

SMALL INDUSTRIES DEVELOPMENT BANK OF INDIA [STAFF] REGULATIONS, 2001		
	Regulation No	
Preamble		Whereas it is felt necessary to frame regulations defining the terms and conditions of service of the staff of the Small Industries Development Bank of India, the Board of the Small Industries Development Bank of India hereby makes the following regulations:
CHAPTER - I		
PRELIMINARY		
Short title	1	These regulations may be called the Small Industries Development Bank of India (Staff) Regulations, 2001
Application	2	(1) These Regulations shall apply to - (i) an employee who is deemed to be appointed by the Small Industries Development Bank of India by reason of sub-sections (1) and (2) of Section 33 of the Small Industries Development Bank of India Act, 1989 (39 of 1989) (hereinafter referred to as "the Act"), and (ii) every whole time employee of the Small Industries Development Bank of India;
		Provided that they shall not apply, except as otherwise provided in these Regulations or to such extent as may be specially or generally prescribed by the Board, to - (a) the Chairman and Managing Director, (b) Whole-time Directors (c) staff employed temporarily or officers or other staff recruited on special contracts, and, (d) staff employed outside India.
		(2) Nothing in these Regulations shall operate to override any special agreement or agreements entered into by the Small Industries Development Bank of India with any of its employees.
Definitions	3	In these Regulations, unless there is anything repugnant in the subject or context -
		(a) "the Small Industries Bank" means the Small Industries Development Bank of India established

		under the Act.
		(b) "the Board" means the Board of Directors of the Small Industries Bank and, in relation to any powers exercisable by it, includes the Executive Committee and also any other Committee of Directors;
		(c) "the Chairman" means the Chairman and Managing Director of the Small Industries Bank and in relation to the powers exercisable by the Chairman and Managing Director includes a Whole time Director and an Executive Director.
		(d) "Chief Accountant" means the Chief Accounting Officer of the Small Industries Bank and, in relation to any powers exercisable by Chief Accountant, includes a Chief General Manager or General Manager or Deputy General Manager in the Accounts Department.
		(e) "the Chief General Manager" means an officer, who, for the time being, holds the office of the Chief General Manager in the Small Industries Bank and in relation to any powers exercisable by the Chief General Manager includes: (i) a General Manager or a Deputy General Manager, in the respective departments at the Head Office of the Small Industries Bank, who, for the time being, is the officer in charge of a division or a department or a wing, as the case may be, in which the employee concerned is employed or to be employed, and (ii) a General Manager or a Deputy General Manager, who, for the time being, is the officer in charge of an office of the Small Industries Bank and also such other officer of that office in relation to the powers exercisable by such a General Manager or a Deputy General Manager;
		(f) "compensatory allowance" means an allowance granted to meet expenditure necessitated by the special circumstances in which the duty is performed.
		(g) "Competent Authority" means the delegated authority approved by the Board for the purposes of these Regulations, other than that specified as Disciplinary Authority and Appellate Authority [in the Schedule annexed hereto]* .
		(h)(i) "Disciplinary Authority" means the authority [specified in the Schedule]* , which is competent to impose on an employee any of the penalties

		<p>specified in Regulation 47 and is the delegated authority for the purposes specified under Chapter IV of these Regulations.</p> <p>(ii) "Appellate Authority" means the [authority specified in the Schedule and is the]* delegated authority for the purposes specified under Chapter IV of these Regulations.</p>
		<p>(i) "duty" includes -</p> <p>(i) service as a probationer</p> <p>(ii) period during which an employee is on joining time;</p> <p>(iii) period during which an employee is on casual leave or special casual leave duly authorised by a competent authority; and,</p> <p>(iv) any other period specifically classified as duty by the Chairman;</p>
		<p>(j) "family" means an employee's spouse and children ordinarily residing with and wholly dependent on the employee;</p>
		<p>(k) "Leave pay" means the monthly pay which an employee would have drawn while on duty but for proceeding on leave.</p> <p>Pay during leave shall be drawn at full, half or quarter rate of leave pay, as the case may be, according to the kind of leave availed of by the employee, no pay being admissible during extraordinary leave;</p>
		<p>(l) "pay" means the amount drawn by an employee as -</p> <p>(i) pay which has been sanctioned for a post held by the employee substantively or in an officiating capacity, or to which the employee is entitled by reason of the position of the employee in a cadre;</p> <p>(ii) special pay and personal pay;</p> <p>(iii) any other emoluments which may be specifically classified as pay by the Board;</p>
		<p>(m) "personal pay" means an additional pay granted to an employee -</p>

		<p>(i) to save the employee from loss of substantive pay in respect of a permanent post due to revision of pay or any reduction of such substantive pay otherwise than as a disciplinary measure; or</p> <p>(ii) in exceptional circumstances, on other personal considerations;</p>
		(n) "Public Servant" means a person defined as public servant in Section 21 of the Indian Penal Code (45 of 1860);
		(o) ["Schedule" means the schedule appended to these Regulations]*
		<p>(p) "special pay" means an addition, in the nature of pay, to the emoluments of a post or of an employee granted in consideration of -</p> <p>(i) the specially arduous nature of the duties; or</p> <p>(ii) a specific addition to the work or responsibility;</p>
		(q) "substantive pay" means the pay to which an employee is entitled on account of a post to which the employee has been appointed substantively or by reason of the substantive position of the employee in a cadre.
Board's power to change Regulations	4	<p>The Board reserves the right of changing these Regulations from time to time;</p> <p>Provided that no new Regulation or alteration in an existing Regulation shall have any force until passed as a resolution of the Board and issued in the form of a circular by the Head Office of the Small Industries Bank.</p> <p>Provided further, that no new Regulation or alteration in an existing Regulation shall operate to reduce the scale of pay of an employee on which the employee is entitled to draw pay in the substantive capacity on the day the new Regulation or alteration comes into force.</p>
Chairman's power to delegate	5	The Chairman may delegate to the Chief General Manager, General Manager, Deputy General Manager, or any other officer, subject to such conditions as the Chairman may think fit to impose, all or any powers conferred upon the Chairman by these Regulations with the exception of the powers conferred by Regulations 20 and 21.
Power to	6	(1) The power to interpret the Regulations vests in

interpret and implement Regulations		<p>the Chairman who is also hereby empowered to issue such administrative instructions as may be necessary to give effect to, and carry out the purposes of, the provisions of these Regulations or otherwise to secure effective control of the staff.</p> <p>(2) The powers exercisable by an authority under these Regulations shall also be exercisable by any other authority superior to that authority.</p>
CHAPTER - II APPOINTMENTS, PROBATION AND TERMINATION OF SERVICE		
Section I - Appointments		
Classification of permanent staff	7	<p>(1) The permanent staff of the Small Industries Bank shall be classified as follows:</p> <p>Class I - Officers (Private Secretary/Executive Secretary, Assistant Manager in Grade 'A', Manager in Grade 'B', Assistant General Manager in Grade 'C', Deputy General Manager in Grade 'D', General Manager in Grade 'E', Chief General Manager in Grade 'F' & Executive Director or such other name/designation as may be decided by the Chairman and Managing Director from time to time)</p> <p>Class III - Clerical staff } Employees in</p> <p>Class IV - Subordinate staff } workmen cadres</p>
		<p>(2) The Board shall specify from time to time the pay of each post or group of posts and the Chairman shall specify the number of posts of officers in each group. The number of new posts created in each grade shall be reported to the Board from time to time.</p>
Temporary Staff	8	<p>(1) Notwithstanding anything contained in these Regulations, such officers as may be authorised by the Board in this behalf, may appoint staff on temporary basis subject to such general or special directions as may be issued by the Chairman from time to time.</p>
		<p>(2) The terms and conditions of service of the temporary staff shall be prescribed by the Chairman but in no case shall the terms and conditions so prescribed be more favourable than those laid down in these Regulations for an appointment carrying equivalent status or responsibility.</p>

Authorities empowered to appoint	9	<p>Appointment to the service of the Small Industries Bank shall be made as follows:</p> <p>(a) to posts of officers in Grade 'D' and above by the Chairman,</p> <p>(b) to posts of officers in Grades 'C' and 'B' by the Chief General Manager, HRDD, Head Office, subject to the approval of the Chairman,</p> <p>(c) to posts of officers in Grade 'A' by the Chief General Manager, HRDD, Head Office, subject to such general or special instructions as may be issued from time to time by the Chairman,</p> <p>(d) to any other post by the Chief General Manager subject to such general or special instructions as may be issued from time to time by the Chairman.</p>
Other appointments	10	<p>(1) Subject to such general or special instructions as may be issued from time to time by the Board, all appointments shall be made as hereinafter provided;</p> <p>(a) if the post to which the appointment is made is the lowest in the group to which it belongs, direct, and,</p> <p>(b) in other cases, by promotion</p> <p>Provided that, the Chairman may, at his discretion, authorise the appointment of candidates possessing special qualifications to a grade higher than the lowest.</p> <p>(2) Appointment of subordinate staff may be made direct or by promotion as the Chief General Manager may deem fit.</p> <p>(3) No employee may be transferred from one class to another without the specific approval in each case of the Chief General Manager.</p>
Appointments to be made on minimum pay of grade	11	<p>All first appointments shall be made on the minimum pay of the grade to which the appointment is made, provided that the Chairman may authorise the grant of not more than four initial increments in the scale of pay fixed for the grade in which the appointment is proposed to be made in the case of a candidate.</p> <p>(a) who possesses good academic qualifications, or,</p> <p>(b) who was in the temporary employment of the</p>

		Small Industries Bank prior to appointment in one of the posts covered by these Regulations, or, (c) who possesses special experience of value to the Small industries Bank.
Re-employment in the Small Industries Bank's service	12	(1) No person who has been removed or has otherwise ceased to be in the service of the Small Industries Bank may be re-employed without the specific sanction of, and, on such terms and conditions as may be prescribed by the Chairman, subject, in the case of appointments to senior officers' posts in grade 'D' and above, to the approval of the Board.
		(2) Except as otherwise provided by the Chairman or the Board at the time of re-employment, these Regulations shall apply to a person who is re-employed in the service of the Small Industries Bank as if the person had entered the service for the first time on the date of such re-employment.
Commencement of service	13	(1) Except as otherwise provided by or under these Regulations, "service" of an employee shall be deemed to commence from the working day on which the employee reports for duty in an appointment covered by these Regulations at the place and time intimated to the employee by the appointing authority. Provided that if the employee reports in the afternoon, the service of the employee shall commence from the next following working day. Explanation: In the case of an employee transferred to the service of the Small Industries Bank from the service of the Industrial Development Bank of India, who elects and is permitted to serve under these Regulations, the "service" of the employee shall be deemed to commence from the date on which the service of the employee commenced or is deemed to have commenced under the Industrial Development Bank of India (Staff) Rules, 1980.
Definition of service		(2) "Service" includes the period during which an employee is on duty as well as on leave duly authorised by a competent authority but does not include any period during which an employee is absent from duty without permission or overstays leave, unless specifically permitted by the competent authority.
Section 2 – Probation		

