

## 152. THE INTERNATIONAL AIRPORTS AUTHORITY OF INDIA EMPLOYEES (CONDUCT, DISCIPLINE AND APPEAL) REGULATIONS, 1987

In exercise of the powers conferred by clause (b) of sub-section (2) of Section 37 read with sub-section (2) of Section 10 of the International Airports Authority Act, 1971 (43 of 1971), the International Airports Authority of India, with the approval of the Central Government, hereby makes the following regulations, namely :—

**1. Short title and commencement.**—(1) These regulations may be called the International Airports Authority of India Employees (Conduct, Discipline and Appeal) Regulations, 1987.

(2) They shall come into force on the date of their publication in the Official Gazette.

**2. Application.**—These regulations shall apply to all employees, but shall not apply to—

- (i) those persons who are in casual employment or paid from contingencies ; and
- (ii) those persons whose terms and conditions of service are governed by the Standing Orders certified under the Industrial Employment (Standing Orders) Act, 1946 (20 of 1946).

**3. Definitions.**—In these regulations, unless the context otherwise requires,—

- (a) "*appellate authority*" means the authority specified in Part II of the Schedule ;
- (b) "*Authority*" means the International Airports Authority of India ;
- (c) "*Chairman*" means the Chairman of the Authority ;
- (d) "*Competent Authority*" means the authority empowered by the Authority by general or special order to discharge the functions or exercise the powers of competent authority, under these regulations;
- (e) "*Disciplinary Authority*" means the Authority specified in Part II of the Schedule and competent to impose any of the penalties specified in Regulation 26 ;
- (f) "*Employee*" means a persons in the employment of the Authority other than casual, work-charged or contingent staff or workman and includes a person on deputation to the Authority;
- (g) "*Government*" means the Central Government ;
- (h) "*Members of Family*" in relation to an employee, includes :—
  - (i) the wife or husband, as the case may be, of the employee whether residing with him or not, but does not include a

wife or husband, as the case may be, separate from the employee by a decree of divorce or judicial separation or other order of a competent court;

- (ii) sons or daughters or step-sons or step-daughters of the employee wholly dependent on him, but does not include a child or step-child who is no longer in any way dependent on the employee or of whose custody the employee has been deprived of by or under any law ;
- (iii) any other person related, whether by blood or by marriage, to the employee or such employee's wife or husband, and wholly dependent on such employee ;
- (i) "*Reviewing Authority*" means the authority specified in Part II of the Schedule ;
- (j) "*Schedule*" means the schedule appended to these regulations ; and
- (k) "*Workman*" means a person as defined in clause(s) of Section 2 of the Industrial Disputes Act, 1947.

**4. General.**—(1) Every employee shall at all times—

- (i) maintain absolute integrity ;
- (ii) maintain devotion of duty ; and
- (iii) do nothing which is unbecoming of him as an employee of the Authority.

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

**5. Misconduct.**—Without prejudice to generality of the term "misconduct", the following acts of omission and commission shall be treated as misconduct for the purpose of these regulations, namely :—

- (i) theft, fraud or dishonesty in connection with the business or property of the Authority, or property of another person within the premises of the Authority.
- (ii) taking or giving bribes or any illegal gratification or any remuneration to which he is legally not entitled ;
- (iii) possession of pecuniary resources or property disproportionate to the known sources of income by the employee or on his behalf by another person, which the employee cannot satisfactorily account for ;
- (iv) furnishing false information regarding name, age, father's name, qualifications, previous service or experience, or any other matter in relation to the employment at the time of appointment, or during the course of employment ;
- (v) acting in any manner prejudicial to the interests of the Authority;
- (vi) willful insubordination or disobedience, of any lawful and reasonable order of his superior ;

- (vii) absence without leave or over-staying the sanctioned leave for more than four consecutive days without sufficient grounds or satisfactory explanation ;
- (viii) habitual late coming or irregular attendance.
- (ix) neglect of work or negligence in the performance of duty including lingering or slowing down of work ;
- (x) causing damage to any property of the Authority ;
- (xi) interference or tempering with any safety device installed in or about the premises of the Authority ;
- (xii) drunkenness or riotous or disorderly or indecent behaviour in the premises of the Authority or outside such premise where such behaviour is related to or connected with the employment ;
- (xiii) gambling within the premises of the Authority.
- (xiv) smoking within the premises of the Authority where it is prohibited ;
- (xv) collection, without the permission of the competent authority, of any money within the premises of the Authority except as sanctioned by any law or rules of the Authority for the time being in force ;
- (xvi) sleeping while on duty ;
- (xvii) commission of any act which amounts to a criminal offence involving moral turpitude ;
- (xviii) absence from the employee's appointed place of work without permission or sufficient cause ;
- (xix) purchasing from, or selling to, the Authority properties, machinery, stores or other articles without express permission in writing from the competent authority ;
- (xx) commission of any act subversive of discipline or of good behaviour ;
- (xxi) abetment of, or attempt to commit, any act which amounts to misconduct ;
- (xxii) participating in an illegal strike or abetting, inciting, instigating or acting in furtherance thereof ;
- (xxiii) willful damage to works of the Authority in progress ; and
- (xxiv) failure to wear a uniform or badge, or both, wherever an employee is required to wear a uniform or badge while on duty.

