 20.6.13, shall impede the right of the Authority competent to take Disciplinary Action against the employee or the next Higher Authority or the concerned Appointing Authority, as the case may be, to suspend an employee pending enquiry in the sexual harassment case, as per the provisions of the HAL CDA Rules / Standing Orders, as applicable to him.

13. **Quorum:**

In conducting the inquiry, a minimum of three Members of the ICC including the Presiding Officer or the Chairperson, as the case may be, shall be present as required under the Act.

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## **APPENDIX – VIB**

*[Rule XXVIII of Schedule - I of HAL CDA Rules, 1984  
& Rule 14 of HAL Conduct Rules, 1967 refers]*

### **SUGGESTED PROCEDURE TO BE FOLLOWED BY THE INTERNAL COMPLAINTS COMMITTEE (ICC) DURING ENQUIRY:**

The suggested procedure to be followed by the ICC is detailed in the following paras. However, for reasons to be recorded in writing, the ICC will have the right to make exceptions to the procedure stated hereunder, within the purview of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act / Rules, 2013 / HAL CDA Rules, 1984 (as amended) / Certified Standing Orders:

#### **1. Number of copies of the Complaint:**

- 1.1 Subject to Section 9 of the Act, the Complainant shall submit to the ICC, six copies of the Complaint along with supporting Documents and the names and addresses of the Witnesses.
- 1.2 Any Complaint received by the Members should be immediately forwarded to the Presiding Officer or Chairperson, and this must be notified to the other Committee Members at the earliest and not later than 3 days; and a meeting should be called by the Presiding Officer/Chairperson for discussing the matter.

#### **2. Assistance to Complainant:**

- 2.1 The Committee shall provide assistance to the aggrieved woman, if she so chooses, to file a Police Complaint in relation to an offence under the Indian Penal Code.

#### **3. Complaint copy to be given to the Respondent:**

- 3.1 On receipt of the Complaint, the ICC shall give a copy of the same to the Respondent, within seven working days.

#### **4. Time period for the Respondent to file his reply:**

- 4.1 The Respondent shall file his reply within ten working days from the date of receipt of the Complaint, along with copies of the Documents referred and names and addresses of his Witnesses.

#### **5. Conciliation:**

- 5.1 The Committee may, before initiating the Inquiry, at the request of the aggrieved woman, take steps to settle the matter between her and the Respondent through Conciliation as per Section 10 of the Act. No Monetary Settlement shall be made as basis of Conciliation. The ICC shall record the Settlement so arrived and forward the same to the Competent /

Disciplinary Authority to take action as specified in the ICC recommendation.

- 5.2 When a Settlement is arrived at, no further Inquiry shall be conducted by the ICC. However, if any Terms or Conditions of the Settlement arrived through Conciliation has not been complied with and if the same has been brought to the notice of the ICC, an Inquiry shall be conducted by the ICC and necessary action may be taken accordingly, as the case may be.

6. **Interim Measures:**

- 6.1 As an interim measure, the ICC can recommend any action as per Section 12 of the Act.

7. **Intimation of Proceedings:**

- 7.1 The Complainant and the Respondent should be informed in writing of the date and time when the Inquiry will be held. Both the Parties should be informed that they are eligible to be assisted during the Proceedings by a Co-Officer / Workman, as prescribed in the HAL CDA Rules / Standing Orders. Parties shall not be entitled to engage a Legal Practitioner to represent them in the Case at any stage of the Proceedings before the ICC.

8. **Admission of guilt by Respondent:**

- 8.1 On the date fixed for Inquiry by the ICC, the Respondent shall appear before the ICC at the time, date and place specified in the Notice. The ICC shall ask the Respondent whether he pleads guilty or not. If the Respondent admits the guilt, such admission should be recorded in the presence of and signed by the Respondent concerned and the same should also be recorded in the ICC's Report. If the Respondent does not plead guilty, the ICC shall continue with the Inquiry.

9. **Ex parte Proceedings:**

- 9.1 The ICC shall have the power to terminate the Inquiry Proceedings or to give an ex parte decision on the Complaint, if the Complainant or the Respondent fails to present herself or himself for three consecutive hearings, unless exempted / ordered by ICC.
- 9.2 However, such termination or ex parte order may not be passed without giving fifteen days advance notice in writing to the party concerned to attend the hearing.

10. **Recording of the ICC Inquiry Proceedings:**

- 10.1 The Inquiry Proceedings of the ICC shall be recorded by the Committee immediately with the signatures of the Committee Members and persons present during the Inquiry Proceedings.

11. **Evidence to be in the presence of the Parties:**
  - 11.1 Unless otherwise decided by the Committee in writing or in an ex parte Proceeding, the evidence of each Party shall take place in the presence of both the Parties and/or authorized representative.
12. **Power of ICC to disallow certain questions:**
  - 12.1 ICC may disallow any questions that it has reasons to believe to be irrelevant, mischievous, slanderous, derogatory or gender insensitive.
13. **Evidence of Complainant:**
  - 13.1 On the date fixed for the Inquiry, the oral and/or documentary evidence by which the Complaint is to be proved shall be produced by the Complainant / authorized Representative. The Witnesses may be examined by the Complainant / authorized Representative and may be cross-examined by the Respondent / authorized Representative. The Complainant / authorized Representative may re-examine the Witnesses on any point on which they have been cross examined (but not on a new matter, without the permission of the ICC); and may be further cross-examined by the Respondent / authorized Representative. The ICC may also put such questions to the Witnesses as they think fit.
  - 13.2 In appropriate Cases and for reasons to be recorded in writing, the ICC may disallow oral cross-examination of the Complainant and/or Witnesses by the Respondent / authorized Representative. In such cases, other methodology, like sharing the Statements made by Complainant and/or Witnesses and asking written response can be adopted, so as to provide opportunity to the Respondent.
14. **Additional evidence by the Complainant:**
  - 14.1 The ICC may at its discretion shall allow the Complainant / authorized Representative to produce evidence not included in the Complaint or call for new evidence or recall or re-examine any Witness. In such cases, the Respondent / authorized Representative shall be given opportunity to inspect the documentary evidence, if any, before it is taken on record and to further cross examine the Witnesses who has/have been so produced.
15. **Presentation of the Case by Respondent:**
  - 15.1 When the Complainant's disposition is completed, the Respondent / authorised Representative will be given opportunity to state his defence orally or in writing, as he may prefer. If the defence is made orally, it shall be recorded in the Proceedings and the Respondent shall be required to sign the same.

16. **Evidence by the Respondent:**

16.1 Evidence on behalf of the Respondent shall thereafter be adduced. The Respondent / authorised Representative may examine himself on his own behalf if he so prefers. Witnesses produced by him will be examined by the Respondent / authorised Representative. The Witnesses are also liable for cross-examination, re-examination and examination by the Complainant / authorised Representative, Respondent / authorized Representative and the ICC respectively.

17. **Recording of evidence by the ICC:**

17.1 Statements made by each Witness shall be succinctly recorded by the ICC and will be signed by the Witness, Committee Members and the persons present during the Inquiry Proceedings, as the case may be.

18. **Sharing of Findings**

18.1 After all the evidence which is necessary and relevant for the purpose of the Inquiry have been recorded by the ICC, it shall share the findings with the Parties, so that they can make their representations.