Officers in Grade 'C' or above (Direct Recruits)	14	An officer in Grade "C" or above directly recruited to the service of the Small Industries Bank shall be required to be on probation for a period which shall not be less than one year and more than two years as may be fixed by the Competent Authority at the time of appointment of the officer.
Other Officers	15	An officer other than an officer referred to in Regulation 14 shall, unless selected from the staff of the Small Industries Bank when the probationary service may be dispensed with or curtailed at the discretion of the Competent Authority, be on probation for two years.
Other employees	16	Employees not included in Regulations 14 and 15 shall, on their first appointment in the service of the Small Industries Bank, be required to be on probation for six months.
Discharge during probation / Confirmation in service	17	<p>(1) During the first month of probationary period, an employee shall be liable to be discharged at one day's notice and thereafter at one month's notice or by payment of substantive pay for one day or one month, as the case may be, in lieu thereof</p> <p>(2) Without prejudice to the provisions of Regulation 25, an officer selected from the staff of the Small Industries Bank and appointed on probation shall be liable to be reverted to the previous grade of the officer without notice or pay in lieu thereof if, in the opinion of the competent authority, the officer fails to show satisfactory promise during the period of probation.</p> <p>(3) An employee directly recruited in the Small Industries Bank shall be confirmed in the service of the Small Industries Bank, if in the opinion of the Competent Authority, the employee's conduct and performance has been satisfactory during the period of probation, including the extended period and the period beyond that.</p>
Appointing authority's power to extend probationary period	18	<p>The period of probation of an employee may be extended at the discretion of the appointing authority but in no case may this period exceed -</p> <p>(a) four years in the case of officers, and;</p> <p>(b) one year in the case of other employees.</p>
Temporary service in lieu of probation	19	Where an employee has rendered continuous temporary service prior to the appointment in a permanent vacancy, the provisions of Regulations

		14 and 16 regarding the period required to be spent on probation may be waived, at the discretion of the appointing authority, to the extent of the period of such temporary service.
Section 3 - Termination of Service		
Determination of service by notice	20	(1) Subject to the provisions of sub-regulation (4) an employee shall not leave or discontinue the service in the Small Industries Bank without first giving notice in writing of the intention to leave or discontinue the service. The period of notice required shall be -
		(a) three months in the case of an employee in Class I, and,
		(b) one month in the case of an employee in any other class, and shall be given to the Competent Authority and, in case of breach of the provisions of this sub-regulation, the employee shall be liable to pay to the Small Industries Bank as compensation a sum equal to the substantive pay for the period of notice required of the employee; Provided that the payment of such compensation may be waived at the discretion of the Competent Authority. Notwithstanding anything contained in the sub-regulation (1) above, no employee will discontinue the employment with the Small Industries Bank unless the resignation is accepted by the competent authority.
		(2) Where the Small Industries Bank is satisfied that the performance of an employee is unsatisfactory or inadequate or there is a bonafide suspicion about his integrity or that his retention in the service would be prejudicial to the interests of the Small Industries Bank, and where it is not possible or expedient to proceed against him as per the disciplinary procedure, the Small Industries Bank may determine the service of such employee after the expiry of the period of probation, on giving the employee -
		(a) three months' notice or pay in lieu thereof, if the employee is in Class I, and
		(b) one month's notice or pay in lieu thereof if the employee is in any other class.
		The power to determine the service of an employee

		<p>shall be exercised by the Chairman with the prior approval of the Executive Committee in the case of an officer other than an officer in Grade 'A' and by the Chief General Manager, HRDD, Head Office, subject to such general or special instructions as may be issued by the Chairman in the case of an officer in Grade 'A' or any other employee.</p> <p>Provided that the order of termination under this regulation shall not be made unless the employee has been given a reasonable opportunity of making a representation to the Small Industries Bank against the proposed order.</p> <p>Further provided that the affected employee shall be entitled to appeal against any order passed under this Regulation by preferring an appeal within 45 days to the Board of Directors of the Small Industries Bank. If the appeal is allowed, the order under this Regulation shall stand cancelled.</p> <p>Further provided that where an employee whose services have been terminated and who has been paid an amount of three months substantive pay in lieu of notice period and on appeal his termination is cancelled, the amount paid to him in lieu of notice period shall be adjusted against the salary that he would have earned, had his service not been terminated and he shall continue in the service of the Small Industries Bank on same terms and conditions as if the order of termination had not been passed at all.</p> <p>An employee whose services are terminated under this Regulation shall be paid Gratuity, Provident Fund including employer's contribution and all other terminal benefits that may be admissible to him.</p>
		<p>(3) Nothing in sub-regulation (2) shall affect the right of the Small Industries Bank to-</p>
		<p>(a) retire or dismiss an employee without notice or pay in lieu thereof in accordance with the provisions of Regulations 21 and 47; and</p> <p>(b) determine the service of an employee without notice or pay in lieu thereof on the employee being certified by the Medical Officer of the Small Industries Bank to be permanently incapacitated for further continuous service in the Small Industries Bank</p>
		<p>(4) (a) Notwithstanding anything to the contrary</p>

		contained in sub-regulation (1), an employee against whom disciplinary proceedings are pending shall not leave or discontinue the service in the Small Industries Bank without the prior approval in writing of the competent authority and any notice of resignation given by such an employee shall not take effect unless it is accepted by the competent authority;
		(b) Disciplinary proceedings shall be deemed to be pending against an employee for the purposes of this sub-regulation if the employee has been placed under suspension, either under Regulation 46 or Regulation 47 of these Regulations or any notice has been issued asking the employee to show-cause as to why disciplinary proceedings should not be initiated against the employee or any charge-sheet has been issued to the employee under Regulation 47 and will be deemed to be pending till final orders are passed by the competent authority.
		Explanation 1 : The expression 'month' used in this Regulation shall be reckoned according to the English calendar and shall commence from the day following that on which notice is given by the employee or the Small Industries Bank as the case may be.
		Explanation 2 : A notice given by an employee under sub-regulation (1) above shall be deemed to be proper only if the employee remains on duty during the period of the notice, and an employee shall not be entitled to set off any leave earned and not availed of against the period of such notice.
Superannuation and Retirement	21	(1) An employee, shall retire at 60 years of age;
		Provided that an employee, who attains the age of superannuation on any day other than the first during any calendar month, shall retire on the last day of that month.
		Provided further that in the case of an employee in Class IV who has reached the age of 57 years, the Small Industries Bank may, at its discretion, retire the employee after giving three months' notice in writing if in the opinion of the Competent Authority the efficiency of the employee is found to have been impaired;
		Provided further that the Small Industries Bank may, at its discretion, retire, in public interest, an employee other than an employee in Class IV, at any time after completion of 50 years of age;

		<p>Provided further that in the case of an employee other than an employee in Class IV who has attained the age of 55 years, the continuance in service of such an employee upto the age of 60 years shall be subject to the employee being found suitable to be retained in service.</p>
		<p>(2) The power conferred by the provisos to sub-regulation (1) shall be exercised by the Chairman with the prior approval of the Executive Committee in the case of an officer other than an officer in Grade 'A' and by the Chief General Manager, HRDD, Head Office, subject to such general or special instructions as may be issued by the Chairman, in the case of an officer in Grade 'A' and other employees.</p> <p>Provided further that before retiring an employee, prior to the date of superannuation, at least 3 months' notice in writing or an equivalent to 3 months' pay shall be given to such employee.</p> <p>Provided further that an employee aggrieved by the order, as provided above, may, within 45 days of passing of order, give in writing a representation to the Board of Directors against the decision, and on receipt of such representation from the concerned officer, the Board of Directors shall consider his representation and take a decision within a period of 3 months. Where the Board of Directors decide that the order passed is not justified, the concerned officer shall be reinstated as though the order was not passed.</p>
		<p>(3) An employee who has attained the age of 50 years may voluntarily retire after giving to the Competent Authority three month's notice in writing.</p>
		<p>(4) Without prejudice to sub-regulation (3), an employee governed by the Small Industries Development Bank of India Pension Regulations, 1993 may voluntarily retire at any time after the employee has completed 20 years of qualifying service in the Small Industries Bank as defined in the Small Industries Development Bank of India Pension Regulations, 1993 (including the period, if any, of such service rendered or deemed to have been rendered in Industrial Development Bank of India), (even though the employee has not attained the age of 50 years), after giving to the competent authority three months' notice in writing.</p>

		<p>Provided that this sub-regulation shall not apply to an employee who is on deputation or study leave abroad, unless after having been transferred or having returned to India the employee has resumed the charge of the post in India and served for a period of not less than one year.</p> <p>Provided further that this sub-regulation shall not apply to an employee who seeks retirement from service for being absorbed permanently in an autonomous body or a public sector undertaking to which the employee is on deputation at the time of seeking voluntary retirement.</p>
		<p>(5) The notice of voluntary retirement given under sub-regulation (3) or sub-regulation (4) shall not be valid unless it is accepted by the competent authority;</p> <p>Provided that where the Competent Authority does not communicate its decision not to accept such notice before the expiry of the period specified in the notice, the retirement shall become effective from the date of expiry of such period.</p>
		<p>(6) The Competent Authority may, if so requested by the employee, retiring pursuant to sub-regulation (3) or (4), as the case may be, waive the notice of voluntary retirement with respect to its full period or part thereof, if the competent authority is satisfied that such waiver will not cause any administrative inconvenience. Such waiver shall, if granted, be subject to the condition that the employee shall not apply for commutation of a part of the pension before the expiry of the period of notice of three months.</p>
		<p>(7) An employee, who has elected to voluntarily retire, pursuant to sub-regulation (3) or sub-regulation (4) and has given notice for the purpose, shall not be entitled to withdraw the notice, except with the permission of the competent authority, provided that the request for such withdrawal shall be made before the intended date of retirement.</p>
		<p>(8) Notwithstanding anything contained in this Regulation, where an employee has ordinary leave earned but not availed of as on the date of retirement, at the option of the employee, the employee may either be -</p>
		<p>a) permitted to avail of ordinary leave to the credit</p>

		of the employee as on the date of retirement subject to a maximum of ten months and in that case, the employee will be deemed to retire from service on the expiry of the leave;
		OR
		b) paid a lumpsum amount which would be equivalent to pay as defined in Regulation 3(l) of these Regulations, as on the date of retirement of the employee, for the unavailed ordinary leave to the credit of the employee as on the date of retirement subject to a maximum of ten months plus all allowances normally admissible to the employee concerned during ordinary leave.
		Explanation: "Date of Retirement" means the date on which the employee attains the age of superannuation in accordance with the provision of this Regulation or the date on which the employee is retired by the Small Industries Bank under sub-regulation (1) or the date on which the employee voluntarily retires in terms of sub-regulation (3) or sub regulation (4) as the case may be.
		(9) Notwithstanding anything contained in this Regulation or any other Regulations, in case disciplinary proceedings have been initiated against an employee before or after ^{^^} the employee ceases to be in the service of the Small Industries Bank, the disciplinary proceedings may, at the discretion of the Disciplinary Authority, be thereafter continued and concluded as if the employee continues to be in the service, so however, that the employee shall be deemed to be in the service only for the specific purpose of the continuance and conclusion of such proceedings. Explanation : 'Disciplinary Proceedings' shall include a suspension of an employee under these Regulations, or any notice issued to an employee asking the employee to show cause as to why disciplinary proceedings should not be initiated against the employee, or any charge-sheet issued to an employee under Regulation 47 of these Regulations and will be deemed to be pending till final order is passed by the competent authority.
CHAPTER - III		
RECORD OF SERVICE, SENIORITY, PROMOTION AND REVERSION		
Record of service	22	A record of service shall be maintained by the Small Industries Bank in respect of each employee at such

		place or places and shall be kept in such form and shall contain such information as may be specified from time to time by the Chief General Manager, HRDD, Head Office.
Seniority	23	<p>(1) From time to time, the Small Industries Bank shall prepare a list of Officers in its service showing their names in the order of their seniority on an all India basis and containing such other particulars as the Small Industries Bank may determine.</p> <p>(2) Seniority of an Officer in a grade or scale shall be reckoned with reference to the date of his confirmation in that grade or scale. Where there are two or more such Officers of the same length of service in that grade or scale and not confirmed in that grade or scale, their inter-se seniority shall be reckoned with reference to their seniority in the immediately preceding grade or scale or the previous cadre to which they belonged in the Small Industries Bank's service, as the case may be.</p> <p>(3) The inter-se seniority of employees directly recruited in a batch to any grade or scale shall be reckoned with reference to the rank allotted to them at the time of such recruitment.</p> <p>(4) If rank has not been allotted to the employees recruited in a batch, their seniority shall be reckoned considering the date of their joining ; in case of same date of joining, seniority would be considered based on seniority of age ; in case of similarity on both the above counts, the Competent Authority would decide the seniority based on educational qualification or such other factors as deemed fit.</p> <p>(5) In the case of an employee whose probation has been extended, his seniority shall be reckoned just below the last confirmed employee in the same grade or scale.</p> <p>(6) It shall be the responsibility of the employee to draw attention immediately to any mistake, which he may notice in the seniority list.</p> <p>(7) Notwithstanding anything contained in these Regulations, the seniority of an officer trainee / trainee, on his absorption in the regular service of</p>