**Note.**—The above instance of misconduct are illustrative in nature, and not exhaustive.

**6. Prohibition against participation in politics and elections.—**

(1) It shall be the duty of every employee to endeavour to prevent any member of his family from taking part in, subscribing in aid of, or assisting in other manner any movement or activity which is or tends directly or indirectly to be subversive of the Authority or of the Government as by

law established, and where a employee is unable to prevent a member of his family from taking part in, or subscribing in aid of, or assisting in any other manner, any such movement or activity, he shall make a report to that effect to the Authority.

(2) If any question arises whether any movement, or activity falls within the scope of this regulations, the same shall be referred to the Authority for decision.

(3) No employee shall contest, or take part in an election to the Parliament or to any, State Legislature or local authority :

Provided that :—

- (i) an employee qualified to vote or, such election may exercise his franchise but, where he does so, he shall give no indication of the manner in which he proposes to vote or has voted;
- (ii) an employee shall not be deemed to have contravened the provisions of this regulation by reason only that he assists in the conduct of an election in the due performance of a duty imposed on him by or under any law for the time being in force ; and
- (iii) the Chairman may by writing permit an employee to offer himself as a candidate for election to a local authority and the employee so permitted shall not be deemed to have contravened the provisions of this regulation.

**7. Employment of near relatives of the employee in any company or firm enjoying patronage of the Authority.**—(1) No employee shall use his official position or influence directly or indirectly to secure employment for any member of his family in any company or firm.

(2) No employee shall, except with the provisions sanction of the competent authority, permit a member of his family to accept employment with any company or firm with which he has official dealings, or with any other company or firm, having official dealings with the Authority :

Provided that where the acceptance of the employment cannot await the prior permission of the competent authority, the employment may be accepted provisionally subject to the permission of the competent authority, to whom the matter shall be reported forthwith.

(3) No employee shall, in the discharge of his official duties, deal with any matter or give or sanction any contract to any company other person or if any members of his family is employed in that company or under that person or if such employee or any member of his family is interested in such matter or contract in any other manner and the employee shall refer every such matter or contract to his official superior and the matter or the contract shall thereafter be disposed of according to the instructions of the authority to whom the reference is made.

**8. Prohibition on taking part in demonstrations.**—No employee shall engage himself or participate in any manner in any demonstration which involves incitement to an offence.

**9. Connection with press or Radio.**—(1) No employee shall, except with the previous sanction of the competent authority own wholly or in

part, or conduct or participate in the editing or management of, any newspaper or other periodical publication.

(2) No employee shall, except with the previous sanction of the competent authority or any other authority specified in this behalf or in the *bona fide* discharge of his duties, participate in a radio broadcast or contribute any article or write any letter either in his own name or anonymously, pseudonymously or in the name of any other person to any newspaper or periodical :

Provided that no such sanction shall be required if such broadcast or such contribution is of a purely literary, artistic or scientific character.

**10. Criticism of Government and the Authority.**—No employee shall, in any radio broadcast or in any article or documents published in his own name or in the name of any other person or in any communication to the press, or in any public utterances, make any statements :—

- (a) which has the effect of an adverse criticism of any policy or action of the Central Government or of a State Government or of the Authority ; or
- (b) which is capable of embarrassing the relations between the Authority and the public :

Provided that nothing in this regulation shall apply to any statement made, or views expressed by an employee which are of a purely factual nature and are not considered to be of a confidential nature, in his official capacity in the due performance of the duties assigned to him :

Provided further that nothing contained in this regulation shall apply to *bona fide* expression of views by an employee as an office-bearer of a recognised trade union for the purpose of safeguarding the condition of service of the employees who are members of such trade union or for securing and improvement in the conditions of service of such employees.

**11. Evidence before committee or any other authority.**—(1) Save as otherwise provided in sub-regulation (3), no employee shall, except with the previous sanction of the competent authority, give evidence in connection with any enquiry conducted by any person, committee or authority.

(2) Where any sanction has been accorded under sub-regulation (1), no employee giving such evidence shall criticise the policy or any action of the Central Government or of a State Government or of the Authority, as the case may be.

(3) Nothing in this regulation shall however apply to :—

- (a) evidence given at any enquiry before an authority appointed by the Government, Parliament or a State Legislature or any Corporation or Company ;
- (b) evidence given in any judicial or magisterial enquiry ; or
- (c) evidence given at any departmental enquiry ordered by or under the direction of the Government, or of the Authority.

**12. Unauthorised communication of information.**—No employee shall, except in accordance with any general or special order of the Authority

or in the performance in good faith of the duties assigned to him, communicate, directly or indirectly any official documents or any part thereof or information, to any officer or other employee, or any other person to whom he is not authorised to communicate such document or information.