19. **Powers of the Committee (ICC):**

19.1 For the purpose of making Inquiry, the Committee will have powers of a Civil Court for the following aspects:

- a) Summoning and enforcing the attendance of any person related to the incident;
- b) Requiring discovery and production of any documents;
- c) Any other matter relating to the incident as decided by the ICC from time to time.

20. **Format of the Report:**

20.1 On completion of the Inquiry, the ICC may formulate its Inquiry Report in the following order:

- a) Introduction;
- b) Allegations contained in the Complaint;
- c) Summary of the evidences recorded;
- d) Analysis of evidences and Committee's observations thereon;
- e) Findings in respect of each of the allegations and reasons for arriving at these findings.

21. **Time limit for completion of Inquiry Proceedings by the ICC:**

21.1 As per Section 11(4) of the Act, the Inquiry by the ICC shall be completed within a period of 90 days.

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**BOND FORMAT FOR BOARD LEVEL OFFICERS**

**BOND CUM UNDERTAKING**

(To be executed on a Non Judicial Stamp Paper of Rs. 200/-)

KNOW ALL MEN BY THESE PRESENTS THAT WE  
.....s/d/o.....resident of ..... presently  
working as ..... in Hindustan Aeronautics Limited (HAL) (hereinafter  
called “the Obligor”) and (i) Shri..... s/d/o.....r/o.....  
(ii) Shri..... s/d/o..... r/o.....(hereinafter called  
“the Sureties”) do hereby jointly and severally bind ourselves and respective  
heirs, executors and administrators to pay to the Hindustan Aeronautics Limited  
(HAL) on demand the sum of Rs..... (Rupees .....)  
equivalent to the basic pay drawn by the Obligor during the last six months of his  
/ her tenure in Hindustan Aeronautics Limited (HAL) or Rs.10,00,000/- (Rupees  
Ten Lakhs), whichever is more, together with interest thereon from the date of  
demand at Government rates, for the time being in force, on Government loans  
or, if payment is made in a Country other than India, the equivalent of the said  
amount in the currency of that country converted at the then prevailing official  
rate of exchange between that country and India AND TOGETHER with all costs  
between attorney and client and all charges and expenses that shall or may  
have been incurred by the Company.

1. AND WHEREAS the Obligor has been appointed to the position of  
..... in Hindustan Aeronautics Limited (HAL) (hereinafter  
called ‘the Company’), in terms of Offer of Appointment ref.  
No..... dated ..... The aforesaid terms of the offer were  
accepted by him / her and the Obligor assumed office on.....
2. AND WHEREAS in terms of the aforesaid Offer of Appointment it is  
required that in the event of Obligor’s retirement/resignation from the  
Company, the Obligor will not accept any appointment or post, whether  
advisory or administrative, in any firm or Company whether Indian or  
Foreign, with which the Company has or had business relations, within  
one year from the date of Obligor’s retirement / resignation, without prior  
approval of the Government.
3. AND WHEREAS it was also required, in terms of the aforesaid  
Offer of Appointment, that terminal benefits due to Obligor, in the event  
of his / her retirement / resignation from the services of Company, would  
not be released unless a bond regarding aforesaid restriction on the  
post retirement is executed by him / her.

4. AND WHEREAS for the better protection of the Company, the Obligor has agreed to execute this bond with such condition as herein under contained.
5. AND WHEREAS the said Sureties have agreed to execute this bond as sureties on behalf of the above Obligor.
6. NOW THE CONDITIONS OF THE ABOVE WRITTEN OBLIGATION IS THAT in the event of Obligor's failure to abide by the restriction pertaining to acceptance of employment or post, whether advisory or administrative, in any firm or Company whether Indian or Foreign, with which the Company has or had business relations, within one year from the date of Obligor's retirement / resignation, without prior approval of the Government, Obligor shall become liable for payment of the sum equivalent to the bond amount to Hindustan Aeronautics Limited (HAL). In the event of the aforesaid failure and upon the Obligor failing to pay the sum equivalent to the bond amount to Hindustan Aeronautics Limited (HAL), the Company will be at liberty to initiate appropriate civil action for recovery of the aforesaid bond amount from the Obligor. This will be without prejudice to the rights of the Company to initiate any other action as deemed fit in the circumstances of the case.

AND upon the Obligor Shri..... and, or Shri.....and, or Shri..... and Shri....., the Sureties aforesaid making such payment, the above written obligation shall be void and of no effect otherwise it shall be and remain in full force and virtue.

PROVIDED ALWAYS that the liability of the Sureties hereunder shall not be impaired or discharged by reason of time being granted or by any forbearance act or omission of the Company or any person authorized by it (whether with or without the consent or knowledge of the Sureties) nor shall it be necessary for the Company to sue the Obligor before suing the Sureties Shri..... and Shri.....or any of them for amounts due hereunder.

THE bond shall in all respects be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall where necessary be accordingly determined by the appropriate Courts in India.

In witness whereof, these present have been signed by a duly authorized Officer on behalf of the Company and by the other person(s) party thereto.

Signed and delivered by the above Obligor along with Sureties on this.....Day of.....Month.....20...

Signature of Obligor

.....

1. Sign of Surety : .....
- Name : .....
- Designation : .....
- Office to which attached : .....
  
2. Sign of Surety : .....
- Name : .....
- Designation : .....
- Office to which attached : .....

In the presence of \_\_\_\_\_  
 For and on behalf of the Company

This bond should be executed accordingly & accepted by the accepting authority\*

Signature of the Accepting Authority

\*The accepting authority for would be as under

Director	Chairman & Managing Director
CMD	Secretary of the concerned administrative Ministry/Department

-oOo-

**BOND FORMAT FOR CHIEF EXECUTIVE OFFICERS**

**BOND CUM UNDERTAKING**

(To be executed on a Non Judicial Stamp Paper of Rs. 200/-)

KNOW ALL MEN BY THESE PRESENTS THAT WE .....s/o.....resident of ..... presently working as ..... in Hindustan Aeronautics Limited (HAL) (hereinafter called “the Obligor”) and (i) Shri..... s/d/o.....r/o..... (ii) Shri..... s/d/o..... r/o.....(hereinafter called “the Sureties”) do hereby jointly and severally bind ourselves and respective heirs, executors and administrators to pay to Hindustan Aeronautics Limited (HAL) on demand the sum of Rs..... (Rupees .....) equivalent to the basic pay drawn by the Obligor during the last six months of his / her tenure in Hindustan Aeronautics Limited (HAL) or Rs.10,00,000/- (Rupees Ten Lakhs), whichever is more, together with interest thereon from the date of demand at Government rates, for the time being in force, on Government loans or, if payment is made in a Country other than India, the equivalent of the said amount in the currency of that Country converted at the then prevailing official rate of exchange between that Country and India AND TOGETHER with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Company.

