

THE ODISHA STATE POLICE HOUSING & WELFARE CORPORATION EMPLOYEES CONDUCT RULES-2013.

1. **Short title:-** These rules may be called the Odisha State Police Housing & Welfare Corporation Employee Conduct Rules-2013.
2. **Definitions:-** In these rules unless the context otherwise requires:
 - (a) **Corporation Means:**
 - (i) The Odisha State Police Housing & Welfare Corporation Ltd having registered office at Janapath, Bhoinagar, Bhubaneswar-22.
 - (b) **Corporation Employees** means any person appointed to serve in connection with the affairs of the Corporation is permanent post, temporary post including those who are appointed or engaged on adhoc or contractual basis but does not include casual employees.
 - (c) **Members of the family** in relation to a Corporation Employee includes:
 - (i) The wife, child or step child of such employee whether residing with him or not and in relation to an employee who is a woman, the husband residing with her and dependent on her;
 - (ii) Any other person related whether by blood or by marriage to the Corporation Employee and wholly dependent on him or her, but does not include a wife or husband separated from the Corporation Employee or a child or step-child who is no longer in any way dependent upon him or her, or of whose legal custody the Corporation Employee has been deprived of by law.
3. **Scope & Applicability of the Conduct Rules:** The Conduct Rules, 2013 shall apply to all Corporation Employees as defined under Rule-2(b) above.
4. **A Corporation employee (Rule-2(b) shall:-**
 - (i) maintain absolute integrity, decorum of conduct
 - (ii) maintain devotion to duty
 - (iii) carry out the orders of his/her superior authority so far as his/her official duties are concerned
 - (iv) act according to the instruction of his/her superior authorities so far his/her official duties are concerned
 - (v) endeavour to prevent any member of his/her family from taking part in any movement or activity subversive of the Corporation affair
 - (vi) have the right to vote, if required to cast his/her vote
 - (vii) manage his/her private affairs in such a way so as to avoid habitual indebtedness or insolvency.
 - (viii) intimate the fact leading to his/her arrest immediately to his/her appointing authority and the authority to whom he/she is subordinate due to involvement in criminal proceedings or otherwise.
 - (ix) abide by any law relating to intoxicating drinks or drugs in force in any area in which he or she may happen to be for the time being
 - (x) take appropriate steps to prevent sexual harassment to any women at such work place, if he/she is in charge of work place.
 - (xi) when submits any proposal or opinion or takes any other action, whether for or against any individual related to him/her whether the relationship be distant or near, he/she with every such proposal, opinion or action, expressly state whether the individual is related to him/her if so related the nature of relationship.

- (xii) if required by any law, rule or order in force, power of deciding finally any proposal, opinion or any other action and that proposal, opinion or action, is in respect of an individual related to him, whether the relationship be distant or near and whether that proposal, opinion or action affects the individual favorably or otherwise, he/she shall not take a decision but shall submit the case to his/her superior officer after explaining the reasons and the nature of relationship.
- (xiii) when either in his/her own name or in the name of the any member of his/her family enters into any transaction concerning any movable property exceeding in value of Rs. 20,000/- (Rupees twenty thousand only) who is working in the scale of pay of Rs. 4,600/- Grade Pay or any other grade carrying higher salary and Rs. 15,000/- (Rupees fifteen thousand only) who is working in any scale below Rs. 4,600/- Grade Pay, whether by way of purchase, sale or otherwise, shall forthwith report such transaction to the prescribed authority referred to above
- (xiv) make a true and complete declaration before the end of January at an interval of every three years of all his/her assets movable and immovable and the value thereof as on the 31st December of the previous year in the form given in the Appendix-A. The declaration shall contain detailed particulars of the officer's assets and must include and specify the assets which are held by or in the name of his/her wife/husband, children other dependents. The declaration shall be written by the officer in his/her own hand and submitted in a sealed cover to the authority as directed by the Corporation under proper acknowledgement and such authority shall be responsible for its careful preservation. It shall be obligatory on the part of the Corporation employee to submit the declarations in every three years and in the event of their failure to do so in time they shall be liable to disciplinary action. An officer making a declaration found to be materially incomplete, misleading or false shall be liable for disciplinary action and even for dismissal from Corporation service.