**13. Gifts.**—(1) Save as otherwise provided in these regulations, no employee shall accept, or permit any member of his family or any other person acting on his behalf, to accept any gift.

*Explanation.*—For the purposes of this regulation, the expression “gift” shall include free transport, boarding, lodging or other service or any other pecuniary advantage when provided by any person other than a near relative or a personal friend having no official dealings with the employee.

**Note.**—An employee shall avoid acceptance of lavish or frequent hospitality from any individual or company having official dealings with him or with the Authority.

(2) On occasions such as weddings, anniversaries, funerals, or religious functions, when the making of gifts in the conformity with the prevailing religious or social custom or practice, an employee may accept gifts from his near relatives but he shall make a report to the competent authority if the value of any such gift exceeds five hundred rupees.

(3) On occasions as are specified in sub-regulation (2), an employee may accept gifts from his personal friends having no official dealings with him, but shall make a report to the competent authority if the value of any such gift exceeds two hundred and fifty rupees.

(4) In any other case, an employee shall not accept or permit any member of his family or any other person acting on his behalf to accept any gift without the sanction of the competent authority if the value thereof exceeds two hundred and fifty rupees :

Provided that when more than one gift has been received from the same person within a period of 12 months, the matter shall be reported to the competent authority if the aggregate value of the gifts exceeds two hundred and fifty rupees.

**14. Dowry.**—No employee shall—

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

*Explanation.*—For the purposes of this regulation, ‘dowry’ has the same meaning assigned to it in the Dowry Prohibition Act, 1961 (28 of 1961).

**15. Private trade or employment.**—(1) No employee shall, except with the previous sanction of the competent authority engage directly or indirectly in any trade or business or undertake any other employment ;

Provided that an employee may, without such sanction, undertake honorary work of a social or charitable nature or occasional work of a literary, artistic or scientific character, subject to the condition that his official duties do not thereby suffer.

(2) Every employee shall report to the competent authority if any member of his family is engaged in a trade or business or owns or manages an insurance agency or commission agency.

(3) No employee shall, without the previous sanction of the competent authority, except in the discharge of his official duties, take part in the registration, promotion or management of any bank or other company which is required to be registered under the Companies Act, 1956 (1 of 1956) or any other law for the time being in force or any co-operative society for commercial purposes :

Provided that an employee may take part in the registration promotion or management of—

- (i) a literary, scientific or charitable society or club registered under the Societies Registration Act, 1860 (21 of 1860), or a company, or similar organisation registered under the Companies Act, 1956 (1 of 1956), or under any other law for the time being in force, the aims and objects of which relate to the promotion of sports, cultural or recreational activities ; or
- (ii) a co-operative society, substantially for the benefit of the employees, registered under the Co-operative Societies Act, 1912 (2 of 1912) or any other law for the time being in force.

(4) No employee shall accept any fee or any pecuniary advantage for any work done by him for any public body or organisation or any private person without previous sanction of the competent authority.

**16. Investment, lending and borrowing.**—No employee shall, save in the ordinary course of business with a bank, the Life Insurance Corporation or a company of standing, borrow money from or lend money to or otherwise place himself under pecuniary obligation to any person with whom he has or is likely to have official dealings or permit any such borrowing, lending or pecuniary obligation in his name or for his benefit or for the benefit of any member of his family.

**17. Insolvency and habitual indebtedness.**—(1) An employee shall avoid habitual indebtedness or insolvency unless he proves that such indebtedness or insolvency is the result of circumstances beyond his control and does not proceed from extravagance or dissipation.

(2) An employee who applied to be, or is adjudged or declared insolvent shall forthwith report the fact to the competent authority.

**18. Movable, immovable and valuable property.**—(1) No employee shall, except with the previous knowledge of the competent authority, acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of any member of his family.

(2) No employee shall, except with the previous sanction of the competent authority, enter into any transaction concerning any immovable or movable property with a person or a company having official dealings with the employee or his subordinate.

(3) Every employee shall report to the competent authority every transaction concerning movable property owned or held by him in his own name or in the name of a member of his family, if the value of such property exceeds two thousand five hundred rupees.

(4) Every employee shall, on his first appointment in the Authority, submit a return of assets and liabilities in the form specified in Part I of the Schedule giving the particulars regarding—

- (a) the immovable property inherited, owned or acquired or held by him on lease or mortgage, either in his own name or in the name of any other person ;
- (b) shares, debentures, and cash including bank deposits inherited by him or similarly owned, acquired or held by him;
- (c) other movable property inherited by him or similarly owned, acquired or held by him if the value of such property exceed two thousand and five hundred rupees ;
- (d) debts and other liabilities incurred by him directly or indirectly.

(5) Every employee shall, in the month of January each year submit returns of immovable property inherited, owned or acquired by him in the preceding year.

(6) The competent authority may, at any time, by General or Special Orders, require an employee to submit, within a period specified in the order, full and complete statement of such movable or immovable property held or acquired by him or on his behalf of any member of his family as may be specified in the order. Such statement shall, if so required by the competent authority, include details of the means by which or the source from which such property was acquired.