1. AND WHEREAS the Obligor has been appointed to the position of \_\_\_\_\_ in Hindustan Aeronautics Limited (HAL) (hereinafter called ‘the Company’), in terms of Offer of Appointment ref. No.....dated .....The aforesaid terms of the offer were accepted by him/her and the Obligor assumed office on.....
2. AND WHEREAS in terms of the aforesaid Offer of Appointment it is required that in the event of Obligor’s retirement / resignation from the Company, the Obligor will not accept any appointment or post, whether advisory or administrative, in any firm or Company whether Indian or Foreign, with which the Company has or had business relations, within one year from the date of Obligor’s retirement / resignation, without prior approval of the Board of Directors of HAL.
3. AND WHEREAS it was also required, in terms of the aforesaid Offer of Appointment, that terminal benefits due to Obligor, in the event of his / her retirement / resignation from the services of Company, would not be released unless a bond regarding aforesaid restriction on the post retirement is executed by him / her.

4. AND WHEREAS for the better protection of the Company, the Obligor has agreed to execute this bond with such condition as herein under contained.
5. AND WHEREAS the said Sureties have agreed to execute this bond as sureties on behalf of the above Obligor.
6. NOW THE CONDITIONS OF THE ABOVE WRITTEN OBLIGATION IS THAT in the event of Obligor's failure to abide by the restriction pertaining to acceptance of employment or post, whether advisory or administrative, in any firm or Company whether Indian or Foreign, with which the Company has or had business relations, within one year from the date of Obligor's retirement / resignation, without prior approval of the Board of Directors of HAL, Obligor shall become liable for payment of the sum equivalent to the bond amount to Hindustan Aeronautics Limited (HAL). In the event of the aforesaid Failure and upon the Obligor failing to pay the sum equivalent to the bond amount to Hindustan Aeronautics Limited (HAL), the Company will be at liberty to initiate appropriate civil action for recovery of the aforesaid bond amount from the Obligor. This will be without prejudice to the rights of the Company to initiate any other action as deemed fit in the circumstances of the case.

AND upon the Obligor Shri.....and, or Shri.....and, or Shri..... and Shri....., the Sureties aforesaid making such payment, the above written obligation shall be void and of no effect otherwise it shall be and remain in full force and virtue.

PROVIDED ALWAYS that the liability of the Sureties hereunder shall not be impaired or discharged by reason of time being granted or by any forbearance act or omission of the Company or any person authorized by it (whether with or without the consent or knowledge of the Sureties) nor shall it be necessary for the Company to sue the Obligor before suing the Sureties Shri..... and Shri.....or any of them for amounts due hereunder.

THE bond shall in all respects be governed by the laws of India for the time being in force and rights and liabilities hereunder shall where necessary be accordingly determined by the appropriate Courts in India.

In witness whereof, these present have been signed by a duly authorized Officer on behalf of the Company and by the other person(s) party thereto.

Signed and delivered by the above Obligor along with Sureties on this.....Day Of.....Month.....20...

Signature of Obligor.....

1. Sign of Surety : .....  
Name : .....  
Designation : .....  
Office to which attached : .....

2. Sign of Surety : .....  
Name : .....  
Designation : .....  
Office to which attached : .....

In the presence of \_\_\_\_\_

For and on behalf of the Company

This bond should be executed accordingly & accepted by the accepting authority\*

Signature of the Accepting Authority

\*The accepting authority for CEOs would be CMD

-oOo-

**APPENDIX – IX**

*[Rule XXXI of Schedule - I of HAL CDA Rules, 1984 refers]*

**BOND FORMAT FOR OFFICERS IN GRADES X & IX**

**BOND CUM UNDERTAKING**

(To be executed on a Non Judicial Stamp Paper of Rs. 200/-)

KNOW ALL MEN BY THESE PRESENTS THAT WE ..... S/o.  
..... resident of .....  
presently working as ..... in Hindustan Aeronautics Limited (HAL)  
(hereinafter called “the Obligor”) and (i) Shri. .... s/d/o  
..... (ii) Shri. .... s/d/o ..... (hereinafter  
called “the Sureties”) do hereby jointly and severally bind ourselves and  
respective heirs, executors and administrators to pay to the Hindustan  
Aeronautics Limited (HAL) on demand the sum of Rs. .... (Rupees  
.....) equivalent to the Basic Pay drawn by the Obligor during  
the last six months of his tenure in Hindustan Aeronautics Limited (HAL) OR Rs.  
5 (Five) Lakhs, whichever is more, together with interest thereon from the date of  
demand at Government rates, for the time being in force, on Government loans  
or, if payment is made in a Country other than India, the equivalent of the said  
amount in the currency of that Country converted at the then prevailing official  
rate of exchange between that Country and India AND TOGETHER with all costs  
between attorney and client and all charges and expenses that shall or may  
have been incurred by the Company.

1. AND WHEREAS the Obligor has been appointed to the position of  
..... in Hindustan Aeronautics Limited (HAL)  
(hereinafter called 'the Company'), in terms of Offer of Appointment ref.  
No. .... dated ..... & subsequent Promotions Order ref.  
Nos. .... (Last 2 Promotion Orders). The aforesaid terms of the  
offer were accepted by him and the Obligor assumed office on  
.....
  
2. AND WHEREAS Circular No. HAL/HR/19(2)/2014 dated 14/08/2014 read  
with Circular No. HAL/HR/19(2)/2016 dated 10/11/2016 have been  
notified in the Company amending the provision of HAL CDA Rules, 1984  
applicable to the Obligor, in terms of which, it is required that after the  
Obligor's retirement / resignation from the Company, the Obligor will not  
accept any appointment or post, whether advisory or administrative, in  
any Private Firm or Company, whether Indian or Foreign, with which the  
Company has or had business relations, especially those having dealing  
with the DPSUs / OFB, within one year from the date of the Obligor's  
retirement / resignation, without prior approval of the Management  
Committee of HAL, as specified in the HAL CDA Rules, 1984.

3. AND WHEREAS it was also required, in terms of the aforesaid Circulars dated 14/08/2014 & 10/11/2016 that terminal benefits due to Obligor, in the event of his retirement / resignation from the services of Company, would not be released unless a Bond regarding aforesaid restriction on the post retirement is executed by him.
4. AND WHEREAS for the better protection of the Company, the Obligor has agreed to execute this Bond with such condition as herein under contained.
5. AND WHEREAS the said Sureties have agreed to execute this Bond as Sureties on behalf of the above Obligor.
6. NOW THE CONDITIONS OF THE ABOVE WRITTEN OBLIGATION ARE THAT in the event of the Obligor's failure to abide by the restriction pertaining to acceptance of employment or post, whether advisory or administrative, in any Private Firm or Company, whether Indian or Foreign, with which the Company has or had business relations, especially those having dealing with the DPSUs / OFB, within one year from the date of Obligor's retirement / resignation, without prior approval of the Management Committee of HAL, Obligor shall become liable for payment of the sum equivalent to the Bond amount to Hindustan Aeronautics Limited (HAL). In the event of the aforesaid failure and upon the Obligor failing to pay the sum equivalent to the Bond amount to Hindustan Aeronautics Limited (HAL), the Company will be at liberty to initiate appropriate civil action for recovery of the aforesaid Bond amount from the Obligor. This will be without prejudice to the rights of the Company to initiate any other action as deemed fit in the circumstances of the case.

AND upon the Obligor Shri.....and, or Shri ..... and, or Shri ..... the Sureties aforesaid making such payment, the above written obligation shall be void and of no effect otherwise it shall be and remain in full force and virtue.