RULE -5 A Corporation employee (Rule-2(b) shall not:

- (i) commit any act which amounts to personal immorality
- (ii) commit any act which amounts to failure to discharge duties properly
- (iii) be a member of any political or communal party or organization which takes part in politics
- (iv) take part or assist in any other manner in any political or communal movement or activity
- (v) canvass or otherwise or interfere or use his influence in connection with election
- (vi) give any indication of the manner in which he/she purposes to vote or has voted
- (vii) join or continue to be member of an association, the objects or activities of which are in the opinion of the Corporation prejudicial in the interest of the Corporation or public order or morality
- (viii) omit to endeavour to prevent any member of the family from taking part in, subscribing in aid of, or assisting any other manner any movement or activity which is, or tends directly or indirectly to be subversive of the Corporation as by law establish and where a Corporation employee fails to prevent a member of his/her family from taking part in or subscribing in aid of, or assisting in any other manner, any such movement or activity, he/she shall make report to that effect to his reporting authority as well as Chief Executive of the Corporation and act according to their direction in this regard.
- (ix) give or take or abet the giving or taking the dowry as defined under the Dowry Prohibition Act, 1961
- (x) demand directly or indirectly from the parents or guardians of a bride or bride groom, any dowry as defined under the Dowry Prohibition act 1961.
- (xi) enter into any pecuniary arrangement with another Corporation employee or any other persons so as to afford any kind of advantage to either or both of them in any unauthorized manner
- (xii) speculate in any investment
- (xiii) make or permit any member of the family to make any investment likely embarrass or influence him/her in discharge his/her official duties.
- (xiv) borrow money from, or otherwise place himself under pecuniary obligation to any person within the local limits of his/her authority.

- (xv) bring or attempt to bring any influence whether official or non-official, to bear upon any authority, to further his interest in respect of matters pertaining to his appointment under Government promotion, pay and other service condition
- (xvi) enter into or contract a marriage with a person having spouse living
- (xvii) having a spouse living enter into or contract a marriage with any other person
- (xviii) be under influence of any intoxicating drink or drug during the course of his duty
- (xix) be under the influence of any intoxicating drink or drugs during the course of his/her duty and shall also take due care that the performance of his duty at any time is not affected in any way by the influence of such drink or drug
- (xx) refrain from consuming any intoxicating drink or drug in any public place
- (xxi) appear in a public place in a state of intoxication
- (xxii) use any intoxicating drug to drink in excess
- (xxiii) misuse or carelessly use amenities provided for him/her by the Corporation to facilitate the discharge of his/her public service
- (xxiv) with hold prompt and full payment for the article purchased by him/her, whether the purchases are made on tour or otherwise unless payment by installment is customary or specially provided or a credit account is maintained with a bonafide tradesman.
- (xxv) avail himself/herself of any service or entertainment for which a hire or price or admission fee is charged without making proper and adequate payment
- (xxvi) except in exceptional circumstances use a conveyance belonging to a private person, except when such conveyance is a public service vehicle and proper fare has been paid
- (xxvii) use a conveyance belonging to a Corporation Employee who is subordinate to him, unless he travels with such subordinate officer on duty
- (xxviii) ask himself/herself or permit his/her wife/husband, or any other member of his/her family living with him/her, to ask any Corporation employee who is subordinate to him/her to make purchases, locally or from outstation on behalf of him/her, his/her wife/husband or other members of his/her family whether on advance payment or otherwise, and
- (xxix) join any procession, demonstration or any other form of agitation which is likely to cause a breach or the public tranquility
- (xxx) join the public to ventilate his grievances even such grievances are common with public in a manner which is likely to cause a breach of the public tranquility
- (xxxi) indulge in any act of sexual harassment of any women at her work place.
- (xxxii) in any radio broadcast or in any document published anonymously or in his/her own name or in the name of any other person or any communication to the press, or in any public utterance, make any statement of fact or opinion
 - (a) Which as the effect of an adverse criticism of any current or recent policy of the Corporation or
 - (b) Which is capable of embarrassing the Corporation.