*Explanation No. 1.*—The expression “every transaction concerning movable property owned or held by him “includes all transaction of sale or purchase.

For the purposes of this sub-regulation movable property includes :—

- (a) jewellery, insurance policies the annual premia of which exceeds Rs. 2,500/- or one-sixth of the total annual emoluments received from the Authority whichever is less, shares, securities and debentures ;
- (b) loans advanced by such employee whether secured or not ;
- (c) motor cars, motor cycles, scooter, horses or any other means of conveyance ; and
- (d) refrigerators, radios (radiograms and television sets).

*Explanation No. 2.*—Transaction entered into by the spouse or any other member of the family of any employee of the Authority out of his or her own funds (including stridhan, gifts, inheritance, etc.) as distinct from the funds of the employee of the Authority himself, in his or her own right, would not attract the provisions of the above sub-regulations.

**19. Canvassing of non-official or other influence.**—No employee shall bring or attempt to bring any outside influence to bear upon any



superior authority to further his interests in respect of matters pertaining to his service in the authority.

**20. Bigamous marriage.**—No employee shall,—

- (a) enter into, or contract, a marriage with a person having a spouse living, or
- (b) having a spouse living, enter into, or contract, a marriage with any person ; and
- (c) An IAAI employee who has marriage or marries a person other than that of Indian nationality, shall forthwith intimate the fact to the Authority :

Provided that the Authority may permit any employee to enter into or contract, any marriage referred to in clause (a) or (b) if it is satisfied that—

- (i) such marriage is permissible under personal law applicable to such employee and the other party to the marriage ; and
- (ii) there are other grounds for so doing.

**21. Consumption of intoxicating drinks and drugs.**—(1) An employee shall strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being.

(2) But he shall,—

- (a) not be under influence of any intoxicating drink or drug during the course of his duty and shall also take due care that the performance of his duties at any time is not affected in any way by the influence of such drink or drug ;
- (b) refrain from consuming any intoxicating drink or drug in a public place ;
- (c) not appear in a public place in a state of intoxicating ;
- (d) not use any intoxication drink or drug in excess.

*Explanation.*—For the purposes of this regulation “Public place” means any place or premises (including a conveyance) to which the public have, or are permitted to have access, whether on payment or otherwise.

**22. Assistance to the police, customs etc.**—Every employee, if so directed by his superior officer, shall give all reasonable assistance to police, customs or such other authorities of the Government and the security staff of the Authority in the performance of their duties.

**23. Suspension.**—(1) The appointing authority or any authority to which it is subordinate or the disciplinary authority or any other authority empowered in that behalf by the Chairman by general or special order may place an employee under suspension—

- (a) where a disciplinary proceedings against him is contemplated or is pending, or
- (b) where a case against him in respect of any criminal offence is under investigation or trial.

(2) An employee who is detained in custody, whether on a criminal charge or otherwise, for a period exceeding 48 hours shall be deemed to have

been suspended with effect from the date of detention, by an order of the appointing authority and shall remain under suspension until further orders.

(3) Where a penalty of dismissal or removal from service imposed upon an employee under suspension is set aside in appeal or on review under these regulations and the case is remitted for further inquiry or action or with any other 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 or removal and shall remain in force until further orders.

(4) Where a penalty of dismissal or removal from service imposed upon an employee is set aside or declared to be rendered void in consequence of or by a decision of a court of law and the disciplinary authority, on consideration of the circumstances of the case, decides to hold a further inquiry against him on the allegations on which the penalty of dismissal or removal was originally imposed, the employee shall be deemed to have been placed under suspension by the appointing authority from the date of the original order of dismissal or removal and shall continue to remain under suspension until further orders.

(5) An order of suspension made or deemed to have been made under this regulation may at any time be revoked by the authority which made, or is deemed to have made, the order or by any authority to which that authority is subordinate.

**24. Subsistence allowance.**—(1) An employee under suspension shall be entitled to draw during the period of suspension, a subsistence allowance equal to 50 per cent of his basic pay provided the disciplinary authority is satisfied that the employee is not engaged in any other employment or business or profession or vocation. In addition, he shall be entitled to dearness allowance admissible on such subsistence allowance and any other compensatory allowance of which he was in receipt on the date of suspension provided that the authority which made or deemed to have made the order of suspension is satisfied that the employee continues to meet the expenditure for which the allowance was granted.

(2) Where the period of suspension exceeds six months, the authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of first six months as follows :—

- (i) the amount of subsistence allowance may be increased to 75 per cent of the basic pay and allowances thereon, if in the opinion of the said authority, the period of suspension has been prolonged for reasons, to be recorded in writing, not directly attributable to the employee under suspension ; and
- (ii) the amount of subsistence allowance may be reduced to 25 per cent of the basic pay and allowance thereon if in the opinion of the said authority the period of suspension has been prolonged due to the reasons, to be recorded in writing, directly attributable to the employee under suspension.