PROVIDED ALWAYS that the liability of the Sureties hereunder shall not be impaired or discharged by reason of time being granted or by any forbearance act or omission of the Company or any person authorized by it (whether with or without the consent or knowledge of the Sureties) nor shall it be necessary for the Company to sue the Obligor before suing the Sureties Shri. .... and Shri. .... or any of them for amounts due hereunder.

THE Bond shall in all respects be governed by the Laws of India for the time being in force and rights and liabilities hereunder shall where necessary be accordingly determined by the appropriate Courts in India.

In witness whereof, these present have been signed by a duly Authorized Officer on behalf of the Company and by the other person(s) party thereto

Signed and delivered by the above Obligor along with Sureties on this ..... Day of ..... (Month) ..... (Year).

Signature of Obligor .....

1. Sign of Surety : .....  
Name : .....  
Designation : .....  
Division : .....

2. Sign of Surety : .....  
Name : .....  
Designation : .....  
Division : .....

In the presence of \_\_\_\_\_

For and on behalf of the Company

(To be signed by the HR Head of the Division/Office)

Name :  
Designation :  
Division :

This Bond should be executed accordingly & accepted by the Accepting Authority. The concerned Director / CEO will be the Accepting Authority.

Signature of the Accepting Authority  
Name :  
Designation :  
Complex / Office :  
Date :

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## **APPENDIX – X**

*[Para III(18) of Schedule - II of HAL CDA Rules, 1984  
& Rule – 8 of HAL Disciplinary Action Rules, 1967 refers]*

### **GUIDELINES FOR ENQUIRY OFFICERS**

- a) The function of an Enquiry Officer is a quasi-judicial one. The Enquiry Officer need to discharge his duties in a fair and transparent manner.
- b) The Enquiry Officer should complete the Enquiry and submit the Report within the prescribed time limit. The Enquiry Officer should draw the coordination of the Presenting Officer and Charge Sheeted Employee for the early disposal of the case. He should make efforts to minimise Adjournments.
- c) The Enquiry Officer should conduct the Enquiry Proceedings in line with the procedure specified in the HAL Conduct, Discipline and Appeal Rules, 1984 (as amended) / Certified Standing Orders, as applicable, and also by giving fair opportunity to the Charge Sheeted Employee in line with the Principles of Natural Justice.
- d) During the Enquiry, the Prosecution Witnesses / Evidences should be produced first. Upon conclusion of recording of Statements of Prosecution Witnesses and cross-examination, the Delinquent Employee's Witnesses / Evidences should be allowed.
- e) Facts/Documents which have been adduced / produced as Evidence before the Enquiry Officer in the presence of the Charge Sheeted Employee should only be taken into consideration while recording the findings, unless the Proceedings are ex-parte. All the Witnesses listed are to be examined, one by one, in the presence of the Charge Sheeted Employee.
- f) The Enquiry Officer should be aware that the Presenting Officer has every right to add/delete to from the list of Documents / Witnesses in the Charge Sheet during the Departmental Enquiry Proceedings. However, in all such cases, due intimation need to be given to the Charge Sheeted Employee before producing the additional Witness / Evidence.
- g) The Enquiry Officer, if necessary, should judiciously put forth his questions during the Enquiry Proceedings to bring out the truth so that he is well aware and has clear understanding of the whole case.
- h) The standard of proof required in a Disciplinary Enquiry is that of preponderance of probability and not proof beyond reasonable doubt.
- i) The Enquiry Officer need not provide / insist the Presenting Officer to provide the documents to the Charge Sheeted Employee which has no relevance to the charges or not relied upon to support the charges, or documents / materials which were not necessary for cross-examination of Witnesses during the Enquiry. Further, the Charge Sheeted Employee

has no right to insist for supplying such documents. Non-issuance of such documents will not be prejudicial or against the Principles of Natural Justice. The Enquiry Officer has to judiciously decide in this regard before passing any Orders.

- j) The Enquiry Officer has to maintain the records of the Enquiry proceedings in detail, date-wise, and outcome of the Proceedings. The Enquiry Officer should prudently analyse and take a concerted decision in admitting and relying the evidences produced.
- k) After the conclusion of recording of Evidence, the Enquiry Officer can request the parties to submit the Final Written Briefs.
- l) The Enquiry Report should contain a detailed analysis of the evidences taken on record during the Enquiry, with actual references to the depositions of the Witnesses and also documentary evidences. The findings in respect of each Article of Charge should be clear and categorical. The Enquiry Officer need not write a very long or elaborate Report. The findings should only be based on the evidences produced during the Enquiry Proceedings and not based on his own assumptions. Detailed analysis should be brought out in the Enquiry Report stating the reasons for accepting and/or rejecting the charges.
- m) In case a charge is held as partly proved, the findings should clearly state the extent to which the said charge is established, with cogent reasons thereof.
- n) The Enquiry Officer should prepare the Enquiry Report after completion of the Enquiry. He should not import his personal knowledge or any material which is not on record. The aim of the Enquiry Officer should be to bring out the truth in the Enquiry Report.
- o) The Report of the Enquiry Officer should contain justifications for his findings while deciding the Charges as proved or not proved. The Enquiry Officer should not conclude the Report on the mere basis of suspicions. He should not express any opinion about the merits of the case.
- p) The Enquiry Officer should keep in mind that the Disciplinary Authority on perusal of the Enquiry Report has every right to refer the case back to the same Enquiry Officer or can appoint another Enquiry Officer and can order for re-enquiry, in case if he feels that the Principles of Natural Justice have been violated. Further, the Disciplinary Authority has every right to disagree with the findings of the Enquiry Officer and can pass Speaking Order. In such cases, the delinquent employee will be given a chance to make representation on the findings of the Disciplinary Authority before deciding the case.

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**APPENDIX – XI**

*[Para VIII of Schedule - II of HAL CDA Rules, 1984 refers]*

**PROFORMA OF LETTER FOR FORWARDING ENQUIRY REPORT**

**References:**

- (1) HAL/P&A/19(2)/VOL.V/2274 dated 06/07/1991
- (2) HAL/P&A/19(2)/2005/64 dated 07/02/2005

No.

Date:

This has reference to the Change Sheet No. .... dated ..... issued to you and the Departmental Enquiry held into the Charges leveled against you. The Departmental Enquiry Committee has, after holding the Enquiry into the Charges in which you have participated, submitted its Report. A copy of the Report of the Enquiry is enclosed.

2. If you have any Representation to make against the Findings of the Enquiry, you are required to do so in writing so as to reach the undersigned within 7 days of receipt of this letter, before a decision is taken on the said Enquiry Report.

