

**RAJASTHAN STATE ROAD TRANSPORT  
WORKERS & WORKSHOP EMPLOYEES  
STANDING ORDERS 1965**



**CORRECTED UP TO 31<sup>st</sup> DECEMBER 2020**

**2021**

## P R E F A C E

Third edition of the Rajasthan State Road Transport Workers and Workshop Employees Standing Order, 1965 was get printed in the year 1988. Since then many amendments, clarification, instructions have been issued and as such its third edition has been brought out incorporating all the Changes made till 31<sup>st</sup> December, 2020.

Although every endeavour has been made to incorporate all the amendments/clarifications, in case any error or omission is noticed in this edition the same may be brought to the notice of the undersigned for rectification.

Executive Director (Administration)

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RAJASTHAN STATE ROAD TRANSPORT WORKERS AND  
WORKSHOP EMPLOYEES STANDING ORDERS

SECTION I

1. These standing orders shall be called the Rajasthan State Road Transport Workers Standing orders.
2. These standing orders shall come into operation on 17-8-1965.
3. These standing orders shall apply to all the Motor Transport and Factory Workers of the Rajasthan State Road Transport Corporation.

SECTION II

4. In these standing orders unless there be something repugnant in the subject or context, the terms defined in this section are used in the sense here, explained :-
  1. **Cadre** - means the strength of a service or part of service sanctioned as a separate unit.
  2. **Competent Authority** - In relation to exercise of any power, means the Rajasthan State Road Transport Corporation or any other authority (subordinate to it) to which the power is delegated by the Corporation under these orders.
  3. **Corporation** - means the Rajasthan State Road Transport Corporation established by the Rajasthan Government, in exercise of powers conferred by section 3 of the Road Transport Corporation Act, 1950.

4. **Duty** - means time spent in discharge of service under the Corporation and includes –
- (a) (i) Service rendered as a probationer ;
  - (ii) Joining time.
  - (b) (i) Time spent in any training sponsored by the Corporation.
  - (ii) The period of compulsory waiting by a worker returning from leave or after handing over charge of a post for posting on another post.
  - (iii) Period spent on journey to and from the place of examination and the period occupied in attending an optional or obligatory examination, at which the worker is permitted to appear by the competent authority.
5. **Employer** - means Rajasthan State Road Transport Corporation and includes such authority or authorities of Rajasthan State Road Transport Corporation, as may be authorised specially or generally by the Corporation , to exercise all or any of the powers of the Corporation under these orders.
6. **Holiday** - means a day, on which all or any particular establishment of a section/sections or department / departments or office/offices is/are ordered to be closed or a specified class of workers is/are allowed holiday by Competent Authority.
7. **Hours of Work** - means normal working hours as prescribed under Motor Transport Workers Act, 1961, or a the Minimum Wages Act, 1948 and the rules framed there under by the State Government, or the Factories Act 1948 and the rules framed there under by the State Government.
8. **Lien** - means title of a worker to hold a permanent post substantively and the right to resume on return to duty after a period or periods of absence.

9. **Motor Transport Worker-** means a person who is employed in Rajasthan State Road Transport Corporation whether for wages or not, to work in a professional capacity over Transport vehicles, or to attend to duties in connection with the arrival, departure loading or unloading of such transport vehicles the expressions include a Driver, Conductor, Cleaner, Station staff, Line checking staff, Booking Clerk, Cash Clerk, Depot Clerk, Time keeper, Watchman or attendant, Workshop Staff, but does not include an employee of the Corporation classified in Schedule I.
10. **Factory Workers-** It means persons included in the definition of 'Factory Worker' given in the Factories Act, 1948.
11. **Officiates-** means performance of duties of a post by a worker on which another worker holds a lien. Corporation may appoint a worker to officiate in a vacant post on which no worker holds a lien or pending a permanent appointment in that post.
12. **Probationer-** means a person employed on probation in or against a Substantive vacancy in a Cadre under the Corporation before his appointment substantively.
13. **State Government-** means the Government of Rajasthan.
14. **Temporary post-** means a post created temporarily for a specified period.
15. **Transfer-** means the movement of a worker from one head quarter station in which he is employed to another such station to take up the duties of a new post or as a result of a change in his head quarters.