(3) If an employee is arrested by the police on a criminal charge and bail is not granted, no subsistence is payable. If the bail is granted and the

competent authority decides to continue the suspension, the employee shall be entitled to subsistence allowance from the date he is granted bail.

**25. Treatment of the period of suspension.**—(1) When the employee under suspension is reinstated, the competent authority may grant to him the following pay and allowance—

- (i) If the employee is exonerated and not awarded any of the penalties mentioned in Regulation 26, the full pay and allowances which he would have been entitled to if he had not been suspended, less the subsistence allowance already paid to him ; and
- (ii) if otherwise, such proportion of pay and allowances as the competent authority may specify.

(2) In a case falling under clause (a), the period of absence from duty shall be treated as the period spent on duty. In a case falling under clause (b), the period of absence from duty shall not be treated as a period spent on duty unless the competent authority so directs.

**26. Penalties.**—The following penalties may be imposed on an employee as hereinafter provided, for misconduct committed by him or for any other good and sufficient reasons—

Minor Penalties :

- (a) Censure ;
- (b) Withholding of increment of pay with or without cumulative effect ;
- (c) Withholding of promotion ;
- (d) Recovery from pay of the whole or part of any pecuniary loss caused to the Authority by the negligence or breach of orders or such other amount as may be due to him.

Major Penalties :—

- (e) Reduction to a lower grade or post, or to a lower stage in a time scale ;
- (f) Removal from service which shall not be a disqualification for future employment ;
- (g) Dismissal.

*Explanation.*—The following shall not amount to a penalty within the meaning of this regulation :—

- (i) withholding of increment of an employee on account of his work being found unsatisfactory or not being of required standard, or for failure to pass a prescribed test or examination;
- (ii) stoppage of an employee at the efficiency bar in a time scale, on the ground of his unfitness to cross the said bar ;
- (iii) non-promotion, whether in an officiating capacity or otherwise, of an employee to a higher post for which he may be eligible for

- consideration but for which he is found unsuitable after consideration of his case ;
- (iv) 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 ;
  - (v) reversion to his service 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 his appointment ;
  - (vi) termination of services,—
    - (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 ;
    - (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 any employee on reduction in establishment.

**27. Power to impose penalties.**—The disciplinary authority or any authority to which it is subordinate, may impose any of the penalties specified in Regulation 26 on an employee.

**28. Procedure for imposing major penalties.**—(1) No order imposing any of the major penalties specified in clauses (e), (f) and (g) of Regulation 26 shall be except after an enquiry held in the manner hereinafter provided.

(2) Where the disciplinary authority or an authority to which it is subordinate is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehaviour against an employee, it may, by itself enquire into, or appoint any officer of the Authority (hereinafter referred to as the inquiring authority) to inquire into the truth or otherwise thereof.

(3) Where it is proposed to hold an inquiry, the disciplinary authority or an authority to which it is subordinate shall frame definite charges on the basis of the allegations against the employee. The articles of charges, together with a statement of the allegation, on which they are based, list of documents by which and a list of witnesses by whom, the charges are proposed to be established shall be communicated in writing to employee, who shall be required to submit within such time as may be specified by the disciplinary authority (not being less than 15 days from the date of receipt of the communication), a written statement whether he admits or denies all or any of the charges.

(4) On receipt of the written statement of the employee, or if no such statement is received within the time specified, an enquiry may be held by the

disciplinary authority itself, or by any other officer of the authority appointed as an inquiring authority under sub-regulation (2) :

Provided that it may not be necessary to hold an inquiry in respect of the charges admitted by the employee in his written statement. The disciplinary authority shall, however, record its findings on each such charge.

(5) Where the disciplinary authority itself inquires or appoints an inquiring authority for holding an inquiry, it may by an order appoint an employee (hereinafter referred to as the presenting officer) to present on its behalf the case in support of the articles of charge.

(6) The employee may take the assistance of any other employee of the Authority posted in any office either at his headquarters or at the place where the enquiry is held, to present the case on his behalf but may not engage a legal practitioner for the purpose, unless the presenting officer appointed by the disciplinary authority is legal practitioner, or, the disciplinary authority having regard to the circumstances of the case, so permit :

Provided that the employee may take the assistance of any other employee posted at any station, if the inquiring authority having regard to the circumstances of the case, and for reasons to be recorded in writing so permits.

**Note.**—An employee shall not take the assistance of any other Authority's employee who has two pending disciplinary cases on hand in which he has to function as defence assistant.

(7) On the date fixed by the inquiring authority, the employee shall appear before the inquiring authority at the time, place and the date specified in the notice. The inquiring authority shall ask the employee whether he pleads guilty, or has any defence to be made, and if he pleads guilty to any of the charges, the inquiring authority shall record that plea, sign the record and obtain the signature of the employee concerned thereon. The inquiring authority shall return a finding of guilt in respect of those charges of which the employee concerned pleads guilty.

(8) If the employee does not plead guilty, the inquiring authority shall adjourn the case to a later date not exceeding thirty days, after recording an order that the employee may, for the purpose of preparing his defence:

- (i) inspect the documents listed with the charge-sheet ;
- (ii) submit a list of additional documents and witnesses that he wants to examine ; and
- (iii) be supplied with copies of the statements witnesses, if any listed in the charge-sheet.