**DISCIPLINARY AUTHORITY**

Encl: As stated

To:

**APPENDIX – XII**

[Para IX of Schedule - II of HAL CDA Rules, 1984  
& Rule - 9 of HAL Disciplinary Action Rules, 1967 refers]

**GUIDELINES TO BRING IN UNIFORMITY IN IMPOSING PUNISHMENTS FOR VARIOUS MISCONDUCTS PROVED IN THE ENQUIRY FOR GUIDANCE OF DISCIPLINARY / APPELLATE AUTHORITIES:**

<b>Sl. No</b>	<b>Acts of Misconduct</b>	<b>Award of Punishments (Minimum / Higher / Highest)</b>
1.	Wilful insubordination or disobedience whether alone or in combination with others, to any lawful and reasonable order of his superior	Stoppage of increment/s without / with cumulative effect / Demotion / Dismissal
2.	Theft, Fraud, Breach of Trust or Dishonesty in connection with the employer's Business or Property	Stoppage of increment/s with cumulative effect / Demotion / Dismissal. (Dismissal invariably in case of Theft)
3.	Wilful damage to or loss of employer's goods or property or sabotage	Demotions / Dismissal
4.	Taking or giving bribes or any illegal gratification or indulging in any corrupt practice in connection with the employment or Company's Property	Demotion / Dismissal
5.	Habitual late attendance	Stoppage of increment/s without / with cumulative effect / Demotion
6.	Absence without leave for more than 10 days	Stoppage of increments with cumulative effect / Demotion / Dismissal (in habitual absence cases, except on medical grounds)
7.	Habitual absence without leave	Stoppage of increments with cumulative effect / Demotion / Dismissal
8.	Breach of Standing Orders / Code of Conduct or Rules or any law applicable to the Establishment	Depending on gravity of offence
9.	Riotous or disorderly behaviour or any act subversive of discipline at the Establishment	Stoppage of increment/s with cumulative effect / Demotion / Dismissal

<b>Sl. No</b>	<b>Acts of Misconduct</b>	<b>Award of Punishments (Minimum / Higher / Highest)</b>
10.	Habitual negligence or neglect of work	Stoppage of increment/s with cumulative effect / Suspension without pay upto 4 days / 10 days, as the case may be / Demotion
11.	Striking work or inciting others to strike work in contravention of the provisions of any law or rules having the force of law	Stoppage of increment/s with cumulative effect / Demotion / Dismissal
12.	(a) Carrying concealed weapons, fighting, causing or attempting to cause bodily injury to another employee, drunkenness, bootlegging or threatening or intimidating any employee of the work  (b) Conduct which violates the common decency or morality of the community	Stoppage of increment/s with cumulative effect / Demotion / Dismissal  Demotion / Dismissal
13.	(a) Slow down in performance of Work  (b) Inciting others to resort to go slow policy or malingering	Suspension without pay upto 4 days / 10 days, as the case may be / Demotion / Dismissal  Suspension without pay upto 4 days / 10 days as the case may be / Demotion
14.	Engaging in private work or trade without permission	Warning / Stoppage of increment/s without / with cumulative effect / Suspension without pay upto 4 days / 10 days, as the case may be / Demotion
15.	Displaying or distributing in the Factory premises handbills, pamphlets, playcards, posters, banners, unauthorized badges etc., without prior written permission of the Employer	Warning / Stoppage of increment/s without / with cumulative effect / Suspension without pay upto 4 days / 10 days as the case may be / Demotion
16.	Attending or holding meetings within the Factory premises without the previous written permission of the Employer	Warning / Stoppage of increment/s without / with cumulative effect / Suspension without pay upto 4 days / 10 days as the case may be / Demotion

<b>Sl. No</b>	<b>Acts of Misconduct</b>	<b>Award of Punishments (Minimum / Higher / Highest)</b>
17.	Disclosing to an unauthorized person or persons any confidential information in regard to work or any process used in the Company which comes into the possession of Officer / Workman during the course of his work	Demotion / Dismissal
18.	Canvassing for a Union or an Association or Party Membership within the Factory premises	Warning / Stoppage of increment without / with cumulative effect / Suspension without pay upto 4 days / 10 days as the case may be / Demotion
19.	Gambling or money- lending or doing any other private Business within the Company's premises	Stoppage of increment/s without / with cumulative effect / Suspension without pay upto 4 days / 10 days, as the case may be / Demotion
20.	Smoking within the Company's premises in places where it is prohibited	Warning / Fine / Suspension without pay upto 4 days / 10 days as the case may be / Demotion
21.	Deliberately making false complaints against Co-employees / Supervisors, knowing them to be false	Warning / Stoppage of increment/s without / with cumulative effect / Suspension without pay upto 4 days / 10 days as the case may be / Demotion
22.	Writing of anonymous or pseudonymous letters criticizing Co-workers / Supervisors of the Company and making false reports against employees	Stoppage of increment/s without / with cumulative effect / Suspension without pay upto 4 days / 10 days as the case may be / Demotion
23.	Refusal to accept or to take notice of any order or charge-sheet or any other communication served either in person or in due course by post or by notification in the Company's Notice Boards	Stoppage of increment/s without / with cumulative effect / Suspension without pay upto 4 days / 10 days as the case may be / Demotion
24.	Refusal to accept transfer from one Shift, Department, or Workplace to another	Warning / Stoppage of increment/s without / with cumulative effect / Suspension without pay upto 4 days / 10 days as the case may be / Demotion

<b>Sl. No</b>	<b>Acts of Misconduct</b>	<b>Award of Punishments (Minimum / Higher / Highest)</b>
25.	Deliberately making false statement before a Superior or forging the signature of a Superior or that of any other person	Stoppage of increment/s with cumulative effect / Demotion / Dismissal
26.	Conviction by a Court of law for any offence involving moral turpitude	Dismissal
27.	Proxy punching / registering of attendance or abetting in the act of punching / registering attendance of another employee	Suspension without pay upto 4 days / 10 days, as the case may be Demotion / Dismissal
28.	Picketing or making demonstrations within the Factory premises / participation in illegal Strike associated with violence	Stoppage of increment/s without / with cumulative effect / Suspension without pay upto 4 days / 10 days as the case may be / Demotion
29.	Violation of the Terms and Conditions of allotment of Company's Quarters or use of Company's Transport	Warning / Fine / Stoppage of increment/s without / with cumulative effect
30.	Indulging or participation in political activities within the Factory premises or becoming an Office Bearer of a Political Party	Stoppage of increment/s with cumulative effect / Suspension without pay upto 4 days / 10 days as the case may be / Demotion
31.	Impersonation	Dismissal
32.	Entering and/or moving within the Factory premises  (a) Without Identity card and/or badge on his person while on duty  (b) Without permission while on duty	Warning / Fine  Stoppage of increment/s without / with cumulative effect
33.	Falsification of record and/or defalcation / Forgery	Demotion / Dismissal
34.	Willfully making false declaration reg. age, qualification & experience, in the application for appointment or when physical fitness examination record is being made or at any other time	Demotion / Dismissal