16. **Worker in permanent employ-** means a person employed under the Corporation who holds substantively a permanent post or who holds a lien on a permanent post or would hold a lien on a permanent post, had the lien not been suspended.
17. **Week-** means a period of seven days beginning at midnight of Saturday.
18. **Wages** - means wages as defined in the Payment of Wages Act, 1936.
19. **Year** - means a year commencing from 1st day of April.
20. All other words and expressions used but not defined in these orders and defined in the Motor Vehicles Act, 1939 and Motor Transport Workers Act, 1961 and Factories Act, 1948 shall have the meaning respectively assigned to them in these Acts.

### SECTION III

#### CONDITIONS OF SERVICE

5. (i) No person shall be appointed as a Motor Transport Worker in the corporation without a medical fitness certificate.
- (ii) Character of a person seeking recruitment as a Motor Transport Worker must be such as to fit him for Service of the Corporation. He will be required to produce a certificate of good character from a reputed or responsible person not related to him.
- (iii) Corporation shall prescribe academic and other qualifications for direct recruitment to a Post or for promotions from lower posts to higher posts.
- (iv) Corporation shall prescribe procedure for recruitment and promotions from lower posts to higher posts of Motor Transport Workers.

6. (i) Corporation may appoint a person in the following age groups on conditions laid down in the Motor Transport Workers Act, 1961 to work, in a professional capacity over transport vehicle or to attend to duties in connection with the arrival, departure, loading or unloading of such transport vehicles -
  - (i) Adolescent.
  - (ii) Adult.
- (ii) Age shall be computed from date of birth of the Motor Transport Worker, who shall be required to produce any of the following proofs there of at the time of employment, in the order of preference -
  - (a) Date of Birth given in the School certificate.
  - (b) Date of Birth given in Municipal Birth certificate.
  - (c) Date of Birth given in horoscope, provided it was prepared soon after the date of birth stated by the employee.
  - (d) A certificate from the certifying surgeon specifying approximate year of birth.

#### CLASSIFICATION OF MOTOR TRANSPORT WORKER

7. A Motor Transport Worker shall be classified as under and shall be provided with a card indicating the status held by him from time to time -
  - (i) Probationer
  - (ii) Permanent
  - (iii) Temporary
  - (iv) Apprentice

## RECRUITMENT OF PROBATIONER

8. (i) A probationer worker shall be appointed in the manner prescribed by the Corporation to fill a permanent vacancy in a post ;

### PERIOD OF PROBATION

- (ii) The period of probation shall normally be six months unless the Corporation otherwise determines a different period of probation for a Post or class of posts, or unless it is extended by a specified time not exceeding six months. Breaks due to sickness, accident, leave, lock-out, strikes (not being illegal strikes) or involuntary closure of the establishment shall be included in the period of probation.

\*In exercise of the powers conferred under order 8(ii) of the RSRTC workers and workshop Employees Standing orders, 1965 Corporation vide its resolution No. 50/82 dated 26-6-82 has determined normal period of probation in respect of the drivers and conductors for 2 years or unless it is extended by specific time not exceeding 6 months.

The other terms and conditions as laid down in the existing provisions shall remain unchanged.

### CONFIRMATION

- (iii) A probationer shall be confirmed in his appointment at the end of his period of probation if he has successfully passed the prescribed trade test or prescribed departmental examination and if the appointing authority is satisfied that his integrity is unquestionable and he is otherwise fit for confirmation.
- (iv) No compensation shall be granted to a probationer who is removed during or at the end of the probation, if he has failed to give satisfaction to the appointing authority or if he has failed to pass the prescribed trade test or the prescribed departmental Examination.

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\* Added vide order No. F(25)/RSRTC/Lab/82/2020 dt. 01.09.1982

## PERMANENT MOTOR TRANSPORT WORKER

9. (i) A worker shall acquire the status of a permanent Worker from the date of his confirmation and appointment substantively.
- (ii) On substantive appointment to a permanent post a worker shall acquire a lien on that post.