**Note.**—Relevancy of the additional documents and the witnesses referred to in clause (ii) of this sub-regulation will have to be explained by the employee concerned and the documents shall be called for and the witnesses shall be summoned, if the inquiring authority is satisfied about their relevance to the charges under inquiry.

(9) The inquiring authority shall by notice require the authority in whose custody or possession the document are kept, for the production of the documents on such date as may be specified.

(10) The authority which has in its custody or possession in requisitioned documents shall arrange to produce the same before the inquiring authority on the date, place and time specified in the notice of requisition:

Provided that the authority having the custody or possession of the requisitioned documents may claim privilege if the production of such documents will be against the public interest or the interest of the Authority. In that event, it shall inform the inquiring authority accordingly.

(11) On the date fixed for the inquiry, the oral and documentary evidence by which the charges are proposed to be proved shall be produced by or on behalf of the disciplinary authority. The witnesses shall be examined by or on behalf of the presenting officer and may be cross-examined by or on behalf of the employee. The presenting officer shall be entitled to re-examine the witnesses on any points on which they have been cross-examined, but not on 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.

(12) Before the close of the case for the disciplinary authority, 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 an opportunity to inspect the documentary evidence before it is taken on record or to cross-examine a witness, who has been so summoned.

(13) When the case for the disciplinary authority is closed, the employee may be required to state this defence, orally or in writing, as he may prefer. If the defence is made orally, it shall be recorded and the employee shall be required to sign the record. In either case a copy of the statement of defence shall be given to the presenting officer, if any.

(14) The evidence on behalf of the employee shall then be produced. The employee may examine himself in support of his case if he so prefers. The witnesses produced by the employee shall then be examined and shall be liable to cross-examination, re-examination and examination by the inquiring authority according to the provisions applicable to the witnesses for the disciplinary authority.

(15) The inquiring authority may, after the employee closes his case, and shall, if the employee has not examined himself, generally question him on the circumstances appearing against him in the evidence for the purpose of enabling the employee to explain any circumstances appearing in the evidence against him.

(16) After the completion of the evidence, the employee and the presenting officer may file written briefs of their respective cases within 15 days of the date of completion of the evidence.

(17) If the employee does not submit the written statement of defence referred to in sub-regulation (3) on or before the date specified for the purpose or does not appear in person, or through the assisting officer or otherwise fails or refuses to comply with any of the provisions of these regulations, the inquiring authority may hold the enquiry *ex-parte*.

(18) 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 partly recorded by its predecessor and partly recorded by itself :

Provided that if the succeeding inquiring authority is of opinion that further examination of any of the witnesses whose evidence has already been recorded is necessary in the interest of justice, it may recall, examine, cross-examine and re-examine any such witnesses as hereinbefore provided.

(19) (i) After the conclusion of the inquiry, a report shall be prepared and it shall contain :—

- (a) a gist of the charges and the statement of the imputations of misconduct or misbehaviour ;
- (b) a gist of the defence of the employee in respect of each charge;
- (c) an assessment of the evidence in respect of each charge ; and
- (d) the findings on each charge and the reasons therefor.

*Explanation.*—(i) If in the opinion of the inquiring authority the proceeding of the inquiry establish any charge different from the original charges, it may record its findings on such charge :

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

(ii) The inquiring authority, where it is not by 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 sub-clause (i);
- (b) the written statement of defence, if any submitted by the employee referred to in sub-regulation (13) ;
- (c) the oral and documentary evidence produced in the course of the inquiry ;
- (d) written briefs referred to in sub-regulation (16), if any ; and
- (e) the orders, if any, made by the disciplinary authority and the inquiring authority in regard to the inquiry.

**29. Action on the inquiry report.**—(1) The disciplinary authority, if it is not itself the inquiring authority may, for reasons to be recorded 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 further inquiry according to the provisions of Regulation 28 as far as may be.

(2) The disciplinary authority shall, if it disagrees with the findings of the inquiring authority on any charge, record its reasons for such disagreement and record its own findings on such charge, if the evidence on record is sufficient for the purpose.

(3) If the disciplinary authority, having regard to its findings on all or any of the charges, is of the opinion that any of the penalties specified in Regulation 26 should be imposed on the employee, it shall, notwithstanding anything contained in Regulation 30, make an order imposing such penalty.

(4) If the disciplinary authority, having regard to its findings on all or any of the charges, is of the opinion that no penalty is called for, it may pass an order exonerating the employee.

**30. Procedure for imposing minor penalties.**—Where it is proposed to impose any of the minor penalties specified in clauses (a) to (d) of Regulation 26, the employee shall be informed in writing of the imputations of misconduct or misbehaviour against him and given an opportunity to submit his written statement of defence within a specified period (not being less than 15 days from the date of receipt of statement of imputations). 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 shall include—

- (i) a copy of the statement of imputations of misconduct or misbehaviour delivered to the employee ;
- (ii) his defence statement, if any ; and
- (iii) the orders of the disciplinary authority together with the reasons therefor.