<b>Sl. No</b>	<b>Acts of Misconduct</b>	<b>Award of Punishments (Minimum / Higher / Highest)</b>
35.	Sleeping while on duty or being under the influence of alcoholic beverages / drugs while on duty	Stoppage of increment/s without / with cumulative effect / Suspension without pay upto 4 days / 10 days as the case may be / Demotion
36.	Interference in Work of other Employees / Workmen	Warning / Suspension for 4 days / 10 days as the case may be
37.	Using or commercializing or alienating any invention, discovery or patent invented discovered or patented as the case may be in the course of employment under the Company for the benefit of himself or any other Person, Firm, Company or Corporation	Stoppage of increment/s without / with cumulative effect / Demotion / Dismissal
38.	Applying to outside Organization for Appointment / Scholarships / Fellowship etc., without permission of Employer	Stoppage of increment/s without / with cumulative effect
39.	Spreading false rumours or giving false information which may bring into disrepute to the Company or its employees, or spreading panic among the employees	Stoppage of increment/s with cumulative effect / Demotion
40.	Collection of any money within the premises for purposes not sanctioned by the Management	Warning / Suspension for 4 days / 10 days as the case may be
41.	Acceptance of gift from employees	Stoppage of increment/s without / with cumulative effect
42.	Unauthorized use of Company's Quarters, Land or other property	Fine / Stoppage of increment/s without / with cumulative effect
43.	Handling any machine, vehicle equipment, apparatus etc., not entrusted to his charge	Fine / Stoppage of increment/s without / with cumulative effect / Demotion
44.	Falsifying or refusing to give testimony when any accident, misconduct or other matters are being investigated	Stoppage of increment/s without / with cumulative effect / Suspension without pay upto 4 days / 10 days as the case may be / Demotion

<b>Sl. No</b>	<b>Acts of Misconduct</b>	<b>Award of Punishments (Minimum / Higher / Highest)</b>
45.	Non-return of Company's properties on or before the stipulated period if the value of the Property is not proposed to be recovered from the Wages	Warning / Stoppage of increment/s without / with cumulative effect / Suspension without pay upto 4 days / 10 days as the case may be / Demotion
46.	Failure to wear prescribed Uniform, Coveralls, Safety Clothing and Equipment etc., while on duty, failure to observe safety measures etc.	Warning / Stoppage of increment/s without / with cumulative effect / Suspension without pay upto 4 days / 10 days as the case may be / Demotion
47.	Leaving duty station operating in essential services etc., without informing Superiors	Stoppage of increment/s without / with cumulative effect / Demotion
48.	Acts of Sexual Harassment as laid down by Supreme Court	Stoppage of increment/s with cumulative effect / Demotion / Dismissal
49.	Conduct in Private life, prejudicial to the reputation of the Company	Stoppage of increment/s with cumulative effect / Demotion
50.	Bigamous marriage without permission where permitted under law / such marriage where not permitted under law	Demotion / Dismissal
51.	Breach of duty and obligations during working hours under the relevant Standing Orders	Postponement of increment(s) with cumulative effect
52.	Habitual indebtedness / insolvency	Postponement of increment(s) without / with cumulative effect / Demotion
53.	Making representation / grievances / petitions to VIPs / VVIPs except through proper channel	Postponement of increment(s) with / without cumulative effect
54.	Possession of pecuniary resources or property disproportionate to the known source of income	Stoppage of increment/s with cumulative effect / Demotion / Dismissal
55.	Acting in a manner prejudicial to the interests of the Company	Stoppage of increment/s without / with cumulative effect / Demotion
56.	Commission of any act subversive of Discipline or of good behaviour	Stoppage of increment/s with / without cumulative effect / reduction in pay / Demotion

<b>Sl. No</b>	<b>Acts of Misconduct</b>	<b>Award of Punishments (Minimum / Higher / Highest)</b>
57.	Acts which are unbecoming of an Officer or acts which may bring disrepute to the Company	Stoppage of increment/s with / without cumulative effect / Reduction in Pay / Demotion

**NOTE:** The above Guidelines should be read in conjunction with the relevant provisions of the HAL CDA Rules / Certified Standing Orders and Punishment commensurate with the gravity of misconducts proved should be imposed.

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**APPENDIX - XIII**

*(Rule - 5 of HAL Disciplinary Action Rules, 1967 refers)*

**DISCIPLINARY AND APPELLATE AUTHORITIES IN CORPORATE OFFICE,  
LIAISON OFFICES - NEW DELHI, MUMBAI, CHENNAI & VISHAKAPATNAM  
AND HAL MANAGEMENT ACADEMY (HMA):**

**Reference:**  
**HAL/P/18(61)/85 dated 18/02/1985**

<b>Category of Personnel</b>	<b>Nature of punishment</b>	<b>Disciplinary Authority</b>	<b>Appellate Authority</b>
Employees below Grade - I	All punishments except dismissal	Officers in Grade - IV and above	The concerned Head of Department
Employees below Grade - I	Dismissal	Head of the Department	The concerned CEO / Director

**EXPLANATION:**

**Reference:**  
**HAL/HR/20(27)/2019 dated 12/12/2019**

With respect to Cases which call for imposition of Punishments as at Rules 3(h) or (j) of the Disciplinary Action Rules and where the Disciplinary Authorities are not the Appointing Authorities, the concerned Appointing Authority (as per DoP), on consideration of the entire case, shall pass orders as "Disciplinary Authority.

-oOo-

**APPENDIX - XIV**

*(Rule - 5 of HAL Disciplinary Action Rules, 1967 refers)*

**DISCIPLINARY AND APPELLATE AUTHORITIES IN THE OFFICES OF THE CHIEF EXECUTIVE OFFICERS (MiG COMPLEX) & (ACCESSORIES COMPLEX):**

**Reference:**  
**P.C. No. 528 dated 23/08/1984**

<b>Category of Personnel</b>	<b>Nature of punishment</b>	<b>Disciplinary Authority</b>	<b>Appellate Authority</b>
Employees below Grade - I	Minor Punishments mentioned in Rule - 3 (a) to (e)	Manager (HR) / Head of HR Department.	Chief Executive Officer
Employees below Grade - I	All Major Punishments mentioned in Rule 3(f) to (j)	GM / AGM / DGM (Finance/HR/Tech.) (Head of the Department)	Chief Executive Officer

**EXPLANATION:**

**Reference:**  
**HAL/HR/20(27)/2019 dated 12/12/2019**

With respect to Cases which call for imposition of Punishments as at Rules 3(h) or (j) of the Disciplinary Action Rules and where the Disciplinary Authorities are not the Appointing Authorities, the concerned Appointing Authority (as per DoP), on consideration of the entire case, shall pass orders as "Disciplinary Authority.

**-oOo-**

**APPENDIX - XV**

[Para XV(i) of Chapter - III refers]