		the Small Industries Bank, shall be determined / fixed as per the terms of his appointment as officer trainee / trainee.
Promotion	24	All appointments and promotions shall be made at the discretion of the Small Industries Bank and notwithstanding the seniority of an employee in a grade, no employee shall have a right to be appointed or promoted to any particular post or grade.
Reversion	25	(1) An employee transferred or promoted from one appointment to another shall be liable to be reverted without notice at any time within one year of such transfer or promotion.
		(2) An employee who has been appointed to officiate in a higher grade or appointment, or whose confirmation in a higher grade or appointment is subject to the employee undergoing probation for any specified period or otherwise, shall be liable to be reverted without notice at any time, when the employee is so officiating or undergoing probation.
		(3) Nothing in sub-regulations (1) and (2) shall affect the provisions of Regulation 47.
CHAPTER - IV		
CONDUCT, DISCIPLINE AND APPEALS		
Section 1 - Conduct and Discipline		
Scope of an employee's service	26	Unless in any case it be otherwise distinctly provided, the whole time of an employee shall be at the disposal of the Small Industries Bank, and the employee shall serve the Small Industries Bank in its business in such capacity and at such place as the employee may from time to time be directed.
Liability to abide by the Regulations & Orders	27	Every employee shall conform to and abide by these Regulations and shall observe, comply with and obey all orders and directions which may from time to time be given to the employee by any person or persons under whose jurisdiction, superintendence or control the employee may for the time being be placed.
Obligation to maintain secrecy	28	Every employee shall maintain the strictest secrecy regarding the affairs of the Small Industries Bank and the affairs of its constituents and shall not divulge, directly or indirectly, any information of confidential nature either to a member of the public or of the staff of the Small Industries Bank, unless compelled to do so by a judicial or other authority,

		or unless instructed to do so by a superior officer in the discharge of duties.
Employees to promote Small Industries Bank's interests	29	Every employee shall serve the Small Industries Bank honestly and faithfully and shall use the utmost endeavours to promote the interests of the Small Industries Bank and shall show courtesy and attention in all transactions and dealings with the officers of Government and the constituents of the Small Industries Bank.
Prohibition against participation in politics and standing for election	30	No employee shall take active part in politics or in any political demonstration, or stand for election as member of a Municipal Council, District Board or any other Local or Legislative body.
Prohibition against joining certain associations & strikes, etc.	31	(1) No employee, who is not a 'workman' within the meaning of the Industrial Disputes Act, 1947, shall become or continue to be a member or office-bearer of, or be otherwise directly or indirectly associated with, any trade union of employees of the Small Industries Bank who are 'workmen' within the meaning of that Act, or a federation of such trade unions; (2) In relation to an employee who is officiating in a higher grade or post which is not a grade or post of a 'workman' as aforesaid, this Regulation shall also apply for so long as such employee is officiating in such higher grade or post. (3) No employee shall resort to, or in any way abet, any form of illegal strike or participate in any violent, unseemly or indecent demonstration in connection with any matter pertaining to the conditions of service of the employee or the conditions of service of any other employee of the Small Industries Bank.
Contribution to the press	32	No employee may contribute to the press anything relating to the affairs of the Small Industries Bank without the prior sanction of the competent authority or, without such sanction, make public or publish any document, paper or information which may come into the possession of the employee in an official capacity.
Employees not to seek outside employment	33	No employee shall accept, solicit or seek any outside employment or office, whether stipendiary or honorary, without the previous sanction of the competent authority.
Employment after retirement	34	(1) No officer of the Small Industries Bank, who has ceased to be in service whether by retirement,

		<p>resignation or otherwise, shall, within a period of one year[^] from the date from which the officer finally ceased to be in the service of the Small Industries Bank, accept or undertake a commercial employment except with the previous sanction in writing of the Chairman.</p> <p>Provided that an officer who was permitted by the Small Industries Bank to take up a particular form of commercial employment during the leave preparatory to retirement of the officer or during refused leave shall not be required to obtain subsequent permission for the continuance in such employment after ceasing to be in the service of the Small Industries Bank.</p>
		(2) For the purpose of this Regulation, "commercial employment" means:
		[i] employment in any capacity including that of an agent, under a company, co-operative society, firm or individual engaged in trade, commercial, industrial, financial or professional business and also includes a directorship of such a company and partnership of such firm but does not include employment under a body corporate wholly or substantially held or controlled by Government.
		[ii] setting up practice, either independently or as a partner of a firm, as adviser or consultant in matters in respect of which the officer who has ceased to be in the services of the Small Industries Bank -
		<p>[a] has no professional qualification and the matters in respect of which the practice is to be set up or carried on are relatable to the official knowledge or experience of the officer, or,</p> <p>[b] has professional qualifications but the matters in respect of which such practice is to be set up are such as are likely to give the clients of the officer an unfair advantage by reason of the previous official position of the officer, or,</p>
		[iii] undertaking work involving liaison or contact with the offices or officers of the Small Industries Bank and/or Government.
		Explanation. For the purpose of this Regulation, "employment under a co-operative society" includes the holding of any office, whether elective or otherwise, such as that of President, Chairman, Manager, Secretary, Treasurer and the like, by whatever name called in such society.

Part-time work for outside bodies	35	No employee shall undertake part-time work for a private or public body or a private person, or accept any fee therefor, without the sanction of the competent authority which shall grant the sanction only in exceptional cases when it is satisfied that the work can be undertaken without detriment to the official duties and responsibilities of the employee. The competent authority may, in cases in which it thinks fit to grant such sanction, stipulate that any fee received by the employee for undertaking the work shall be paid, in whole or in part, to the Small Industries Bank.
Employee not to be absent from duty without permission or be late in attendance	36	(1) An employee shall not be absent from duties without having first obtained the permission of the competent authority, nor shall the employee be absent in case of sickness or accident without submitting a medical certificate acceptable to the Small Industries Bank; Provided that in the case of temporary indisposition the production of a medical certificate may, at the absolute discretion of the competent authority, be dispensed with.
		(2) An employee who absents from duty without leave or overstays leave, except under circumstances beyond the control of the employee for which the employee must tender a satisfactory explanation, shall not be entitled to draw any pay and allowances, during such absence or overstayal, and shall further be liable to such disciplinary measures as the Disciplinary Authority may impose. The period of such absence or overstayal may, if not followed by discharge under Regulation 17 or termination of services under Regulation 20 or dismissal under Regulation 47, be treated as period spent on extraordinary leave.
		(3) An employee who is habitually late in attendance shall, in addition to such other penalty as the Disciplinary Authority may deem fit to impose, have one day of casual leave forfeited for every three days the employee is late in a month. Where no casual leave is due to such an employee, the period of leave to be so forfeited may be treated as ordinary or extraordinary leave as the competent authority may determine.
Absence from station	37	An employee in Class I and an employee in any other Class if so required by the Competent Authority, must not be absent from station overnight without obtaining previous sanction from

		the Deputy General Manager/Competent Authority. Such permission in the case of Deputy General Managers and other officers in higher grades shall be obtained from the officer in the next higher grade.
Acceptance of gifts	38	An employee shall not solicit or accept any gift from a constituent of the Small Industries Bank or from any employee of subordinate grade or post.
Giving and taking dowry	39	An employee shall not
		(i) give or take or abet the giving or taking of dowry; or, (ii) demand, directly or indirectly, from the parents or guardians of a bride or bridegroom, as the case may be, any dowry. <i>Explanation.</i> In this Regulation, the term "dowry" shall have the same meaning as in the Dowry Prohibition Act, 1961.
Restrictions on consumption of alcoholic drinks / drugs	40	An employee shall -
		(a) strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which the employee may, for the time being, happen to be; (b) not be under the influence of any intoxicating drink or drug while on duty and shall also take care that performance of duties by the employee at any time is not affected in any way by the influence of such drink or drug; (c) refrain from consuming, in a public place, any intoxicating drink or drug; (d) not appear in a public place in a state of intoxication; (e) not use any intoxicating drink or drug to excess.
		<i>Explanation.</i> For the purpose of this Regulation, the term "public place" would include clubs (even exclusively meant for members where it is permissible for the members to invite non-members as guests), bars and restaurants, public conveyances and all other places to which the public have or are permitted to have access, whether on payment or otherwise.
Private Trading	41	No employee shall engage in any commercial business or pursuit either on account of the

		employee or as agent for others, nor act as an agent for an insurance company nor shall the employee be connected with the formation or management of a joint stock company.
Speculating in stocks, shares, etc.	42	<p>An employee shall not speculate in stocks, shares, securities or commodities of any description;</p> <p>Provided that nothing in this Regulation shall be deemed to prohibit an employee from making a bonafide investment of the own funds of the employee in such manner as the employee may wish.</p>
Restrictions on borrowings and investments	43	<p>(1) An employee shall not borrow money from, or in any way be under pecuniary obligation to, a broker or an employee of the Small Industries Bank subordinate in grade or post or any firm or persons having dealings with the Small Industries Bank.</p> <p>(2) No employee shall make or permit any member of the family of that employee to make any investment which is likely to embarrass or influence the employee in the discharge of official duties.</p> <p>Explanation. For the purpose of this sub-regulation, the word 'family' includes any relative ordinarily residing with or dependent on an employee.</p>
Employees in debt	44	<p>An employee who is in debt shall furnish to the competent authority a signed statement of the position half-yearly on June 30 and December 31 every year and shall indicate in the statement the steps being taken by the employee to rectify the position. An employee who makes a false statement under this Regulation or who fails to submit the prescribed statement or appears unable to liquidate the debts within a reasonable time or applies for the protection of an insolvency court shall be liable to dismissal.</p> <p>Explanation - 1 : For the purpose of this Regulation, an employee shall be deemed to be in debt if the total liabilities of the employee exclusive of those which are fully secured exceed the substantive pay of the employee for twelve months.</p> <p>Explanation -2 : An employee shall be deemed to be unable to liquidate the debts within a reasonable time if it appears that, having regard to the personal resources of the employee and unavoidable current expenses, the employee will</p>

		not cease to be in debt within a period of two years.
Prohibition of sexual harassment at work place	45	<p>No employee shall indulge in any act of sexual harassment at work place.</p> <p>Every employee who is in charge of a work place shall take appropriate steps to prevent sexual harassment at work place.</p> <p>Explanation: For the purpose of this Rule, "sexual harassment" includes such unwelcome sexually determined behaviour (whether directly or otherwise) as –</p> <ul style="list-style-type: none"> (a) Physical contact and advances; (b) A demand or request for sexual favours; (c) Sexually coloured remarks; (d) Showing pornography; or (e) Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.
Suspension	46	<p>(1) (i) An employee may be placed under suspension by the Disciplinary Authority.</p> <ul style="list-style-type: none"> 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 is under investigation, inquiry or trial. <p>(ii) An employee shall be deemed to have been placed under suspension by an order of the Disciplinary Authority.</p> <ul style="list-style-type: none"> a. With effect from the date of his detention, if he is detained in custody, whether on a criminal charge or otherwise, for a period exceeding forty eight hours; b. With effect from the date of conviction, if in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding forty-eight hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction. <p>Explanation: The period of forty-eight hours referred to in clause 1(ii)(b) of this sub-regulation shall be computed from the commencement of the</p>