**31. Communication of orders.**—Orders made by the disciplinary authority under Regulation 29 or Regulation 30, as the case may be, shall be communication to the employee concerned, who shall also be supplied with a copy of the report of inquiry, if any.

**32. Common proceedings.**—Where two or more employees are concerned in a case, the authority competent to impose a major penalty on all such employees may make an order directing that the disciplinary proceedings against all of them may be taken in a common proceedings.

**33. Special procedure in certain cases.**—Notwithstanding anything contained in Regulations 28, 29 and 30, the disciplinary authority may impose any of the penalties specified in Regulation 26 in any of the following circumstances, namely :—

- (i) where the employee has been convicted on a criminal charge or on the strength of facts or conclusions arrived at by a judicial trial ; or
- (ii) where the disciplinary authority is satisfied, for reasons to be recorded in writing, that it is not reasonably practicable to hold an inquiry in the manner provided in these regulations ; or
- (iii) where the disciplinary authority is satisfied that in the interest of the security of the Authority it is not expedient to hold any inquiry in the manner provided in these regulations.

**34. Employees on deputation from the Central Government or the State Government etc.**—(1) Where an order of suspension is made or disciplinary proceedings is taken against an employee, who is on deputation



to the Authority from the Central or State Government or a public undertaking, or a local authority, the authority lending his services (hereinafter referred to as the "lending authority") shall forthwith be informed of the circumstances leading to the order of his suspension, or the commencement of the disciplinary proceedings as the case may be.

(2) In the light of the findings in the disciplinary proceedings taken against such employee—

- (a) if the disciplinary authority is of the opinion that any of the minor penalties should be imposed on him, it may pass such orders in the case as it deems necessary after consultation with the lending authority :

Provided that in the event of a difference of opinion between the disciplinary authority and the lending authority, the services of the employee shall be placed at the disposal of lending authority ;

- (b) if the disciplinary authority is of the opinion that any of the major penalties should be imposed on him, it should replace his services at the disposal of the lending authority and transmit to it the record of proceedings of the enquiry for such action as the lending authority may deem necessary.

(3) If the employee submits an appeal against an order imposing a minor penalty on him under clause (a) of sub-regulation (2) it shall be disposed of after consultation with the lending authority :

Provided that if there is difference of opinion between the disciplinary authority and the lending authority the services of the employee shall be placed at the disposal of the lending authority and the records of the proceedings of the case shall be transmitted to that authority for such action as it deems necessary.

**35. Appeal.**—(1) An employee may appeal against an order imposing upon him any of the penalties specified in Regulation 26 or against the order of suspension referred to in Regulation 23.

(2) An appeal shall be preferred within one month from the date of receipt of the order appealed against. The appeal shall be presented to the appellate authority with a copy to the authority whose order is appealed against. The authority whose order is appealed against shall forward the copy of together with its comments and the records of the case to the appellate authority within 15 days of the receipt of appeal. The Appellate authority shall consider whether the findings are justified or whether the penalty is excessive or inadequate and pass appropriate orders within three months of the date of appeal. The appellate authority may pass 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 :

Provided that if enhanced penalty which the appellate authority propose to impose is a major penalty specified in clauses (e), (f) or (g) of Regulation 26 and an inquiry as provided in Regulation 28 has not already been held in the case, the appellate authority shall direct that such an inquiry be held in accordance with the provisions of Regulation 28 and thereafter consider the

record of the inquiry and pass such orders as it may deem proper. If the appellate authority decides to enhance the punishment but an enquiry has already been held as provided in Regulation 28, the appellate authority shall issue a show-cause notice to the employee as to why the enhanced penalty should not be imposed upon him. The appellate authority shall pass final order after taking into account the representation, if any, submitted by the employee.

(3) Notwithstanding anything contained in this regulation no appeal shall lie against an order made by the authority.

**36. Review.**—Notwithstanding anything contained in these regulations, the reviewing authority may call for the record of the case within six months of the date of the final order and after reviewing the case pass such orders thereon as it may deem fit :

Provided that if enhanced penalty, which the reviewing authority proposes to impose, is a major penalty specified in clauses (e), (f) or (g) of Regulation 26 and an inquiry as provided under Regulation 28 has not already been held in the case, the reviewing authority shall direct that such an inquiry be held in accordance with the provisions of Regulation 28 and thereafter consider the record of the enquiry and pass such orders as it may deem proper. If the reviewing authority decides to enhance the punishment, but as inquiry has already been held in accordance with the provisions of Regulation 28 the reviewing authority shall issue a show-cause notice to the employee as to why the enhanced penalty should not be imposed upon him. The reviewing authority shall pass final order after taking into account the representation if any, submitted by the employees.

**37. Service of orders, notice etc.**—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 know address with acknowledgment due.

**38. Power to relax time-limit and to condone delay.**—Save as otherwise expressly provided in these regulations the authority competent under these regulations to make any order may, for good and sufficient reasons extended the time specified in these regulations for anything required to be done under these regulations or condone any delay.