**STANDARD OPERATING PROCEDURE (SOP) FOR ISSUANCE / WITHHOLDING VIGILANCE CLEARANCE / ISSUANCE OF STATUS REPORT**

Sl. No.	Purpose for which Vigilance Clearance is sought	Under Suspension	Criminal Prosecution pending in a Court of Law (incl. CBI Cases) initiated by HAL / Reported by HR	Prima-facie involvement is discernible in a pending Vigilance Investigation	Departmental Action pending after issuance of Charge Sheet in a Vigilance Case	Criminal Case under Investigation by CBI / Police initiated by HAL / Reported by HR	Under Currency of Punishment <i>[Applicable only for Officers / Posts in the Officer's Cadre]</i>	Vigilance cases referred for CVC's 1 <sup>st</sup> Stage Advice and yet to be received / Cases Contemplated	Investigation by HR / IW / Security / any other Govt. Agency  <i>[Based on the details provided to Vigilance]</i>	Charge Sheet in a Non-Vigilance Case / DEC under progress  <i>[Based on the details provided to Vigilance]</i>
1	Promotion	Withheld	Withheld	Status Report to be issued	Withheld	Status Report to be issued / Withheld	Withheld for Vacancy Based Promotion Status Report to be issued for CPP Promotion	Status Report to be issued	Status Report to be issued	Withheld
2	Selection & Appointment of Internal Candidates against Open Selection	Withheld	Withheld	Status Report to be issued	Withheld	Status Report to be issued / Withheld	Status Report to be issued / withheld	Status Report to be issued	Status Report to be issued	Withheld
3	Confirmation on First Appointment	Withheld	Withheld	Status Report to be issued	Withheld	Status Report to be issued / Withheld	Status Report to be issued / Withheld	Status Report to be issued	Status Report to be issued	Withheld
4	Compulsory Retirement / Pre-mature Retirement / Optional Retirement / Medical Termination	Status Report to be issued	Status Report to be issued	Status Report to be issued	Status Report to be issued	Status Report to be issued	Status Report to be issued	Status Report to be issued	Status Report to be issued	Status Report to be issued
5	Resignation / Voluntary Retirement	Withheld	Status Report to be issued / Withheld	Status Report to be issued / Withheld	Withheld	Status Report to be issued / Withheld	Status Report to be issued	Withheld	Status Report to be issued	Status Report to be issued
6	Superannuation	Status Report to be issued / Withheld invoking Rule 12(a)*	Status Report to be issued / Withheld invoking Rule 12(a)*	Status Report to be issued	Status Report to be issued / Withheld invoking Rule 12(a)*	Status Report to be issued	Status Report to be issued	Status Report to be issued / Withheld invoking Rule 12(a)*	Status Report to be issued	Status Report to be issued / Withheld invoking Rule 12(a)*

Sl. No.	Purpose for which Vigilance Clearance is sought	Under Suspension	Criminal Prosecution pending in a Court of Law (incl. CBI Cases) initiated by HAL / Reported by HR	Prima-facie involvement is discernible in a pending Vigilance Investigation	Departmental Action pending after issuance of Charge Sheet in a Vigilance Case	Criminal Case under Investigation by CBI / Police initiated by HAL / Reported by HR	Under Currency of Punishment <i>[Applicable only for Officers / Posts in the Officer's Cadre]</i>	Vigilance cases referred for CVC's 1 <sup>st</sup> Stage Advice and yet to be received / Cases Contemplated	Investigation by HR / IW / Security / any other Govt. Agency <i>[Based on the details provided to Vigilance]</i>	Charge Sheet in a Non-Vigilance Case / DEC under progress <i>[Based on the details provided to Vigilance]</i>
7	Issuance of NOC for obtaining Passport	Status Report to be issued	Status Report to be issued / Withheld	Status Report to be issued	Status Report to be issued	Status Report to be issued	Status Report to be issued	Status Report to be issued	Status Report to be issued	Status Report to be issued
8	Posting to Sensitive Areas	Withheld	Status Report to be issued / Withheld	Status Report to be issued	Withheld	Status Report to be issued / Withheld	Status Report to be issued	Status Report to be issued	Status Report to be issued	Withheld
9	Deputation to other Organizations within the Country	Withheld	Withheld	Status Report to be issued	Withheld	Status Report to be issued / Withheld	Status Report to be issued	Status Report to be issued	Status Report to be issued	Withheld
10	Foreign Assignment	Withheld	Withheld	Status Report to be issued	Withheld	Status Report to be issued / Withheld	Status Report to be issued	Status Report to be issued	Status Report to be issued	Withheld
11	Training Abroad including Seminars / Conferences	Withheld	Withheld	Status Report to be issued	Withheld	Status Report to be issued / Withheld	Status Report to be issued	Status Report to be issued	Status Report to be issued	Withheld
12	Private Visit to Foreign Countries	Status Report to be issued	Status Report to be issued / Withheld	Status Report to be issued	Status Report to be issued / Withheld	Status Report to be issued	Status Report to be issued	Status Report to be issued	Status Report to be issued	Status Report to be issued / Withheld
13	For Officiating assignment / posting as Officiating GM / COP / CD	Withheld	Withheld	Status Report to be issued	Withheld	Status Report to be issued / Withheld	Status Report to be issued	Status Report to be issued	Status Report to be issued	Withheld

\* Invoking Rule 12(a) under the HAL CDA Rules applicable for Officers only.

Note: In cases where "Status Report to be issued / Withheld" is mentioned – Vigilance Department to decide on a case to case basis.

**RESTRICTED**

**APPLICATION FOR OBTAINING VIGILANCE CLEARANCE FOR A PRIVATE VISIT TO FOREIGN COUNTRY**

1. Name (IN BLOCK LETTERS) :
2. EID No. :
3. Designation and Grade / Scale :
4. Department :
5. Residential Address :

6. Father's / Husband's Name :
7. Passport No. :
8. Country of Visit :

*[Please indicate Address(es) of Place(s) where you intend to Visit]*

*(The Applicant must also indicate the duration of the halt at such Places)*

9. Purpose of Visit :
10. Name of Person(s) and Relationship being visited abroad :

*[The applicant must indicate verifiable proof of such person(s) / relation / host such as proof of employment, residential address, etc.]*

11. Arrangements for stay :
12. Duration of Stay / Visit :  
*(vide Sl. Nos. 8 & 10 above)*
13. Expenditure being incurred for the Visit (to include travel and stay expenses separately) :
14. Source of Finance for the Visit :
15. Details of previous Private Foreign Travel, if any, undertaken during the last four years :
16. In case of 'Pre-visa' (before the Visit) photocopy of the Visa Application attached :
17. In case of 'Arrival Visa' (after the Visit) Undertaking furnished. :

\* Format of the Undertaking is enclosed.

Place: \_\_\_\_\_

Signature of the Applicant

Date : \_\_\_\_\_

(Through: Proper Channel)

\_\_\_\_\_  
[Signature with Date & Seal of the Department Head]

To:

HR Head, \_\_\_\_\_ Division / Office

**APPENDIX – XVII**

*[Para XV(j) of Chapter - III refers]*

From

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

To

The Head of HR

\_\_\_\_\_ Division / Office

(Through: Proper Channel)

Sir,

**SUB: UNDERTAKING – SUBMISSION OF ARRIVAL VISA**

\*\*\*\*\*

I \_\_\_\_\_, EID No. \_\_\_\_\_, Presently working as \_\_\_\_\_ in \_\_\_\_\_ Department, am planning to proceed on Private Visit to \_\_\_\_\_ (Name of the Country) from \_\_\_\_\_ to \_\_\_\_\_.

2. As \_\_\_\_\_ (Name of the Country) does not issue pre-visa (before the Visit) and they grant 'ARRIVAL VISA' to Indians on arrival in their Country, I hereby undertake to submit a copy of the 'ARRIVAL VISA' on my return to India as stipulated at Sl. No. 17 of Annexure – A to Circular No. HAL/HR/27(1)/2014 dated 09/05/2014.

3. I understand that in the event of non-submission of 'ARRIVAL VISA' on my Return to India, I will be liable for initiation of action as deemed fit by the Management.