## SUSPENSION OF LIEN

10. (i) Lien of a worker shall be suspended if he is -
  - (a) Appointed to a permanent post outside his cadre or
  - (b) Appointed provisionally to a post on which another employee holds a lien or would hold the lien had his lien not been suspended.

## RETENTION OF LIEN

- (ii) A worker holding substantively a permanent post retains his lien on that post-
  - (a) While performing duties of that post
  - (b) While on foreign service , deputation or holding a temporary post or officiating in another post;
  - (c) During joining time on transfer to another post unless he is transferred substantively to a post on lower pay in which case the lien is transferred to the new post from the date on which he is relieved of his duties in the old post;
  - (d) While on leave, and
  - (e) While under suspension.

## TERMINATION OF LIEN

- (iii) A worker's lien shall not be terminated even with his consent if he is left without a lien or a suspended lien.
- (iv) No worker shall acquire a lien on the post outside his cadre unless his lien on the substantive post is terminated.

## TEMPORARY MOTOR TRANSPORT WORKER

- 11. A person may be appointed temporarily or as a temporary substitute on a permanent post, for unforeseen contingencies e.g. election, emergency etc.

## APPRENTICE MOTOR TRANSPORT WORKER

- 12. A person may be appointed as a trainee by the Corporation on his signing an agreement under the Apprenticeship Act, 1961 and deputed for training with a view to employment in the Corporation. During the period of training, the apprentice shall be paid an allowance as may be determined by the Corporation from time to time and shall be governed by the conditions laid-down in agreement.

## TERMINATION OF EMPLOYMENT

- 13. (i) For terminating employment of a permanent worker notice in writing of the following duration shall be given either by the employer or the worker -
  - (a) one month's notice in the case of a monthly rated worker.
  - (b) Two weeks notice in the case of other workers, provided that the service of a worker may be terminated forthwith by payment to him of a sum equivalent to the amount of his wages for the period of notice or for the period by which such notice falls short of the period prescribed above, as the case may be.

- (ii) A temporary worker or probationer whether monthly rated, weekly rated or piece rated shall not be entitled to any notice or pay in lieu thereof, if his service are terminated.
- (iii) Where the employment of any worker is terminated the wages earned by him and other dues, if any shall be paid before the expiry of the second working day from the day on which his employment is terminated.

14. Not included.

#### SUBSCRIPTION TO PROVIDENT FUND

15. A worker entitled to provident fund benefits shall be required to subscribe to the contributory provident Fund of the Corporation.

#### CHARGE OF AN OFFICE

- 16. Unless for special reasons (which must be recorded by a superior authority) the charge of an office must be made over at the headquarters, both the relieving and the relieved workers being present.
- 17. (a) A permanent worker, who is required to under go a training for any specified period and who resigns during the period of such training or within two years after the completion thereof, shall refund to the Corporation the emoluments paid to him during the period of such training together with other expenses incurred by the Corporation on such training.
  - (b) Every such worker shall be required to execute, before the period of training starts, a bond in the form prescribed.
- 18. (a) The date of compulsory retirement of permanent worker shall be the date on which he attains the age of \*58 years. He may be

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\* Substituted for "55" vide order No. F.2(28)/Accounts (Rules)/84/15174 dated 04.12.1984  
Effective from 23.09.1984

retained in service after the date of compulsory retirement with the sanction of the members of the Corporation in a meeting in the interest of the service of Corporation and for reasons to be recorded in writing , but shall not be retained after the age of 60 years in any case.

- (b) The day on which a permanent worker attains the superannuation age shall be reckoned as non-working day and the worker must retire with effect from and including that day.
- \*(c) A Corporation employee be retired from services w.e.f., afternoon of the last day of the month in which his date of retirement according to the existing provisions falls Accordingly the date of retirement of a Corporation employee be determined as under :-

S.No.	Date of birth	Date of retirement on attaining the age of 55 yrs. or 58 yrs. as the case may be. *Date of retirement on attaining the age of 60 yrs.
1.	1st day of a month	Afternoon of the last day of preceding month.
2.	Any other day of the month	Afternoon of the last day of the month.