		<p>imprisonment after the conviction and for this purpose, intermittent periods of imprisonment if any, shall be taken into account.</p> <p>(iii) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon an employee under suspension is set aside in appeal under these Regulations and the case is remitted for further inquiry or action or with any directions, the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in force until further orders.</p> <p>(iv) Where a penalty of dismissal, or removal or compulsory retirement from service imposed upon an employee under suspension is set aside or declared or rendered, void in consequence of or by a decision of court of law, and the Disciplinary Authority on consideration of the circumstances of the case decided to hold further inquiry against him on the allegations on which the penalty of dismissal, removal or compulsory retirement was originally imposed, the employee shall be deemed to have been placed under suspension by the Disciplinary Authority from the date of the original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders.</p> <p>a. An order of suspension made or deemed to have been made under this Regulation shall continue to remain in force until it is modified or revoked by the Disciplinary Authority.</p> <p>b. An order of suspension made or deemed to have been made under this Regulation may at any time be modified or revoked by the authority which made or is deemed to have made the order.</p> <p>In respect of such period, the employee shall be allowed the payment admissible to an employee under suspension under sub-regulation J of Regulation 47.</p>
		<p>(2). Any payment made to an employee under sub-regulation (1) shall be subject to adjustment of pay and allowances of the employee which shall be made according to the circumstances of the case</p>

		and in the light of the decision as to whether such period is to be accounted for as a period of duty or leave; Provided that full pay and allowances will be admissible only if the employee -
		(a) is treated as on duty during such period; and,
		(b) is acquitted of all blames or satisfies the Disciplinary Authority, in the case of his release from detention or the detention being set aside by a competent court, that the employee had not been guilty of improper conduct resulting in detention.
		(3) An employee shall be liable to dismissal or to any of the other penalties referred to in Regulation 47 if the employee is committed to prison for debt or is convicted for an offence which, in the opinion of the Disciplinary Authority, either involves gross moral turpitude or has a bearing on any of the affairs of the Small Industries Bank or on the discharge by the employee of duties in the Small Industries Bank; the opinion of the Disciplinary Authority, in this respect, shall be conclusive and binding on the employee. Such dismissal or other penalty may be imposed as from the date of committal to prison or conviction of the employee and nothing in Regulation 47 shall apply to such imposition.
		(4) Where an employee has been dismissed in pursuance of sub-regulation (3) and the relative conviction is set aside by a higher court and the employee is honourably acquitted, the employee shall be reinstated in service. Explanation : In this Regulation, committal or conviction shall mean committal or conviction by the lowest court or any appellate court.
		(5) Where the absence of an employee from duty without leave or overstaying is due to the employee having been arrested for debt or on a criminal charge or to the employee having been detained in pursuance of any process of law, the provisions of Regulation 36 shall also apply and for the purposes of that Regulation as so applied, the employee shall be treated as having absented without leave or, as the case may be, overstayed, otherwise than under circumstances beyond the control of the employee.
Penalties	47	
	A	Without prejudice to the provisions of other

		<p>Regulations, an employee who commits a breach of the Regulations of the Small Industries Bank, or who displays negligence, inefficiency or indolence, or who knowingly does anything detrimental to the interests of the Small Industries Bank or in conflict with its instructions, or who commits a breach of discipline or is guilty of any other act of misconduct, shall be liable to the following penalties:</p> <p>Minor Penalties</p> <p>(a) censure ;</p> <p>(b) withholding of increments of pay with or without cumulative effect ;</p> <p>(c) Withholding of promotion ;</p> <p>(d) reduction to a lower stage in the time scale of pay for a period not exceeding 3 years without cumulative effect and not adversely affecting the employee's pension ;</p> <p>(e) recovery from pay of the whole or part of any pecuniary loss caused to the Small Industries Bank by the employee;</p> <p>Major Penalties</p> <p>(f) save as provided for in clause (d) above, reduction to a lower stage in the time 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 expiry of such period the reduction will or will not have the effect of postponing the future increments of his pay ;</p> <p>(g) reduction to a lower grade or post</p> <p>(h) compulsory retirement,</p> <p>(i) removal from service, which shall not be a disqualification for future employment in the Small Industries Bank.</p> <p>(j) dismissal, which shall ordinarily be a disqualification for future employment.</p> <p>Explanation – The following shall not amount to penalty within the meaning of this Regulation :</p>
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		<ul style="list-style-type: none"> (i) Stoppage of pay of an employee at the efficiency bar in a time scale, on the ground of his unfitness to cross the bar ; (ii) Non promotion, whether in an officiating capacity or otherwise, of an employee, to a higher grade or post for which he may be eligible for consideration but for which he is found unsuitable after consideration of his case ; (iii) Reversion to a lower grade or post of an employee officiating in a higher grade or post, on the ground that he is considered, after trial, to be unsuitable for such higher grade or post, or on administrative grounds unconnected with his conduct ; (iv) Reversion to his previous grade or post, of an employee appointed on probation to another grade or post, during or at the end of the period of probation, in accordance with the terms of appointment or rules or orders governing such probation ; (v) Termination of service <ul style="list-style-type: none"> (a) of an employee appointed on probation, during or at the end of the period of probation, in accordance with the terms of his appointment or the rules or orders governing such probation; (b) of an employee appointed in a temporary capacity otherwise than under a contract or agreement on the expiration of the period for which he was appointed, or earlier in accordance with the terms of his appointment ; (c) of an employee appointed under a contract or agreement, in accordance with the terms of such contract or agreement ; and (d) of an employee on abolition of post ; (vi) Retirement of an employee on his attaining the age of superannuation in accordance with the rules and order governing such superannuation; (vii) Termination of employment of a permanent employee under Regulation 20 & 21; (viii) Termination of employment of an employee on medical grounds, if he is declared unfit to continue in Small Industries Bank's service by the Medical Officer of Small Industries Bank.
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<p>Authority to Institute Disciplinary Proceeding and Impose Penalties</p>	<p>B</p>	<ol style="list-style-type: none"> 1. The Chairman and Managing Director may institute or direct the Disciplinary Authority to institute disciplinary proceedings against an employee of the Small Industries Bank. 2. The Disciplinary Authority may himself institute disciplinary proceedings. 3. The Disciplinary Authority or any authority higher than it, may impose any of the penalties specified in these Regulations on any employee. However, in such of the cases where the higher authority is the Appellate Authority, he should not act as the Disciplinary Authority.
<p>Procedure for imposing Major Penalties</p>	<p>C</p>	<ol style="list-style-type: none"> 1. No order imposing any of the major penalties specified in clauses (f), (g), (h), (i) and (j) of sub-regulation A of Regulation 47 shall be made except after an inquiry is held in accordance with this sub-regulation. 2. Whenever the Disciplinary Authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehavior against an employee, it may itself enquire into, or appoint any other person who is, or has been, a public servant (hereinafter referred to as the inquiring authority) to inquire into the truth thereof. Explanation: When the Disciplinary Authority itself holds the inquiry, any reference in clause 8 to clause 21 of this sub-regulation to the Inquiring Authority shall be construed as a reference to Disciplinary Authority, where the context in these Regulations require. <p>2A. Whenever the Disciplinary Authority is of the opinion that there are grounds of inquiring into the truth of any grave misconduct or negligence during the period of service of the employee, who has since ceased to be in the service, including the service rendered upon re-employment after retirement, it may initiate disciplinary proceedings against the former employee.</p> <p>Provided that the procedure applicable to departmental proceedings in such cases shall be in accordance with the procedure as contained in these regulations and as</p>

		<p>applicable to serving employees.</p> <p>Provided that the Disciplinary proceedings in such cases shall not be instituted without the prior approval of the Chairman and shall not be in respect of any event or cause of action which took place more than four years before such institution.</p> <p>Provided that the outcome of the departmental proceedings shall be reported to the Board of the Bank.®</p> <p>3. Where it is proposed to hold an inquiry, the Disciplinary Authority shall frame definite and distinct charges on the basis of the allegations against the employee and the articles of charge, together with a statement of the allegations on which they are based, list of documents relied on along with copy of such documents and list of witnesses on which they are based, shall be communicated in writing to the employee, who shall be required to submit, within such time as may be specified by the Disciplinary Authority (not exceeding 15 days), or within such extended time as may be granted by the said Authority, a written statement of his defence;</p> <p>Provided that wherever it is not possible to furnish the copies of documents, Disciplinary Authority shall allow the employee inspection of such documents within a time specified in this behalf;</p> <p>4. On receipt of the written statement of the employee, or if no such statement is received within the time specified, an Inquiry may be held by the Disciplinary Authority itself, or if it considers it necessary to do so, appoint under clause 2 of this sub-regulation an Inquiring Authority for the purpose.</p> <p>Provided that it may not be necessary to hold an inquiry in respect of the articles of charge admitted by the employee in his written statement but shall be necessary to record its findings on each such charge.</p> <p>5. The Disciplinary Authority shall, where it is not</p>
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		<p>the Inquiring Authority, forward to the Inquiring Authority:</p> <ol style="list-style-type: none"> i. a copy of the articles of charges and statements of imputations of misconduct or misbehaviour; ii. a copy of the written statement of defence, if any, submitted by the employee; iii. a list of documents by which and list of witnesses by whom the articles of charge are proposed to be substantiated; iv. a copy of statements of the witnesses if any; v. evidence proving the delivery of the articles of charge under clause 3 of this sub-regulation; vi. a copy of the order appointing the 'Presenting Officer' in terms of clause 6 of this sub-regulation. <p>6. Where the Disciplinary Authority itself inquires or appoints an Inquiring Authority for holding an inquiry, it may, by an order, appoint a public servant to be known as the 'Presenting Officer' to present on its behalf the case in support of the articles of charge.</p> <p>7. The officer employee may take the assistance of any other officer employee and an employee in Class III & IV may take assistance of any other Class III & IV employee as a Defense Assistant for defending his case. He shall, however, not engage a legal practitioner for the said purpose, unless the Presenting Officer appointed by the Disciplinary Authority is a legal practitioner or the Disciplinary Authority, having regard to the circumstances of the case, so permits.</p> <p>NOTE: The officer employee or Class III/IV employee shall not take the assistance of any other officer employee or Class III/IV employee who has two pending disciplinary cases on hand in which he is the Defense Assistant.</p> <p>8. a.The Inquiring Authority shall by notice in writing specify the day on which the employee shall appear in person before the Inquiring Authority. b.On the date fixed by the Inquiring Authority, the employee shall appear before the Inquiring</p>
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		<p>Authority at the time, place and date specified in the notice.</p> <p>c. The Inquiring Authority shall ask the employee whether he pleads guilty or has any defence to make and if he pleads guilty to any of the articles of charge, the Inquiring Authority shall record the plea, sign the record and obtain the signature of the employee concerned thereon.</p> <p>d. The Inquiring Authority shall return a finding of guilt in respect of those articles of charge to which the employee concerned pleads guilty.</p> <p>9. If the employee does not plead guilty, the Inquiring Authority shall adjourn the case to a later date not exceeding 30 days or within such extended time as may be granted by the Inquiring Authority</p> <p>10. The Inquiring Authority, while adjourning the case as under Clause 9 of sub-regulation C of Regulation 47, shall also record an order that the employee may, for the purpose of preparing defence :</p> <ul style="list-style-type: none"> (i) complete inspection of the documents as in the list furnished to him immediately and in any case not exceeding 5 days from the date of such order if he had not done so earlier as provided for in the proviso to clause 3 of this sub-regulation; (ii) submit a list of documents and witnesses, that he wants for the inquiry; (iii) give notice within ten days of the order or within such further time not exceeding ten days as the Inquiring Authority may allow for the discovery or production of the documents referred to in item (ii) hereinabove. <p>NOTE: The relevance of the documents and the examination of the witnesses referred to in item (ii) shall be given by the employee concerned.</p> <p>11. The Inquiring Authority shall, on receipt of the notice for the discovery or production of the documents, forward the same or copies thereof to the authority in whose custody or possession the documents are kept with a requisition for the production of the documents, on such date as may be specified.</p>
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		<p>12. On receipt of the requisition under clause 11 of this sub-regulation, the authority having the custody or possession of the requisitioned documents, shall arrange to produce the same before the Inquiring Authority on the date, place and time specified in the requisition.</p> <p>Provided that the authority having the custody or possession of requisitioned documents may claim privilege if the production of such documents will be against the public interest or the interest of the Small Industries Bank. In that case to inform the Inquiring Authority accordingly.</p> <p>13. On the date fixed for the inquiry, 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 produced by the Presenting Officer shall be examined by the Presenting Officer and may be cross-examined by or on behalf of the employee. The Presenting Officer shall be entitled to re-examine his witnesses on any points on which they have been cross examined, but not on a new matter, without the leave of the Inquiring Authority. The Inquiring Authority may also put such questions to the witnesses as it thinks fit.</p> <p>14. Before the close of the case, in support of the charges, the Inquiring Authority may, in its discretion, allow the Presenting Officer to produce evidence not included in the charge sheet or may itself call for new evidence or recall or re-examine any witness. In such case the employee shall be given opportunity to inspect the documentary evidence before it is taken on record, or to cross-examine a witness, who has been so summoned. The Inquiring 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 interests of justice.</p> <p>15. When the case in support of the charges is closed, the employee 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 employee shall be required to</p>
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		<p>sign the record. In either case a copy of the statement of defence shall be given to the Presenting Officer, if any, appointed.</p> <p>16. The evidence on behalf of the employee shall then be produced. The employee may examine himself in his own behalf, if he so prefers. The witnesses produced by the employee shall then be examined by the employee and may be cross-examined by the Presenting Officer. The employee shall be entitled to re-examine any of his witnesses on any points on which they have been cross-examined, but not on any new matter without the leave of the Inquiring Authority.</p> <p>17 The Inquiring Authority may, after the employee closes his evidence, if the employee has not got himself examined generally, question him on the circumstances appearing against him in the evidence for the purpose of enabling the employee to explain any circumstances appearing in the evidence against him.</p> <p>18. The Inquiring 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 the their respective cases within 15 days of the date of completion of the production of evidence, if they so desire.</p> <p>19. If the employee does not submit the written statement of defence referred to in clause 3 of this sub-regulation on or before the date specified for the purpose or does not appear in person, or through the Defense Assistant or otherwise fails or refuses to comply with any of the provisions of these Regulations, the Inquiring Authority may hold the inquiry ex-parte.</p> <p>20. Whenever any Inquiring Authority, after having heard and recorded the whole or any part of the evidence in an inquiry, ceases to exercise jurisdiction therein, and is succeeded by another Inquiring Authority which has, and which exercises, such jurisdiction, the Inquiring Authority so succeeding may act on the evidence so recorded by its predecessor, or</p>
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partly recorded by its predecessor, and partly recorded by itself.