Place : \_\_\_\_\_

(Signature of the Employee)

Date : \_\_\_\_\_

**APPENDIX – XVIII**

*[Para XV(j) of Chapter - III refers]*

**RESTRICTED**

**APPLICATION FOR OBTAINING VIGILANCE CLEARANCE FOR APPLYING  
FOR PASSPORT / RENEWAL OF PASSPORT**

1.	Name of the Employee	:	
2.	Dept. / EID No.	:	
3.	Designation & Grade / Scale	:	
4.	Department	:	
5.	Division / Office	:	
6.	Passport No. & Date of Expiry (for renewal only)	:	

Place: \_\_\_\_\_

Date: \_\_\_\_\_

Signature of the Applicant

(Through: Proper Channel)

.....

[Signature with Date & Seal of the Department Head]

To:

HR Head, \_\_\_\_\_ Division / Office.

**APPENDIX – XIX**

*[Para XXVI(6) of Chapter - III refers]*

**Standard of Hindi Training  
Categories of Employees to be trained upto PRABODH**

1. Driver
2. Watch and Ward Guard
3. Compositor
4. Watch and Ward Subedar
5. Watch and Ward Jamedar
6. Senior Driver – A
7. Sister
8. Senior Steward
9. Senior Warden
10. Steward
11. Warden
12. Senior Driver – B
13. Staff Nurse

**Standard of Hindi Training**  
**Categories of Employees to be trained upto PRAVEEN**

1. Vehicle Inspector
2. X-Ray Assistant (Medical)
3. Safety Inspector
4. Instructor
5. Senior Dietician
6. Senior Laboratory Assistant (Medical)
7. Senior Instructor
8. Telephone Operator – B
9. Senior Matron-in-charge
10. Telephone Operator- A
11. Assistant Traffic Inspector
12. Compounder – A
13. Pharmacist – A
14. Laboratory Assistant (Medical)
15. Compounder – B / Pharmacist – B
16. Data Entry Assistant
17. Computer Assistant
18. Matron-in-charge
19. Security Inspector
20. Vigilance Inspector
21. Fire Inspector

**Standard of Hindi Training  
Categories of Employees to be trained upto PRAGYA**

1. Clerk B
2. Clerk-A
3. Clerk-cum-Typist – A
4. Stenographer – B
5. Receptionist
6. Senior Clerk
7. Store Keeper
8. Clerk-cum-Typist B
9. Stenographer-A
10. Accountant
11. Statistician
12. Librarian
13. Personal Secretary
14. Head Store Keeper / Asst. Supervisor (Indirect)
15. Senior Accountant
16. Senior Statistician
17. Senior Librarian
18. Senior Personal Secretary
19. Senior Head Store Keeper / Sr. Assistant Supervisor
20. Assistant Safety Inspector
21. Senior Security Inspector
22. Senior Vigilance Inspector
23. Senior Fire Inspector
24. Traffic Inspector
25. Assistant Store Keeper
26. Clinical Assistant - B

## **APPENDIX – XXII**

*[Para XXVI(7) of Chapter - III refers]*

### **INCENTIVE TO OFFICERS FOR GIVING DICTATION IN HINDI**

1. This Scheme is applicable to all Officers who give dictation in Hindi.

2. **Eligibility:**

All Officers who have been provided Stenographic Assistant in Hindi or who generally give dictation of not less than 10,000 words in a year will be eligible to participate in the Scheme (Official Language Officers are not eligible to participate)

3. **Period:**

The scheme is operative yearly commencing from the Financial year 1989-90.

4. **Documentation:**

The Officer giving dictation may maintain a record of work with the help of his/her Steno. A copy of each of the dictated version in Hindi may be kept for record. Record of work to be kept in the following proforma:

Sl.No.	Date	No. of words dictated in Hindi	File/Letter No.	Remarks
--------	------	-----------------------------------	--------------------	---------

The above record may be submitted to an Assessment Committee at the end of the year.

5. **Amount of Award & Number of Awards:**

Each Division/Office may have three prizes, one each for Officers hailing from regions 'A', 'B' & 'C' (Based on the Mother tongue of the individual). The prize amount shall be lumpsum amount of Rs.2000/- each as per Ministry of Home Affairs OM No. II/12013/01/2011-OL(Policy/CTB) dated 30/10/2012.

6. **Budget :**

Each Office should make provision in their Annual Budget for this purpose.

7. **Assessment Committee:**

A Committee may be constituted with AGM/DGM or Senior most Officer in the Liaison Offices as the Chairman, Official Language Officer and another Officer who is not actually competing in the Scheme as members.

-oOo-

**APPENDIX – XXIII**

*[Para XXVI(11) of Chapter - III refers]*

**SPECIMEN OF THE DECLARATION FORM REQUIRED TO BE FILLED BY THE EMPLOYEES FOR GRANT OF HINDI ALLOWANCE FOR PASSING PROBODH / PRAVEEN / PRAGYA / HINDI TYPEWRITING / HINDI STENOGRAPHY EXAM'S AND EXAMINATION CONDUCTED AFTER THE INTENSIVE TRAINING COURSE.**

1. Name of the Employee :  
in full (in Block letters)
2. Designation :
3. (a) Officer / Non-Officer :  
(b) Group / Grade :  
(c) Whether declared "operational" :
4. (a) Full address of the Office :  
(b) Name of the Administrative :  
Ministry/Department
5. Date of Birth :
6. Mother tongue :
7. (a) Name of the course prescribed :  
upto which you are required to  
be trained  
(b) Is training in Hindi Typewriting :  
or Hindi Stenography obligatory  
for you
8. (a) Name of the Examination passed :  
for which the claim has been made  
(b) Year and month of the Examination :  
(c) Date of declaration of the Result :

- (d) Marks obtained with percentage :
9. (a) How did you pass the above examination :
- (i) by private study :
- (ii) by attending classes under the Hindi Teaching Scheme. :
- (b) When did you received training for the said course in the classes run by Hindi Teaching Scheme (If you had received Training earlier also, please give details) :
10. Have you appeared in the same Examination earlier also, if yes, when and with what result :
11. If you have passed any other examination of the Hindi Teaching Scheme, please give details :
12. (i) Whether passed Matriculation or an equivalent or higher examination conducted by a Board/University etc., with Hindi as subject in any form or part of Higher Secondary examination viz., Class IX or X ? If yes, please give details and indicate percentage of marks obtained in Hindi subject. :
- (ii) Was Hindi a medium of any of the above examinations ? :
- (iii) Whether passed the Middle or Primary standard Examination with Hindi as a subject ? :
- (iv) If you have passed any other Hindi Examination conducted by a Govt. Agency or by a Private Body, Please Give details ? :
13. (a) Whether you had stated before joining the employment of the Company that :

- (i) You know Hindi typing i.e. you had a speed of 25 w.p.m. or more in Hindi typing ? :
- (ii) You have Hindi Stenography i.e. you had a speed of 80 w.p.m. or more in Hindi Stenography ? :
- (b) Whether you had previously received training in Hindi typewriting or Hindi stenography from an institution recognized by the Government or had passed any test there from ? If so, please give details. :

### DECLARATION

The particulars given by me are true to the best of my knowledge and belief. I undertake to refund the Hindi Allowance if, I am eligible for the same, in case any of the above information is found to be false or inaccurate. I also undertake that Disciplinary Action may be taken against me for attempting to receive Hindi Allowance by making inaccurate statement of facts.

.....  
(Signature)

Name :

Designation :

EID No. :

Division :

-oOo-



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