These amendments be given effect from 1st of April, 1977.

#### **\*\*d(1) Compulsory Retirement**

Notwithstanding anything contained in the regulation the Corporation, may, if is of the opinion that it is in the interest of the corporation to do so, have the absolute right to retire any corporation employee after he has attained the age of 50 years or on the date he completes 25 years of service whichever is earlier,

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\* Added order No.F.2(23)/Accts./Rules/75-76/2640 dt. 30.04.1977  
Substituted for "55" vide order No. F.2(23)/Accts./Rules///15194 dt. 04/12/1984  
Effective from 28.09.1984

\*\* Added vide order No. F/HQR/Gen./Lab./92/5436 dt. 24.12.92

or on any date thereafter, by giving him 3 months, notice in writing or three months pay and allowance in lieu thereof.

**\*d(2) Voluntary Retirement**

Notwithstanding anything contained herein before Corporation employee may after giving three months previous notice in writing, retire from the service on the date on which he completes 20 years service on the date he attains the age of 45 years or on any other date thereafter.

Note : The period of service rendered in the state Govt. as well as in the Corporation by such an employee shall be counted while accounting the period of 25 years service under above provisions only if the pension contribution is paid by the State Govt. of the employee.

19. Wages, extra wages for overtime, wages during leave etc. of a worker shall be regulated in accordance with provisions contained in the Payment of Wages Act, 1936. The Minimum Wages Act 1948. and Motor Transport Workers Act 1961 and the Factories Act 1948 and rules framed by the Government of Rajasthan there under, as may be applicable to a worker.
20. Subject to the provisions contained in Payment of Wages Act, 1936 and the Minimum Wages Act, 1948 initial wages of a permanent or temporary worker on his appointment in a substantive or temporary or officiating capacity on a higher post carrying a pay scale of which minimum and maximum are higher than the pay scale of the post which he held before his appointment to a higher post shall be fixed at the stage next above the wages notionally arrived at, by increasing the actual wages drawn by him in lower post by one increment at the stage at which wages are drawn.

\* Added vide order No. F/HQR/Gen./Lab./92/5436 dt. 24.12.92

21. An increment in a time scale of pay except next above efficiency bar shall ordinarily be drawn as a matter of course unless it is withheld as a penalty.
- \*Note-Annual grade increment to an employee of the Corporation be allowed from the first of the month in which it would fall due under the operation of the existing rules regulating increment.
22. Where an efficiency bar is prescribed in any time scale the increment next above shall be given to a worker with specific sanction of the competent authority. Conditions on which service counts for increments in a time scale are prescribed as under :-

#### SERVICE COUNTS FOR INCREMENT

23. (i) All duty in a post shall count for increment.
- (ii) Service in another post other than a post carrying less wages on which a worker may be transferred on account of in efficiency or misbehavior or on his written request whether in substantive or officiating capacity.
- (iii) During leave with pay.
- (iv) If joining time is allowed to join a new post on which a worker is appointed while on duty in his old post, or directly on relinquishing of that post it shall count for increment.
- (v) A probationer shall be confirmed only at the end of the probation period or extended period of probation and shall be allowed increments only after confirmation.
- (vi) A period of over-stay of leave does not count for increment unless it is by an order of competent authority specially allowed to count for increments.
- (vii) Time spent in any training sponsored by the Corporation or period of compulsory waiting by a worker returning from leave or after handing over charge of a post for posting on another post or period spent on journey to and from the place of examination and the period occupied in attending an obligatory examination counts for increment.

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\* Added vide order No.F2(28)Accts/Rules/75-76/2640 dt. 30.04.1977 effective from 01.04.1977

- (viii) Any breaks in duty due to accident, lock-out, strike (not being illegal strike) or involuntary closure of the establishment counts for increments.
24. The rates of dearness allowance or any other compensatory allowance shall be determined by the Corporation from time to time.
25. No worker employed in the Corporation shall undertake work in a private or public body or private person or accept remuneration/ payment in lieu thereof.
- Provided that the Corporation may authorize any worker to undertake any private work on payment and direct him to credit to Corporation fund any part of such recurring or non-recurring payment.