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- (i) On the conclusion of the inquiry, the Inquiring Authority shall prepare a report which shall contain the following:
- (a) a gist of the articles of charge and the statement of imputations of misconduct or misbehaviour;
 - (b) a gist of 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 Inquiring Authority, the proceedings of the inquiry establish any article of charge different from the original article of charge, it may record its findings on such article 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 or has had a reasonable opportunity of defending himself against such article of charge.

- (ii) The Inquiring Authority, where it is not itself the Disciplinary Authority, shall forward to the Disciplinary Authority the records of inquiry which shall include -
- a. the report of the inquiry prepared by it under item (i) above;
 - b. the written statement of defence, if any, submitted by the employee referred to in clause 15 of this sub-regulation;
 - c. the oral and documentary evidence produced in the course of the inquiry;
 - d. written briefs referred to in clause 18 of this sub-regulation, if any;
 - e. the orders, if any, made by the Disciplinary Authority and the Inquiring Authority in regard to the inquiry.

<p>Action on the Inquiry report</p>	<p>D</p>	<ol style="list-style-type: none"> 1 The Disciplinary Authority, if it is not itself the Inquiring Authority, may, for reasons to be recorded by it in writing, remit the case to the Inquiring Authority for fresh or further inquiry and report and the Inquiring Authority shall thereupon proceed to hold the further inquiry in accordance with the provisions of Regulation 47. 2 In case the disciplinary proceedings have been held for major penalty, the Disciplinary Authority shall arrange to forward a copy of the Inquiry Report to the concerned employee and seek his representation, if any, thereon within 10 days of the date of receipt or such extended time as the Disciplinary Authority may deem fit. 3 While recording its findings on the Inquiry Report, the Disciplinary Authority will also take into consideration the representation, if any, received from the concerned employee. 4 The Disciplinary Authority shall, if it disagrees with the findings of the Inquiring Authority on any articles 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. 5 If the Disciplinary Authority, having regard to its findings on all or any of the articles of charge, is of the opinion that no penalty is called for, it may pass an order exonerating the employee concerned.
<p>Procedure for imposing minor penalty</p>	<p>E</p>	<ol style="list-style-type: none"> 1. Where it is proposed to impose any of the minor penalties specified in clauses (a) to (e) of sub-regulation A of Regulation 47, the employee concerned shall be informed in writing of the imputations of lapses against him and given an opportunity to submit his written statement of defence within a specified period not exceeding 15 days or such extended period as may be granted by the Disciplinary Authority and the defence statement, if any, submitted by the employee shall be taken into consideration by the Disciplinary Authority before passing orders. 2. The record of the proceedings in such cases shall include <ol style="list-style-type: none"> i. A copy of the statement of imputation of lapses furnished to the employee; ii. The defence statement, if any, of the employee; and

		<p>iii. The orders of the Disciplinary Authority together with the reasons therefor.</p> <p>3. Where, however, the Disciplinary Authority is satisfied that an inquiry is necessary, it shall follow the procedure for imposing a major penalty as laid down in Regulation 47.</p>
Common Inquiry	F	Notwithstanding anything contained in sub-regulations C, D and E of Regulations 47 above or in any other Regulations, if two or more employees of the Small Industries Bank are involved in an incident, the Disciplinary Authority competent to impose major penalty on all such employees may make an order directing that disciplinary proceedings against all of them may be taken in a common inquiry.
Delegating holding of Inquiry	G	<p>The inquiry under this Regulation and the procedure, with the exception of the final order, may be delegated, in case the employee against whom proceedings are taken is in Class I, to any employee in Class I who is in a grade higher than such employee and in the cases of other employees to any employee in Class I.</p> <p>Provided that if the Disciplinary Authority, keeping in view the grade of the employee in Class I against whom the proceedings are to be initiated, considers it necessary to do so, the inquiry under this Regulation and the procedure, with the exception of the final order, may be delegated to an outsider from one of the following categories:</p> <p>(i) a retired District or High Court Judge; or,</p> <p>(ii) a practising senior lawyer having practised law for not less than 20 years; or,</p> <p>(iii) a retired senior officer of a public sector bank or financial institution; or</p> <p>(iv) an Inquiring Authority nominated by the Central Vigilance Commission.</p>
Communication of Orders	H	Subject to the provisions of sub-regulations D & E of Regulation 47, orders made by the Disciplinary Authority under sub-regulations C, D and E of Regulation 47 shall be communicated to the employee concerned along with a copy of the report of inquiry.
Special	I	Notwithstanding anything contained in sub-

Procedure in certain cases		<p>regulation C, D and E of Regulation 47, the Disciplinary Authority may impose any of the penalties specified in sub-regulation A of Regulation 47, if the employee has been convicted on a criminal charge, or on the strength of facts or conclusions arrived at by a judicial trial.</p> <p>Provided that in such cases, the employee may be given an opportunity of making representation on the penalty proposed to be imposed before any order is made.</p>
Subsistence Allowance during suspension	J	<p>An employee may be placed under suspension by the Disciplinary Authority. During such suspension, the employee shall receive subsistence allowance equal to:</p>
		<p>(i) the substantive pay of the employee plus fifty percent of allowances thereon for first six months of suspension; and,</p> <p>(ii) the substantive pay of the employee plus seventy five percent of allowances thereon for the period of suspension beyond six months.</p>
		<p>Provided that the enhanced rate of subsistence allowance prescribed under clause (ii) shall be admissible only if the enquiry is not delayed for reasons attributable to the employee concerned or any of the representatives of the employee.</p>
		<p>Provided further that if no penalty under sub-regulation A of Regulation 47 is imposed, the employee shall also be paid the difference between the subsistence allowance and the emoluments which the employee would have received but for such suspension, for the period the employee was under suspension, and that, if a penalty is imposed on the employee under any of the said clauses, no order shall be passed which shall have the effect of compelling the employee to refund such subsistence allowance. The period during which an employee is under suspension shall, if the employee is exonerated, will be treated as period spent on duty or leave as the Disciplinary Authority who passes the final order may direct.</p>
Other matters	K	<p>Notwithstanding anything contained in this Regulation or any other Regulation, the following additional provisions shall apply where it is alleged that an employee has been guilty of corrupt practices, namely:</p>
		<p>(i) Where it is alleged that an employee is</p>

		possessed of disproportionate assets or that the employee has committed an act of criminal misconduct or where the investigation and proof of the allegation would require the evidence of persons who are not employees of the Small Industries Bank or where, in the opinion of the Disciplinary Authority , the investigation into the allegations cannot be conveniently undertaken by the Small Industries Bank, the investigation into the allegations may, with the approval of the Disciplinary Authority be entrusted to the Central Bureau of Investigation or the Central Vigilance Commission or any other such agency as may be approved by the Disciplinary Authority;
		(ii) if, after considering the report on the investigation, the Disciplinary Authority is satisfied that there is a prima facie case for initiating disciplinary proceedings against the employee, he may send the investigation report to the Central Vigilance Commission or such other authority as may be deemed fit, for its advice as to whether disciplinary proceedings should be taken against the employee concerned;
		(iii) if, after considering the advice of the Central Vigilance Commission or other authority, as the case may be, the Disciplinary Authority is of the opinion that disciplinary proceedings should be initiated against the employee concerned, then notwithstanding the provisions of sub-regulation G of Regulation 47, the inquiry under this Regulation may be entrusted to a Commissioner for Departmental Enquiries, or any other person who may be nominated by the Central Vigilance Commission/Disciplinary Authority for this purpose;
		(iv) the Inquiring Authority shall submit the report to the Disciplinary Authority and the report shall be forwarded by the Disciplinary Authority to the Central Vigilance Commission/other authority for its advice in the matter and the penalty or penalties to be imposed under sub-regulation A of Regulation 47 hereof. The penalty or penalties to be imposed shall be decided by the Disciplinary Authority after considering the advice of the Central Vigilance Commission/other authority, though it may not be binding on it.
		<i>Explanation:</i> For the purpose of this sub-regulation an employee shall be deemed to be guilty of corrupt practices if

		the employee has committed an act of criminal misconduct as defined in Section 13 of the Prevention of Corruption Act, 1988, or the employee has acted for an improper purpose or in a corrupt manner or had exercised or refrained from exercising the powers with an improper or corrupt motive.
Section 2 - Appeals		
Right to appeal	48	An employee shall have a right of appeal against any order passed by a superior authority which injuriously affects the interests of the employee.
Appellate authorities	49	An appeal shall lie to the Appellate Authority, [as specified in the Schedule annexed hereto] * designated as per delegation of powers approved by the Board.**
Conditions which an appeal should satisfy	50	Every appeal shall comply with the following requirements:
		[a] it shall be written in English or in Hindi or if not written in English or in Hindi, be accompanied by a translated copy in English or Hindi and shall be signed,
		[b] it shall be couched in polite and respectful language and shall be free from unnecessary padding or superfluous verbiage,
		[c] it shall contain all material statements and arguments relied on and shall be complete in itself,
		[d] it shall specify the relief desired, and
		[e] it shall be submitted through the proper channel, unless the penalties of removal or compulsory retirement or dismissal from service have been imposed.
		[f] it shall be made to the Appellate Authority within 60 days from the date of service/dispatch of the order against which the appeal is made.
When appeals may be withheld	51	An appeal may be withheld by the Appellate Authority if it-
		[a] does not comply with the requirements of Regulation 50; or, [b] is illegible or is unintelligible; or, [c] deals with a matter which does not concern the employee personally, or,