RULE -6 Activities requiring Permission/Sanction:

Prior permission/sanction of the prescribed authority is necessary:

- (i) to own wholly, or in part, or conduct, or participate in editing or managing of any newspaper or other periodical publication
- (ii) to participate in a radio broadcast or continue any article or write a letter to a newspaper or periodical either in his/her own name or in the name of the any other person
- (iii) to be or continue to be an office bearer or a Service Association of Corporation Employees of a particular

category, if he/she does not belong to that category and he/she has no common interest in matters of that association

- (iv) to give evidence in connection with an enquiry conducted by any person, committee or authority.
- (v) to communicate directly or indirectly any official document or information to any other person to whom he/she is not authorize to communicate such document or information.
- (vi) to ask for or accept contributions
- (vii) to associate himself/herself with the raising of any fund in pursuance of any object whatsoever
- (viii) to apply for any concession, help or loan granted by the Corporation, if he/she is likely to deal with such application in his/her official capacity
- (ix) to accept or permit any member of his/her family to accept any gift whatsoever from any person who is not a close relation of the family
- (x) to receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his/her honour or in the honour of any other Corporation employee
- (xi) to engage directly or indirectly in any trade or business or undertake any employment
- (xii) to take part in the registration, promotion or management of any bank or other company registered under the Indian Companies Act 1956 or /and other law for the time being in force
- (xiii) to hold lottery for the disposal of his/her property or for any other purpose
- (xiv) to lend money to any person possessing land or valuable property within the local limits of his/her authority or at interest to any person
- (xv) to acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise either in his/her own name or in the name of the any member of his/her family
- (xvi) to have recourse to any court or to the press for the vindication of any official act which has been the subject matter or adverse criticism or an attack or defamatory character
- (xvii) to permit any member of his/her family to enter into any pecuniary obligation

LE -7 Activities not requiring Permission/Sanctions:

In the following cases permission of the prescribed authority is not necessary:

- (i) to accept or permit any member of one's own family to accept a gift of a reasonable value from personal friends on ceremonial occasion such as the functions connected with birth, death or marriage when the making or receiving such gift is in conformity with the prevailing religious or social customs
- (ii) to accept or permit any member of the family to accept gifts of trifling value from personal friends on other occasion
- (iii) to sit at the request of any public body for a portrait, bust or statue not intended for presentation to him/her
- (iv) to attend a farewell entertainment of a substantially private or informal character held in honour of any Corporation employee on the occasion of his/her retirement or transfer or of any person who has recently quit the service of the Corporation
- (v) to attend simple and inexpensive entertainment arranged by public bodies or institutions
- (vi) to undertake honorary work of a social or charitable nature or occasional work of literary or scientific character.
In such cases (a) he/she shall within one month of his/her undertaking any such work report to the Corporation giving full details, (b) his/her official duties do not thereby suffer and (c) he/she shall discontinue any such work, if so directed by the Corporation (d) if the undertaking of any such work involves holding of an elective office, he/she shall not seek election to any such office without the previous sanction of the Corporation .
- (vii) to take part in registration, promotion or management of a co-operative society substantially for the benefit of Corporation employee, or of a literary, scientific or charitable society registered under the Societies Registration Act 21 of 1860, or any corresponding law in force subject to the following conditions:-

- (a) He/she shall within one month of his/her taking part in any such activity, report to the Government giving full details.
- (b) His/her official duties do not thereby suffer and
- (c) He/she shall discontinue taking part in any such activities, if so directed by the Government.

RULE -8 Employment of Corporation Employee outside his/her normal duties

A Corporation Employee whose whole time is at the disposal of the Corporation which pays him/her may be employed in any manner required by the appropriate authority. For all his/her action in such employment whether it is paid or honorary or whether it is under the Corporation or under any other public or private body or institution, he/she shall be held responsible to the Corporation irrespective of the fact whether such employment is outside the normal duties of the post he/she holds at the time under the Corporation.

RULE -9 Relaxation

The Corporation may relax all or some of the provisions contained herein in respect of its employees particularly part-time and contingency paid employees as they may deem fit.

RULE -10 Interpretation

If any question arises relating to the interpretation of any of these rules, it shall be referred to the Board of Directors whose decision thereon shall be final.

RULE -11 Applicability of certain provisions of the Odisha Government Servants' Conduct Rules

Provisions, notes, explanations, Appendix, annexures, circulars/Govt. instructions and circulars issued by the erstwhile Political and Service department and General & Administration Department as are provided and or issued under the Odisha Govt. Servants' Conduct Rules 1959 to different Rules framed thereunder shall apply mutatis mutandis to the corresponding rules frames hereinabove for proper and appropriate elucidation and clarification of its meaning and annotation.