## SECTION IV

### LEAVE

26. (1) (A) A Motor Transport worker shall be entitled to leave as per provisions contained in the Minimum Wages Act and the Motor Transport Workers Act 1961 and any rules framed by the Government of Rajasthan there under.
- (B) A workcharged worker shall be entitled to annual leave with wages in accordance with provisions contained in Section 78, 79 and 80 of the Factories Act, 1948.
- \* (C) A worker shall be entitled to one restricted holiday in a year as per terms and conditions laid down in the order circulated or to be circulated by the Competent Authority from time to time.

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\* Added vide order No.F/HQR/Gen/Lab/2013/714 dated 24.09.13

(2) In addition to above, every worker shall get the following paid holidays-

(i)	Republic Day	One day
(ii)	Holi	"" ""
(iii)	Independence Day	"" ""
(iv)	Gandhi Jayanti	"" ""
(v)	Dashera	"" ""
(vi)	Diwali	"" ""
(vii)	Idul Fitur	"" ""

(3) A worker who desires to obtain leave of absence shall apply to the Managing Director or the competent authority appointed in this behalf in writing, stating therein the purpose for which the leave is requested. The period of such leave and also the address where the leave is sought to be enjoyed shall be stated in application.

#### APPLICATION FOR LEAVE

(4) Application for leave must, in normal cases, be made a week before the date, the leave is to commence, and the applicant shall not enjoy such leave unless the orders are passed by the General Manager or a competent authority in this behalf on such application in writing.

(5) In case of refusal to grant leave the authority refusing leave shall state reasons for such refusal and inform the worker.

#### EXTENSION OF LEAVE

(6) Application for leave in continuation to or extension of the leave already being availed of must in all circumstances as far as possible, be made well in time to ensure a reply granting or refusing such extension before the original leave expires. Address shall be given where the reply is requested.

(7) Absence beyond the period of the original leave or extension if not granted shall render the absence liable to lose his lien on his appointment unless :-

- (a) he returns within eight days of the expiry of the leave;
  - (b) Explains to the satisfaction of the General Manager or a competent authority the reasons of his inability to return in time.
- (8) In the case of absence without proper orders of the General Manager or a competent authority authorized in this behalf for ten days or more, such employee shall be liable to suspension under orders in writing. In the event of his not giving satisfactory explanation or evidence to that effect, his services may be terminated by the General Manager or a competent authority.

#### LEAVE ACCOUNT

- (9) Leave account of the worker shall be maintained by the leave sanctioning authority.

#### TIME AND PAYMENT

27. Time and payment of wages and deduction there from shall be governed by the provisions of the Payment of Wages Act, 1936 and the Motor Transport Workers Act, 1961 and the Factories Act, 1948 and the rules framed by the Rajasthan Government there under.

#### HOURS OF WORK

28. The hours of work shall be as provided in the Motor Transport Workers Act, 1961 or the Factories Act, 1948 and the rules framed there under by the State Government as may be applicable to a worker.

#### WEEKLY REST

29. The weekly rest shall be admissible as provided in the Motor Transport Workers Act, 1961 or the Factories Act 1948 and the rules framed thereunder by the State Government, as may be applicable to a worker.

## COMPENSATORY HOLIDAYS

30. The compensatory holiday to a worker shall be admissible as provided in the Motor Transport Workers Act, 1961 or the Factories Act, 1948 and the rules framed thereunder by the State Government, as may be applicable to him.
31. A worker having a permanent or temporary status shall be entitled to joining time on the following conditions:-
- (i) (a) To join a new post to which he is appointed while on duty in his old post, or directly on relinquishing charge of that post
  - (b) To join a new post on return from leave.
  - (ii) (a) Time reasonably required for the journeys between the places of training and the stations to which an employee is posted immediately before and after the period of training is treated as part of joining time.
  - (b) An employee who is appointed while on leave to a post other than that from which he proceeded on leave may be granted full joining time.
  - (c) An employee awaiting posting order on the expiry of leave or otherwise at the place where leave was enjoyed or the place of last duty and is treated on duty under standing orders 4(4) may be granted joining time.
  - (d) Where an order of appointment to join a new post does not involve a change of residence from the station to another, not more than one day shall be allowed to join such new post. A holiday counts as a day for the purpose of this sub regulation.
  - (e) Where prescribed holidays succeed the day of handing over charge of a post and appointment does not involve change of residence and the charge is handed over in afternoon, the first holiday may be allowed as joining time and the next holiday (s) suffixed to joining time.