		<p>[d] repeats an appeal already rejected by the authority to whom the appeal is addressed and does not, in the opinion of the Appellate Authority, disclose any new points or circumstances; or,</p> <p>[e] is not preferred within 60 days from the date of the service/dispatch of the order against which the appeal is made and no reasonable cause is shown for the delay; or,</p> <p>[f] is addressed to an authority to which no appeal lies under these Regulations.</p>
Grounds for withholding the appeal to be communicated to the appellant	52	In every case in which an appeal is withheld, the Appellate Authority shall inform the appellant the fact of withholding the appeal and the reasons for withholding it.
Appeal must be forwarded to the appellate authorities with due despatch	53	An appeal which is not withheld under Regulation 51, shall be forwarded to the Disciplinary Authority who shall submit the same to the Appellate Authority with his comments as soon as possible.
No appeal lies against order withholding appeal	54	No appeal shall lie against the withholding of an appeal by an Appellate Authority.
Appeals not to be addressed to Directors	55	Appeals shall not be addressed to the Directors personally and any such action shall be deemed a breach of discipline.
Appeals, representations and petitions not to be addressed to outside authority or person	56	No employee shall address any appeal, representation or petition to any outside authority or person in respect of a matter pertaining to the service of the employee in the Small Industries Bank. Addressing such appeals, representations or petitions shall be deemed a breach of discipline.
Joint Petitions	57	The provisions of Regulations 50 to 56 shall also apply, to the extent they are relevant, to petitions which concern more than one employee and are preferred jointly by a class or group of employees or by an association or union of employees recognised by the Small Industries Bank. A joint petition shall not be entertained if it relates to-
		[a] a subject on which the Chief General Manager is competent to pass orders and no application for redress has been made to the Chief General Manager, or,

		<p>[b] a matter regarding the redress of which a specific procedure has been prescribed under any rule or instruction issued by the Small Industries Bank, or,</p> <p>[c] an individual and is not submitted by that individual.</p>
Appellate Authority's action on the appeal	58	<p>The Appellate Authority shall consider whether the findings are justified or whether the penalty is excessive or inadequate and pass appropriate orders. The Appellate Authority may pass an order confirming, enhancing, reducing or setting aside the penalty or remitting the case to the authority which imposed the penalty or to any other authority with such direction as it may deem fit in the circumstances of the case :</p> <p>Provided that: -</p> <p>(a) If the enhanced penalty which the Appellate Authority proposes to impose is a major penalty specified in clauses (f), (g), (h), (i) and (j) of sub-regulation A of Regulation 47 and an inquiry has not already been held in the case, the Appellate Authority shall direct that such an inquiry be held in accordance with these Regulations and thereafter consider the record of the inquiry and pass such orders as it may deem proper;</p> <p>(b) If the Appellate Authority decides to enhance the punishment but an inquiry has already been held as provided in these Regulations, the Appellate Authority shall give a show-cause notice to the employee as to why the enhanced penalty should not be imposed upon him and shall pass final order, after taking into account the representation, if any, submitted by the employee.</p>
Section - 3		
Consultation with Central Vigilance Commission	59	The Small Industries Bank shall consult the Central Vigilance Commission wherever necessary, in respect of all disciplinary cases having a vigilance angle.
Service of orders, Notices, etc	60	Every order, notice and other process made or issued under these Regulations shall be served in person on the employee concerned or communicated to him by registered post at his last

		known address.
Power to Relax time limit and to condone delay	61	Save as otherwise expressly provided in these Regulations, the authority competent under these Regulations to make any order may, for good and sufficient reasons or if sufficient cause is shown, extend the time specified in these Regulations for any thing required to be done under these Regulations or condone any delay.
Saving	62	<p>Notwithstanding the modifications made by Small Industries Development Bank of India (Staff) Amendment Regulations, 2011,</p> <p>a. any order made or action taken under the provisions so modified shall be deemed to have been made or taken under the corresponding provisions of these modified Regulations and any such modification or amendment shall be without prejudice to the validity of anything done previously under these Regulations;</p> <p>b. Nothing in these modified Regulations shall be construed as depriving any person to whom these modified Regulations apply, of any right of appeal which had accrued to him under any of the provisions so modified.</p> <p>c. An appeal pending at the commencement of these modified Regulations against an order made before the commencement of these modified Regulations shall be considered and orders thereon shall be made in accordance with these Regulations;</p> <p>d. Any proceedings which have already been initiated but not yet been completed at the commencement of these modified Regulations shall be continued and disposed as far as may be, in accordance with the provisions of these modified Regulations, as if such proceedings were under these modified Regulations.</p>
CHAPTER - V		
PAY, ALLOWANCES AND OTHER CONCESSIONS		
Section 1 - Pay and Allowances		
When accrue and payable	63	Subject to the provisions of these Regulations, pay and allowances shall accrue from the commencement of the service of an employee and shall become payable on the afternoon of the last

		<p>working day of each month in respect of the service performed during the said month.</p> <p>Provided that an employee proceeding on leave other than extraordinary leave for a period not less than one month shall be paid in advance one month's pay and allowances if the employee applies therefor.</p>
When not payable for part of a month	64	Pay and allowances shall not be payable for a part of a month to an employee who leaves or discontinues service during a month without due notice or absents from duty unauthorisedly, unless such notice has been waived and unauthorized absence regularized by a competent authority.
When cease	65	Pay and allowances shall cease to accrue as soon as an employee ceases to be in service. In the case of an employee who is dismissed / removed / compulsorily retired from service, the pay and allowances shall cease from the date of dismissal/ removal/ compulsory retirement of the employee. In the case of an employee who dies while in service, the pay and allowances shall cease from the day following that on which the death occurs.
All employees to be graded	66	Every employee shall have a post in one of the grades fixed for each of the categories of staff which will be considered as the substantive grade of the employee and to which the employee shall revert when the employee is not -
		<p>[a] under suspension, or,</p> <p>[b] on leave or deputation, or</p> <p>[c] holding a temporary or a probationary post or officiating in another grade.</p>
Adjustment of pay and allowances on change of charge, when takes effect	67	An employee shall commence to draw the pay and allowances of a post to which the employee is appointed as from the day on which he assumes the duties of the post if the charge of the post is taken before noon on that day and from the following day if the charge is taken over in the afternoon on any day.
Two persons not to be appointed to a post at the same time	68	Except as otherwise provided in these Regulations, no two persons may be appointed to, or draw the pay and allowances of, a post at the same time.
Employees on transfer	69	When an employee is transferred from one post to another, the employee shall, during any interval of duty between the dates of handing over charge of

		the old post and taking over charge of the new post, draw the pay and allowances of the old or the new post, whichever are less.
Admissibility of allowances	70	Allowances shall be payable to employees only if the employees are actually at the time fulfilling the conditions subject to which the allowances are admissible.
Overtime allowance	71	[1] Notwithstanding the fact that the whole time of an employee is at its disposal, the Small Industries Bank may grant overtime allowance, not counting as pay, to an employee, other than an employee in Class I, if the employee is required to work on Sundays or holidays or to put in extra hours on working days in connection with the work of the Small Industries Bank. [2] The rate at, and the circumstances in which such allowance may be drawn shall be determined by the Board.
Increments when accrue	72	(1) In an incremental scale, the increment shall accrue on the completion of each specified period of service on each stage of that scale, whether such service be probationary, officiating or substantive. Provided that an employee shall draw the increment on the first day of the month in which it would fall due irrespective of the actual date of its accrual.
		Provided, however, that -
		[i] an increment accruing to an employee during leave of any kind specified under Regulation 80 except casual leave shall be granted only from the date of resumption of duty on return from such leave; [ii] the date from which an advance or enhanced increment is to be granted to an employee due to passing of certain examinations shall be determined in accordance with the relevant rules and regulations; and [iii] an increment withheld as a measure of penalty shall be granted only from the date on which the penalty ceases.
		(2) Sanction to draw increments shall be given by the competent authority.
		(3) Where, consequent upon the grant of extraordinary leave without pay and allowances and not counting for increment, the normal increment is

		postponed, such postponed increment shall be granted from the first day of the relevant month irrespective of the day on which it actually falls due; and, in the case of initial appointment or promotion to a higher post, any increment in the substantive or the officiating grade shall be granted from the first day of the month in which it falls due even if thereby the normal incremental period of twelve months is not completed.
		(4) Where an employee is appointed to officiate in a higher grade, service in the higher grade shall count for increments under sub-regulation (1) in the substantive grade as well as in the higher grade and if in between the two grades there is an intermediate grade in which the employee was officiating or would have been appointed to officiate had the employee not been so appointed in the higher grade, also in the intermediate grade.
		(5) If an employee officiating in a higher grade proceeds on leave, such period of leave, inclusive of the day preceding the day on which the employee reports for duty, if such preceding day is not a working day, shall count for purposes of increment in the same way as period of duty in the higher grade, unless directed otherwise by the competent authority, although, in terms of Regulation 66 the employee would have reverted to the substantive grade with effect from the date of proceeding on leave. Explanation. For purposes of this sub-regulation, leave does not include extraordinary leave without pay and allowances and not counting for increments.
		(6) The period during which an employee is on leave without pay shall not count for increments unless otherwise specifically authorised by the competent authority for reasons to be recorded in writing.
		(7) No increment may be withheld except as a disciplinary measure under Regulation 47 and each order withholding an increment shall state the period for which it is withheld and whether the postponement shall have the effect of postponing future increments. Provided that if in an incremental scale there is an efficiency bar, an employee shall not draw increments above that bar until certified fit to do so

		by the Competent Authority. On each occasion on which an employee is allowed to pass an efficiency bar which has previously been enforced, the employee shall be placed in the incremental scale at such stage as the authority competent to remove the bar may fix provided that such stage shall not be higher than that at which the employee would draw pay had the bar not been enforced and further that no increment granted on the removal of a bar shall have retrospective effect.
Premature increments	73	The Chairman may, in exceptional circumstances, and subject to such general or special instructions as may be issued by the Board, grant premature increment or increments to an employee provided that the grant of such premature increment or increments to an officer shall require the approval of the Board in each case.
Refixation of pay on appointment on probation	74	(1) The pay of an employee on appointment on probation from one grade to another shall be initially fixed at the minimum in the scale of higher grade, the difference between the pay so fixed and substantive pay of the employee in the old scale, if the latter be more, being treated as personal pay;
On confirmation		(2) On confirmation in the higher grade, the pay of the employee shall be fixed at the stage in the higher grade which is next above the substantive pay the employee would have drawn in the old grade as on the date of confirmation if such pay be higher than the pay drawn by the employee at the time of confirmation in the higher grade.
Officiating pay	75	(1) Subject to such special or general instructions as may be issued from time to time by the Small Industries Bank, the officiating pay of an employee shall be fixed in the manner indicated in sub-regulation (2) and (3).
		(2) An employee who is appointed to officiate in a higher grade shall, on such appointment, draw an officiating pay equal to the difference between the employees substantive pay in the old scale and the stage in the scale of pay of the post in which the employee is appointed which is next above the substantive pay in the old scale or if the employee is already officiating in an intermediate grade, the employee shall draw an officiating pay equal to the difference between the pay obtained by the employee in the intermediate grade and the stage in the scale of pay of the post in which the employee is now appointed which is next above the