**39. Removal of doubts.**—Where a doubt arises as to the interpretation of any of these regulations, the matter shall be referred to the Authority for decision.

## FORM

### Return of Assets and Liabilities on First Appointment as on 1st January, 19 .

1. Name of the employee in full (in block letters)
2. Date of entry into service
3. Present address
4. Permanent address

5. Designation
6. Scale to pay
7. Total length of service upto date
8. Total annual income from all sources during the calendar year immediately preceding the 1st day of January, 19...

9. Declaration :

I hereby declare that the return enclosed namely, Annexures A to E, are complete, true and correct as on.....to the best of my knowledge and belief, in respect of information due to be furnished by me under the provision of sub-regulation (4) of Regulation 18 of the International Airports Authority of India Employees (Conduct, Discipline & Appeal) Regulation.

Dated.....

Signature.....

**Note.**—(1) This return shall contain particulars of assets and liabilities of the employee, either in his own name or in the name of any other member of his family.

(2) If an employee is a member of Hindu undivided family with coparcenary rights in the properties of the family either as a 'Karta' or as a member, he should indicate in the return in Form No. value of his share in such property and where it is Explanatory notes may be added, wherever necessary.

### ANNEXURES

A. Statement of Immovable Property on first Appointment as on 1st January, 19 (*i.e.* Land; House, Shops other Buildings etc.)

Sl. No.	Description of Property	Precise location (Name of District Division Taluka & Village in which the property is situated and also its distinction number (etc.))	Area of land (in case of Land & Bldg).
1	2	3	4

Nature of land (in case of landed property)	Extent of Interest	If not in own name state in whose name held and his/her relationship, if any to the employee	Date of and mode of acquisition
5	6	7	8

Dated.....

Signature.....

B. Statement of Liquid Assets on First Appointment/as on 1st January, 19.....

(1) Cash and bank balances exceeding 3 months employments.

(2) Deposits loans advanced and investment (such as shares, securities debentures, etc.)

Sl. No.	Description	Name & Address of Co., Bank, etc.	Amount	If not in own name, name and address of person in whose name held and his/her relationship with employee	Annual income derived	Remarks
1	2	3	4	5	6	7

Dated.....

Signature.....

C. Statement of Movable Property on First Appointment/as on 1st January, 19....

Sl. No.	Description of Items	Price or value at the time of acquisition and/or the total payments made upto the date of return as the case may be, in case of articles purchased on hire-purchase on instalment basis.	If not in own name, name & address of the person in whose name and his/her relationship with the employee	Now acqd. with date of acquisition	Remarks
1	2	3	4	5	6

Dated .....

Signature .....

D. Statement of Provident and Life Insurance Policy on First Appointment as on 1st January, 19

Insurance Policies

Policy No. date of police	Name of Company	Sum insured/date of maturity	Amount of Annual premium
1	2	3	4

Provident Funds

Type of Provident Funds, CPF/GPF A/c No.	Closing balance as 1st reported	Contributions made subsequently	Total	Remarks
5	6	7	8	9

Dated .....

Signature .....

E. Statement of Debts and other Liabilities on First Appointment as on 1st January, 19....

Sl. No.	Amount	Name & address of creditor	Date of incurring liability	Details of transactions	Remarks
1	2	3	4	5	6

Dated .....

Signature .....

### SCHEDULE

*Part II (Statement—[See Regulation 3(a), (e) & (i)]*

**Statement Showing the Authority Competent to award  
Punishment as also the Appellate and Reviewing  
Authority in Respect of all Personal  
Serving in IAAI**

Sl. No.	Name of the Post	Appointing Authority	Disciplinary Authority for (a) Major penalties (b) Minor penalties	Appellate Authority	Reviewing Authority
1.	All employees	Chairman	Chairman Any or all	I.A.A.I.	I.A.A.I.
2.	Employees upto the level of Dy. Directors and equivalent posts	Member (Fin. & Admn.)	Member (F & A) Any or All	Chairman	I.A.A.I.

3.	Employees at Hqrs. in Groups 'C and D' posts	Chief of Personnel	of	Chief of Personnel any or all	of	Member (Fin. & Admn.)	Chairman
4.	Employees at airports in Groups 'C and D' posts	General Manager airports	of	General Manager airports	to	Member (Fin. & Admn.)	Chairman
5.	Employees at Hqrs. in Group 'D' posts	Director of Personnel	of	Director of Personnel Any or all	of	Chief of Personnel	Member (Fin. & Admn.)

**Notes.**—(1) Where two or more employees are concerned in a case, the authority competent to impose a major penalty on all such employees may specify the authority which will function as Disciplinary Authority for the purpose of such common proceedings.

(2) In the case of common proceedings, the authority, to whom the Disciplinary Authority as specified in the order is immediately subordinate, will function as Appellate Authority.

(3) Where the officer making the order becomes the appellate authority because of promotion etc. the appellate authority would be the authority which officer is immediately subordinate.