#### PERIOD OF JOINING TIME ADMISSIBLE

- (iii) Six days time shall be granted for preparation and in addition, a period to cover the actual journey will be calculated as follows :-
- (a) For the portion of journey - one day for each travel =
    - (i) by rail 300 K.M.
    - (ii) by motor car or bus playing  
for public hire 125 K.M.
    - (iii) In any other way 25 K.M.
  - (b) for fraction of a distance prescribed in (a) above a day will be allowed.
  - (c) A Sunday will not be counted as a 'day' for the purpose of these calculations, but Sundays will be included in the maximum period of joining time of 30 days.
  - (d) Travel by road not exceeding 8 K.M. to and from railway or Bus station at the beginning of a journey will not count for calculating time.
  - (e) Joining time shall be counted by the route which is ordinarily used for travel unless competent authority, for special reasons, otherwise orders.
  - (f) Joining time shall be calculated from the place other than the worker's headquarters, if he is authorized to take over charge of the post at such other Place.
  - (g) If worker is appointed to a new post while in transit from one post to another his joining time, excluding second period of six days begins on the day following the day on which he received the order of appointment
  - (h) If a worker takes leave while in transit from one post to another, the period which has since elapsed after handing over charge of the old post shall be included in his leave.

- (i) A worker while on leave will be entitled to joining time when appointed to a new post provided that the joining time will be calculated from his old station or from the place in which he received order of appointment whichever calculation will entitle him to less joining time.

#### ADMISSIBILITY OF A MAXIMUM JOINING TIME

- (iv) Joining time may be extended by a competent authority up to the maximum limit of 30 days on such conditions as he may think fit in the following circumstances –
  - (i) When a worker falls sick on the journey on transfer.
  - (ii) When a worker has spent more time on joining than is allowed under standing order 31 for the reasons beyond his control and notwithstanding due diligence on his part.
- (v) A worker on joining time shall be treated as on duty and shall draw his wages as under :-
  - (a) If on joining time under clause (i) of standing order 31, he will draw the wages which he would have drawn had he not been transferred or the wages which he will draw on taking over charge of his new post, whichever is less.
  - (b) If no joining time under clause (ii) of standing order 31 he will draw wages at the rate at which he last drew it on leave.
  - (c) If the transfer to the new post is not made in the interest of the corporation, but at the request of the worker himself, no payment will be allowed while on joining time but a competent authority may grant leave admissible to him to cover the period between the date of handing over charge at old station and that of taking over charge at another station, if he applies for such leave.

- (d) A worker transferred to a post on return from leave shall, during the period of taking over charge, draw the presumptive pay of the post held by him substantively before proceeding on leave and if he was holding the post in officiating capacity he will draw the officiating pay of that post or the pay which will be admissible to him after taking over charge, whichever is less.
- (e) No wages or leave wages shall be admissible, if a worker does not join his new post on expiry of joining time, willfull absence from duty on expiry of joining time will be treated as misbehaviour for the purpose of clause (L) of standing orders 32.
- (f) If the taking over charge of a new post by a relieving officer consists of several stores or scattered works which the reliever or relieving officer are required to inspect together before the charge is completed, the relieving officer shall be treated on duty during the period of such inspection.

Provided the competent authority is satisfied that such period was not excessive and he will draw the presumptive pay of the post held by him substantively or officiating pay admissible on the post held by him before his transfer or the pay he would draw after the transfer is completed, whichever is less. He will also be entitled to compensatory allowance or house rent allowance as admissible at the new station on the basis of the pay drawn in any of the situation stated above as the case may be.