		pay in the intermediate grade; provided that when the promotion is of a temporary nature and the circumstances of the promotion so justify, the Chairman may fix the pay of an employee at an amount less than that admissible under this Regulation.
		(3) If an employee reverts and is reappointed to officiate in that higher grade, the earlier officiating service of the employee in the higher grade will be taken into account for fixing the officiating pay of the employee and for permitting the employee to draw increments in the officiating grade in terms of sub-regulation (1) of Regulation 72.
Refixation of pay on transfer from one scale of pay to another	76	When an employee is transferred from one scale of pay to another and such transfer does not involve the assumption of duties or responsibilities of greater importance, the initial pay of the employee on the new scale shall be at a stage which is equal to the substantive pay of the employee in the old scale, or if there is no such stage in the new scale, the stage next below that pay and personal pay equal to the difference, such personal pay to be drawn until such time as it is absorbed by subsequent increments in the new scale.
Section 2 - Other concessions		
Leave and retirement fare concessions	77	The leave and retirement fare concessions shall be admissible to an employee in accordance with the scheme as may be approved by the Board from time to time.
Grant of honoraria, special pay, special increments or other concessions	78	(1) The Board may determine the terms and conditions under which honoraria, special pay or special increments may be granted to an employee for graduation or for holding the National Diploma in Commerce or for passing the examinations held by an Institute of Bankers, or for holding or acquiring similar other qualifications. (2) No concessions, which are not covered by these Regulations, shall be granted except with the special sanction of the Chairman & Managing Director.
Domicile	79	(1) Every employee shall on appointment declare in Form C of Regulation 114, the domicile of the employee in writing to the Chief General Manager if the employee is in Class I or to the Deputy General Manager if the employee is in any other class and if such domicile is not the place of birth, the

		<p>employee must establish the same to the satisfaction of the appropriate authority.</p> <p>(2) No employee who has once indicated the place of domicile, shall be allowed to alter the same unless the employee satisfies the appropriate authority that the change is necessitated by a bona fide reason.</p>
<p>CHAPTER - VI</p> <p>LEAVE AND JOINING TIME</p> <p>Section 1 - General Regulations relating to Leave</p>		
Kinds of leave	80	<p>Subject to the provisions of these Regulations, the following kinds of leave may be granted to an employee:</p>
		<p>(a) Casual leave and special casual leave;</p> <p>(b) Ordinary leave.</p> <p>(c) Sick leave.</p> <p>(d) Special leave.</p> <p>(e) Extraordinary leave.</p> <p>(f) Maternity leave.</p> <p>(g) Accident leave.</p> <p>(h) Child Adoption Leave[#].</p> <p>(i) Paternity Leave^{##}.</p>
Authorities empowered to grant leave	81	<p>The power to grant leave shall vest in the Chairman in the case of employees in Class I and, subject to such general or special directions as may be issued by the Chairman, in the Chief General Manager in the case of other employees, and, except as provided in these Regulations or in any directions issued by the Chairman, all applications for leave shall be addressed to the authority empowered to grant leave.</p>
Power to refuse leave or recall an employee on leave	82	<p>Leave cannot be claimed as of right. When the exigencies of the service so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it, and an employee already on leave may be recalled by that authority when it considers this necessary in</p>

		the interests of the service.
Lapse of leave on cessation of service	83	Leave earned by an employee lapses on the date on which the employee ceases to be in service.
Commencement and termination of leave	84	(1) The first day of leave of an employee is the working day succeeding that upon which the employee hands over charge. (2) The last day of leave of an employee is the working day preceding that upon which the employee reports for duty.
Obligation to furnish leave address	85	An employee shall, before proceeding on leave, intimate to the competent authority the address while on leave, and shall keep the said authority informed of any change in the address previously furnished.
Station to which an employee should report on return	86	An employee on leave shall, unless otherwise instructed to the contrary, return for duty to the place at which the employee was last stationed.
When medical certificate of fitness may be demanded	87	The authority empowered to grant leave may require an employee who has availed of leave for reasons of health to produce a medical certificate of fitness from the Medical Officer of the Small Industries Bank or any other qualified medical practitioner acceptable to the Small Industries Bank before the employee resumes duty even though such leave was not actually granted on production of a medical certificate.
Leave not admissible to an employee under suspension	88	Leave may not be granted to an employee under suspension or against whom proceedings are pending under Chapter IV of these Regulations.
Section 2 - Ordinary Leave		
When applications should be submitted	89	(1) In the cases of all the employees in Class I, applications for ordinary leave shall ordinarily be submitted at least one clear calendar month before the date from which leave is required. In the cases of employees other than employees in Class I, applications for ordinary leave shall ordinarily be submitted at least one month before the date from which leave is required.
		(2) Applications which do not satisfy the requirements of sub-regulation (1) may be refused without stating the reason.

Scale on which ordinary leave is earned	90	<p>(1) Ordinary leave shall be earned at one-eleventh part of duty.</p> <p>(2) In calculating ordinary leave earned by an employee, an account shall first be taken of the complete periods of eleven months during which the employee has been on duty since the date of last return from leave and the employee allowed credit in the leave account for one month for each period of eleven months of duty as shall be admissible to the employee under sub-regulation (1); thereafter, an account shall be taken of the balance, if any, of the period of duty left over and the employee allowed credit in the ordinary leave account with one day for every eleven days of duty rendered.</p> <p>Fractions of a day of ordinary leave earned shall be taken as a full day, if amounting to half a day or more and shall be ignored if amounting to less than half a day.</p>
Ordinary leave due	91	The ordinary leave due to an employee is the period which the employee has earned, diminished by the period of leave actually taken by the employee.
Limits upto which ordinary leave may be earned or taken	92	<p>The period of ordinary leave which can be availed by an employee at one time is the actual balance of ordinary leave to the credit of the employee subject to a maximum of ten months.</p> <p>Provided that if, at least three months before the date on which an employee shall have earned leave for the maximum period, the employee has formally applied for leave and the leave has been refused or the employee has ascertained in writing that leave, if applied for, will not be granted, such an employee may be permitted to earn leave in excess of the maximum aforesaid, upto the date specified by the Chairman.</p>
Pay during ordinary leave	93	An employee on ordinary leave shall draw pay equal to the leave pay of the employee.
Section 3 - Casual, Special Casual, Sick, Special, Extraordinary, Maternity and Accident Leave		
Casual leave	94	(1) Casual leave may be granted to an employee upto a maximum of fifteen days in each calendar year by the authority competent to grant such leave, provided that not more than seven days of casual leave may be taken continuously, that the state of work permits and that no appointment is

		<p>required to replace the employee on casual leave and provided that public holidays may not be combined with casual leave in such a way as to increase the total absence at any one time beyond ten days, any casual leave which is extended beyond these limits being treated as ordinary leave in respect of the entire period. Casual leave may not be granted in combination with any other kind of leave except special casual leave.</p> <p>(2) Notwithstanding anything contained in sub-regulation (1), the Chairman may authorise the appointment of a substitute for an employee on casual leave, when a substitute is necessary to carry out the duties of the post during the absence, however short, of the employee.</p>
Special Casual leave	95	<p>Notwithstanding anything contained in Regulation 94, the Competent Authority^s may permit the grant of special casual leave to an employee when the absence of the employee from duty is necessitated by -</p>
		<p>1 (i) orders from the authorities empowered to issue quarantine orders not to attend office in consequence of any infectious disease in the family or household of the employee; or,</p> <p>(ii) reason of an employee in Class IV having sustained bodily injury while on duty and the absence is supported by a certificate from the Medical Officer of the Small Industries Bank, or,</p> <p>(iii) reason of the employee who is a member of the Auxiliary Force India, Home Guards, ARP, or other Civil Defence Organisation or any other official organisation of a similar nature having to attend an annual camp or a training course; or</p> <p>(iv) other exceptional circumstances necessitating the grant of casual leave in excess of the prescribed limits;</p>
		<p>2 (i) reason of the employee having to attend as a delegate, a meeting of an Association recognised by the Small Industries Bank upto 21 days in any one calendar year;</p> <p>(ii) reason of an employee participating in sports or events of national or international importance or any other sports or events approved by the Competent Authority^s upto 45 days in any one</p>

		<p>calendar year.</p> <p>Explanation 1: Except in respect of special casual leave sanctioned in terms of clause (iv) of sub-regulation (1) of Regulation 95, the total period of casual leave granted under sub-regulation (1) of Regulation 94 and the special casual leave granted under sub-regulation (1) of Regulation 95 in any one calendar year shall in no case exceed 30 days and if the grant of leave under the said Regulation shall result in such total period being extended beyond 30 days any period of absence in excess of 30 days shall be treated, subject to the provisions of sub-regulation (2) of Regulation 96 as ordinary, sick, special or extraordinary leave, as the employee concerned may request and as may be admissible to the employee.</p> <p>Explanation 2 : In computing casual leave under sub-regulation (1) of Regulation 94 and special casual leave under Regulation 95 intervening public holidays shall not be reckoned as days of casual leave or special casual leave as the case may be.</p>
<p>Sick and Special leave, limit upto which may be granted</p>	<p>96</p>	<p>(1) During the full period of service, an employee may be granted special leave on private affairs for a period not exceeding twelve months and sick leave on medical certificate for a period not exceeding eighteen months, and if considered advisable in the interest of the Small Industries Bank, the Board may grant additional sick leave in special cases. Special leave shall not ordinarily be sanctioned to an employee if ordinary leave is admissible.</p> <p>Provided that an employee may be granted special leave if suffering from a disease requiring prolonged treatment and no ordinary leave or sick leave is due to the employee and the employee is also not eligible for advance sick leave.</p> <p>Provided further that in the case of an employee, other than an employee in Class I, production of medical certificate shall not be insisted upon if sick leave to be granted does not exceed four days and the competent authority is satisfied with the bonafides of the reasons for grant of such leave.</p> <p>(2) In case an employee is absent from duty on account of quarantine, the Small Industries Bank may, at the request of the employee, treat such</p>

		absence upto a maximum period of three months as ordinary, sick or special leave if such leave is otherwise admissible. Special leave admissible under sub-regulation (1) may be availed of even if ordinary leave is admissible.
When grant requires sanction of a higher authority	97	The grant of sick or special leave to an employee, other than an employee in Class I, who has already exhausted sick or special leave, as the case may be, proportionate to the length of service of the employee and the grant of special leave to undertake a special course of study shall require the sanction of the Chief General Manager.
Pay during sick and special leave	98	<p>Sick and special leave shall be on half leave pay, which, in the case of special leave, shall be reduced, except with the special sanction of the Board, to one quarter of leave pay after six months;</p> <p>Provided that where an employee has served the Small Industries Bank for at least a period of three years, the employee may, on request, be permitted to avail of, during the full period of the service of the employee, sick leave on leave pay upto a maximum of nine months, such leave on leave pay being entered in the sick leave account of the employee as twice the period of leave availed of by the employee.</p> <p>Explanation : For the purpose of this proviso service includes continuous temporary service rendered by an employee prior to confirmation.</p>
Extraordinary Leave	99	<p>(1) Without prejudice to the provisions of sub-regulations (2) and (3) of Regulation 36 extraordinary leave may be granted to an employee by the competent authority when no ordinary leave is due and when, having regard to length of service of the employee, sick or special leave is not considered justified by the competent authority. Except in exceptional circumstances, the duration of extraordinary leave shall not exceed three months on any one occasion and twelve months during the entire period of service of an employee.</p> <p>(2) The competent authority may grant extraordinary leave in combination with, or in continuation of, leave of any other kind admissible to the employee, and may commute retrospectively periods of absence without leave into extraordinary leave.</p>