ANNEXTURE-9

THE ODISHA STATE POLICE HOUSING AND WELFARE CORPN . LTD.

(A Government of Odisha Undertaking)

BHOINAGAR, BHUBANESWAR-751022

Ph. : 0674-2541545 / 2542921. Fax : 0674-2541542 / 2541206, Email : policehousing@rediffmail.com.Web. : ophwc.ori.nic.in

No. 4463/OPHWC

Date :08-04-2013

OFFICE ORDER FOR AMENDED RULE 9(C) OF THE BYE-LAW OF OSPH&WC

The text of the amended Rule 9(C) of the Bye-Laws (Annexure-II) of the Odisha State Police Housing & Welfare Corporation Limited is as follows:

9(C) PUNISHMENT

- (i) The appointing authority is competent to dismiss/remove/discharge/reduce in rank and compulsorily retire any subordinate employee of the corporation other than those on deputation to this corporation.
- (ii) A temporary sub-ordinate or sub-ordinate officer who has not been declared permanent or who has served the Corporation for less than 3 years can be discharged by the appointing authority without showing any reason.
- (iii) The following punishments can be awarded by the competent officers explained below.
 - (a) Dismissal, removal
 - (b) Censure in the service book.
 - (c) Warning in the service book
 - (d) Forfeiture of increment with or without cumulative effect.
 - (e) Reduction in rank.
 - (f) Monetary penalty.
 - (g) Recovery for loss, dues, damage caused to the Government properties.
 - (h) Compulsory retirement.

- (D) A regular enquiry with reasonable opportunities within the meaning of the principles of natural justice shall be afforded while penalties specified at (a), (d), (e) and(h) of Rule 9(C)(iii) are imposed on the delinquent by the Chairman-cum-Managing Director, being the appointing authority. All other penalties as at (b), (c), (f) and (g) of Rule 9(C)(iii) are imposable by the CMD or Managing Director of the Corporation or by any other authority as may be specified in writing by the CMD in that behalf.

(E) APPEALS

- (i) Chairman of the Corporation will be the appellate authority with regard to the punishment imposed by the Managing Director or any other authority specified under Rule 9(D).

Any Corporation employees aggrieved with the finding(s) of the appellate authority i.e. Chairman of the Corporation, may prefer a mercy petition to the Board of Directors against the appellate order.

When the Chairman-cum-Managing Director is a single entity, being the appointing and disciplinary authority, the appeal will lie to the Board of Directors of the Corporation comprising of only three Directors, other than the Chairman-cum-Managing Director, against the punishment/penalty awarded by the Chairman-cum-Managing Director.

Any Corporation employee aggrieved with the finding(s) of the said appellate committee of three Directors may prefer a mercy petition to the Board of Directors against the appellate order.

When the post of Chairman of the Corporation remains vacant for any reason whatsoever, all the powers vested and exercisable by him under this BYE-LAWS shall be deemed to have been vested upon the Managing Director or any other person as may be decided by the Board and shall accordingly be exercisable by him.

- (ii) In such an event the appeal will lie to the Board of Directors of the Corporation comprising of only three Directors thereof other than the Managing Director, against the punishment/penalty awarded by the Managing Director.

Any Corporation employee aggrieved with the finding(s) of the said appellate committee of three Directors may prefer a mercy petition to the Board of Directors against the appellate order.

- (iii) All appeals / mercy petitions filed by the affected employee shall be preferred positively within 30 days from the date of communication of the order intended to be impugned in appeal or under mercy petitions, as the case may be.

The above amendment shall come into force with immediate effect.

Sd/-
Chairman-cum-Managing Director

Memo No. 4464/OPHWC

Copy to the Chief Engineer (Civil), OPHWC, Bhubaneswar for information.

Sd/-
Chairman-cum-Managing Director

Memo No. 4465 / OPHWC

Copy to Financial Advisor / C.S. & Jt. General Manager (Finance) / Chartered Accountant / Jt. Manager (D&D) / Jt. Manager (Mon.) / Jt. Manager (Elect.) / All Divisional Joint Managers for information.

Sd/-
Chairman-cum-Managing Director