The limitation of the joining time in respect of S.S.I and A.S.S.I is prescribed as under –

Category of Depot	Post	Time allowed	Condition
'A' class	(i) S.S.I	10 days	When S.S.I is I/c Stores.

Depot	(ii) A.S.S.I	7 days	When S.S.I. is not I/c Stores.
	(i) A.S.S.I.	10 days	When there is no other A.S.S.I in the Stores.
	(ii) A.S.S.I	7 days	When there are more than one A.S.S.I. in the Stores.
'B' class Depot	S.S.I	8 days	When there are more than one A.S.S.I. in the Stores.
	A.S.S.I	7 days	When there is no other A.S.S.I in the Stores.
'C' class Depot	S.S.I	8 days	When the S.S.I. is not assisted by any A.S.S.I.
	S.S.I	6 days	When he is assisted by A.S.S.I
	A.S.S.I	7 days	When there is only one A.S.S.I
	A.S.S.I	6 days	When there are more than one A.S.S.I.

If any extra time is taken, the person to be relieved shall be deemed to have been spared and he may have to either curtail his joining time or treated as leave without pay to the extent of excess over, and above joining time.

#### SECTION V MISCELLANEOUS

- 32.(i) Record of service of a permanent worker shall be maintained by the appointing authority and every step in a worker's official life must be recorded in his service book and each entry attested by the superior authority. No erasures or overwriting should be made in the service book and all corrections should be neatly made and attested.
- (ii) In case of a worker, who is not a permanent worker, a service sheet may be maintained by the appointing authority.

(iii) A permanent worker will be permitted by the competent authority to examine his service book at any time he desires to do so with a view to see that it is properly maintained. A duplicate service book shall also be maintained and allowed to be retained with the worker. Reference to duplicate service book shall be made only when the original service book is lost or missing or is not transferred to the office/section/department, where the worker is presently posted.

33. (i) The General Manager may at any time in the event of fire, catastrophe, Breakdown of machinery or stoppage of power supply, epidemics, civil commotion or other causes beyond his control, stop any vehicle or vehicles, order stoppage of any work of section or sections or department or departments of the Corporation's establishment, wholly or partially for any period or periods, without notice.

(ii) In the event of such stoppage during working hours, the workman effected shall be notified by notice put upon the notice board, as soon as practicable, when work will be resumed and whether they are to remain or leave their place of work. The workman shall not ordinarily be required to remain for more than two hours after the commencement of the stoppage. If the period of detention does not exceed one hour, the worker so detained shall not be paid for the period of detention. If the period of detention exceeds one hour, the worker so detained shall be entitled to receive wages for the whole of the time during which they are detained, as a result of the stoppage. No other compensation will be admissible in case of such stoppage. Whenever practicable reasonable notice shall be given for resumption of normal work.

(iii) The General Manager may in the event of a strike effecting wholly or partially in a section or sections, of the establishment or department or unit, close down either wholly or partially such section or sections,

department or departments effected by such closing down. The fact of such closure shall be notified by a notice to be put on the notice board in the section or department concerned, as soon as practicable. The worker concerned, shall also be notified by the general notice prior to resumption of work as to when work will be resumed.

34. The following acts and omissions shall be treated a misconduct -

#### CONDUCT AND DISCIPLINE

- (a) Failure to observe safety instructions.
- (b) Committing a nuisance while on duty at any place including Corporation premises, branch, booking offices or routes.
- (c) Leaving the Corporation office or branch office or bus or garage or workshop or any other place of duty during the period of duty without permission or when permission is refused.
- (d) Loitering or talking in groups without attending to duty within the premises of the Corporation's office or workshop or garage or branches or any other premises of the Corporation.
- (e) Quarrelling, abusing, teasing threatening, beating or assaulting a fellow worker or any body else in the service of the Corporation or passenger, while they are on Corporation's duty or in Corporation's bus or Corporation's premises.
  