		<p>(3) No pay and allowances shall be admissible during the period of extraordinary leave and the period spent on such leave shall not count for increments;</p> <p>Provided that, in cases where the sanctioning authority is satisfied that the leave was taken on account of illness or for any other cause beyond the control of the employee, it may direct that the period of extraordinary leave may count for increments.</p>
Maternity leave	100	<p>(1) Maternity leave which shall be on leave pay may be granted to a female employee for a period not exceeding six months on any one occasion and twelve months during the entire period of service of the employee.</p> <p>(2) The competent authority may grant leave of any other kind admissible, in combination with, or in continuation of, maternity leave if the request for its grant is supported by a certificate from the Medical Officer of the Small Industries Bank or any other medical practitioner acceptable to the competent authority.</p>
Accident leave for employees	101	<p>(1) Accident leave may be granted to an employee who sustains injury in the course of the performance of duties for the period for which leave is certified by the Medical Officer of the Small Industries Bank or any other medical practitioner acceptable to the competent authority to be necessary for recovery from the injury.</p> <p>(2) Accident leave would also be admissible to an employee who is on official tour in connection with the work of the Small Industries Bank;</p> <p>Provided that the grant of such leave shall be limited to the period, which is necessary for recovery from the injury as certified by the Medical Officer of the Small Industries Bank or a Government or Municipal doctor, or, any other doctor acceptable to the competent authority.</p> <p>(3) The competent authority may, at the option of the employee, grant any other kind of leave as admissible to the employee for the period so medically certified and also in combination with, or in continuation of, accident leave.</p>

		(4) An employee on accident leave shall draw pay equal to leave pay for the first four months thereof and half leave pay for the rest of the period.
Child Adoption Leave	101A [#]	<p>(1) Child Adoption Leave, which shall be on leave pay, may be granted to a female employee with less than two surviving children, for a period not exceeding six months on valid adoption of a child below the age of one year, immediately after the date of valid adoption. The adoption of a child should be through proper legal process and the employee shall produce the adoption deed to the Bank.</p> <p>(2) The authority empowered to grant leave may grant leave of any other kind admissible to the employee other than Casual Leave, Special Casual Leave and Special Sick Leave in combination with, or in continuation of Child Adoption Leave.</p>
Paternity Leave	101B ^{##}	<p>(1) Paternity Leave, which shall be on leave pay, may be granted to a male employee (natural father) with less than two surviving children, for a period of fifteen days during the confinement of his wife for child birth, i.e., up to fifteen days before or up to six months from the date of delivery of the child;</p> <p>(2) Paternity Leave, which shall be on leave pay, may be granted to a male employee (adoptive father) with less than two surviving children, for a period of fifteen days on valid adoption of a child below the age of one year, within a period of six months from the date of valid adoption. The adoption of a child should be through proper legal process and the employee shall produce the adoption deed to the Bank.</p> <p>(3) The authority empowered to grant leave may grant leave of any other kind admissible to the employee other than casual Leave, Special casual Leave and Special Sick Leave in Combination with, or in continuation of Paternity Leave."</p>
Section 4 - Joining Time		
When may be granted	102	(1) Joining time may be granted to enable an employee to -
		(a) join a new post to which the employee is appointed while on duty in the old post; or,
		(b) join a new post on return from leave of not more than four months' duration or, although the duration of leave exceeds four months, the employee has

		not had sufficient notice of appointment to the new post.
		(2) Joining time shall not be granted when no change in the headquarters of an employee is involved.
Pay and allowances during joining time	103	The pay and allowances of an employee during joining time shall be determined in accordance with Regulation 69.
Period for which admissible	104	Joining time which may be allowed to an employee shall not exceed ten days, exclusive of the number of days spent on travelling.
How calculated	105	In calculating joining time admissible to an employee, the day on which the employee is relieved from the old post and Saturday, Sunday and public holidays following the day of relief, shall be excluded.
Special Casual leave in lieu of joining time	106	Where an employee on transfer from one centre to another does not avail of joining time or the joining time has been curtailed due to exigencies of service of the Small Industries Bank, the employee may be allowed to avail of special casual leave in lieu of joining time to the extent of the unavailed joining time subject to a maximum of ten days at any time after reporting at the new centre but before the completion of a period of six months from the date of reporting at the new centre or such extended period as may be agreed to by the Small Industries Bank provided the employee had advised the Small Industries Bank to this effect before proceeding on transfer. Sundays / holidays prefixed to special casual leave in lieu of joining time shall be excluded but Sundays / holidays intervening in such special casual leave shall be reckoned as special casual leave.
Overstayal after joining time	107	An employee who does not join the post within the joining time allowed to the employee shall be deemed to have committed a breach of Regulation 36.
CHAPTER - VII		
MEDICAL ATTENDANCE		
Ordinary medical attendance provided by the Small Industries Bank	108	Ordinary medical attendance shall be provided by the Small Industries Bank for its employees. Fees not included in ordinary medical attendance may be paid by the Small Industries Bank only in exceptional circumstances, and at the discretion of the Chairman in the case of employees in Class I,

		and the Chief General Manager in other cases. Explanation : Ordinary medical attendance shall not be deemed to include hospital fees (other than fees for medical attendance), or nursing charges.
CHAPTER - VIII		
TRAVELLING AND HALTING ALLOWANCES		
Travelling & Halting Allowances	109	Travelling and Halting Allowances shall be paid to the employees according to such rates and on such terms and conditions as may be approved by the Board from time to time.
CHAPTER - IX		
FOREIGN SERVICE		
Deputation of employees to join military service	110	The terms and conditions subject to which an employee may be permitted to join military service shall be determined by the Board.
Deputation of employees to other services	111	Without prejudice to the provisions of Regulation 110
		(1) no employee of the Small Industries Bank may be deputed to serve under any other employer without the approval of the Chairman who shall determine the duration of such deputation and the terms and conditions on which the deputation shall take effect; Provided that no employee may be transferred to foreign service against the will of the employee.
		(2) where the services of an employee of the Small Industries Bank are placed at the disposal of a foreign employer, it shall be a condition of the deputation that the foreign employer shall, during the period of such deputation, bear the entire cost of the services of the employees including the following viz.-
		(a) pay during joining time, (b) travelling allowances to enable the employee to join the appointment under the foreign employer and to return to the appointment in the Small Industries Bank on the termination of deputation, (c) leave earned during the period of deputation, (d) the employer's contribution to the employee's

		<p>account in the Provident Fund of the Small Industries Bank, and,</p> <p>(e) if the employee is entitled to pension under the rules of the Small Industries Bank, an amount, as may be determined by the Chief General Manager, sufficient to cover the liability of the Small Industries Bank towards the pension for the period the employee is on deputation.</p>
		<p>In addition, the foreign employer may also be required to make a contribution towards any gratuity or other sum for which the employee may become eligible on retirement, on such scale as may be fixed by the Chief General Manager, HRDD, Head Office.</p>
<p>CHAPTER - X</p> <p>MISCELLANEOUS</p>		
Obligation to subscribe to the Provident Fund	112	<p>Unless otherwise directed, by the Board or the Chairman, every employee shall become a member of the Small Industries Development Bank of India Employees' Provident Fund and shall agree to be bound by the Regulations of the Fund.</p>
Obligation to subscribe to insurance scheme or Fund instituted by the Small Industries Bank	113	<p>It shall be incumbent on every employee bound by these Regulations to subscribe to any insurance scheme or fund that may be instituted by the Small Industries Bank for the benefit of its employees and their families and to be bound by the regulations of the said scheme or fund:</p> <p>Provided that nothing contained in this Regulation shall serve to curtail any superannuation benefits which may otherwise be admissible to an employee;</p> <p>Provided further that nothing contained in this Regulation shall require an employee to subscribe to the said scheme or fund if the employee is exempted from so doing under the rules of the said scheme or fund.</p>
Declarations to be signed by the employees	114	<p>(1) Every employee to whom these Regulations apply, or who exercises option to come under them shall subscribe to declarations in Forms A and B appended.</p> <p>(2) The declaration referred to in Regulation 79 shall be made by an employee in Form C appended.</p>

Chief General Manager

Chairman and Managing Director

- (*) Omitted in terms of the amendment of 2015.**
- (**) Added in terms of the amendment of 2015.**
- (#) Added in terms of the amendment of 2017.**
- (##) Added in terms of the amendment of 2017.**
- (\$) The word "Chairman" stands substituted with the words "The Competent Authority" in terms of the amendment of 2017.**
- (^) The words "two years" stands substituted with the words "one year" in terms of amendment of 2018**
- (^^) Added "or after" in terms of amendment of 2019**
- (@) Added in terms of amendment of 2019**

[Schedule]***

Name / Category of posts	Disciplinary Authority	Appellate Authority
Class III/IV employees and Officers in Grades A & B	General Manager, Human Resource Development Department (HRDD)	Executive Director (ED) looking after HRDD
Officers in Grade C & D	Chief General Manager, HRDD	Deputy Managing Director (DMD) looking after HRDD
Officers in Grade E	ED looking after HRDD	Chairman and Managing Director (CMD) / DMD exercising powers of CMD
Officers in Grade F	DMD looking after HRDD	Committee of Directors / Board of Directors
Executive Directors	CMD / DMD exercising the powers of CMD	Committee of Directors / Board of Directors

Notes forming part of Schedule

Any authority higher than the one specified as Disciplinary / Appellate Authority above is empowered to exercise the powers of the Disciplinary / Appellate Authority. However, in such of the cases where the higher authority is the Appellate Authority, he should not act as the Disciplinary Authority.

The Disciplinary Authority competent to impose the punishment shall also be the Competent Authority to grant sanction for prosecution under the Prevention of Corruption Act and shall be the Competent Authority for all such disciplinary decisions pertaining to that grade of employee.

(*) Entire Shedule, including the Notes forming part thereof, has been omitted in terms of the amendment of 2015.**

FORM-A

(Regulation 114)

DECLARATION TO BE BOUND BY THE STAFF REGULATIONS

Place:.....

Date :.....

I hereby declare that I have read and understood the Small Industries Development Bank of India (Staff) Regulations, 2001 and I hereby subscribe to and agree to be bound by the said Regulations.

Name in full

Nature of appointment

Date of appointment

Signature

Date

Witness:

Name

Designation

Signature

Date

FORM-B

(Regulation 114)

DECLARATION OF FIDELITY AND SECRECY

Place:

Date:

I do hereby declare that I will faithfully, truly and to the best of my skill and ability execute and perform the duties required of me as officer or other employee (as the case may be) of the Small Industries Development Bank of India and which properly relate to the office or position held by me in or in relation to the said Small Industries Bank.

I further declare that I will not communicate or allow to be communicated to any person not legally entitled thereto any information relating to the affairs of the Small Industries Bank or to the affairs of any person having any dealing with the Small Industries Bank nor will I allow any such person to inspect or have access to any books or documents belonging to or in the possession of the Small Industries Bank relating to the business of the Small Industries Bank or the business of any person having any dealing with the Small Industries Bank.

[Signature]

Name in full

Nature of appointment

Signed before me.

Signature

Name

Designation

Date

FORM-C

(Regulation 114)

DECLARATION OF DOMICILE

Place:

Date:

I, the undersigned, having been appointed to the service of the Small Industries Development Bank of India, hereby declare (Place) in (district) as my place of domicile.

2. * The above is my place of birth.

OR

* The above is not my place of birth. My place of birth is (place) in (district) but (place) has been declared as my place of domicile for the reasons given below:

.....
.....

(Signature)

Name in full

Nature of appointment

Date of appointment

Signed before me

Signature

Name

Designation

Date

*Note: Strike out whichever is not applicable