- (f) Indecent, disorderly or rude behavior with any fellow worker or officer or subordinate or business man or customers and any other person connected with Corporation's transport business.
- (g) Sleeping or dozing on duty,

- (h) Coming on duty in drunken state or drinking liquor or in intoxication while on duty or being found drunk during working hours.
- (i) Dishonesty, fraud, theft, malpractice or misappropriation of cash or property.
- (j) Cutting, rubbing, rewriting, over writing in the ticket copies, collection sheets, logbooks and other concerning record or account books and papers with dishonest intention.
- (k) Habitual late attendance on duty.
- (l) Willful insubordination or disobedience or misbehavior whether alone or in combination with others to any lawful order of superior.
- (m) Willful damage to any property of the Corporation.
- (n) Taking or giving bribes or any illegal gratification,
- (o) Habitual absence without leave or absence without leave of more than ten days.
- (p) Habitual breach of any law or rule having the force of law applicable to the establishment.
- (q) Habitual negligence or neglect of work.
- (r) Frequent repetition of any act or omission for which a fine may be imposed to a maximum of 2 percent of the wages in a month.
- (s) Striking work or inciting others to strike work in contravention of the provisions of any law or rule having the force of law, for the time being in force.
- (t) Willful slowing down in performance of work.
- (u) Gambling in any premises of the Corporation including Section, department and offices.
- (v) Committing a cognizable offence or involved in an offence of moral turpitude.
- \* (x) A conductor found allowing a corporation employee without ticket or with a pass without entering in his waybill.

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\* Added vide order No. F/HQR/Gen/Lab/2016/83 dated 09.02.16

\*\*\*(y) An employee found travelling in corporation bus without ticket or having his pass without entering in the waybill.

\*\*34(1) Rajasthan state road transport corporation conduct regulation (enclosed annexure-1)

#### \*SUSPENSION

- 35.(i) Competent authority may suspend a worker for any act or omission of misconduct as described in standing order No. 35 by an order in writing and serve the worker with a charge sheet containing specific charges on which each charge is based and asking him to state whether he desires to be heard in person.
- (ii) A worker shall be required to submit his explanation in writing within a week from the date of service of charge sheet and if he desires to be heard in person a summary enquiry shall be held.
- (iii) During summary enquiry, a suspended worker shall be given an opportunity to cross-examine witnesses or to have such witness called as he may wish or to explain circumstances alleged against him.
- (iv) An order in writing referred to in clause (i) above shall take effect immediately on delivery to worker, and in the event of refusal by the worker to accept delivery of the said order served on him, the affixing of the same on a notice board at the place of his posting will be deemed to be a sufficient service on him.
- (v) Deleted.
- (vi)(a) Where on a complaint of misconduct against a workman, disciplinary proceedings against him are contemplated or are pending or where a case against him in respect of any criminal offence is under investigation or trial and the employer is satisfied that it is necessary or desirable to place the workman under suspension, he may do so by

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\*Substituted vide order No. F83/RSRTC/Lab/75/1750 dt. 16.06.1975 wef 29<sup>th</sup> April 1975

\*\*Added vide order No.F/HQR/Gen/Lab/2016/83 dated 09.02.16

serving on the workman an order in writing to that effect. Such an order shall take effect immediately on delivery to the workman. It shall be accompanied by a charge sheet explaining in details the reasons for such suspension and the workman shall be given an opportunity for defending himself.

- (b) The workman, who is placed under suspension shall during the period of such suspension, be paid subsistence allowance at the following rates-
  - (i) Where the enquiry is departmental, the subsistence allowance shall be equal to  $\frac{1}{2}$  of his wages as defined in the Payment of Wages Act, 1936 (Central Act 4 of the 1936), for the first 90 days. If the departmental enquiry gets prolonged and the workman continues to be under suspension for a period exceeding 90 days the subsistence allowance, shall be paid @  $\frac{3}{4}$  of the wages, but if the enquiry is delayed beyond 90 days due to reasons directly attributable to the workman, the subsistence allowance shall be reduced to  $\frac{1}{4}$ th of the Wages,
  - (ii) Where the enquiry is by an outside agency or as the case may be, where any criminal charge against the workman is under investigation or trial, the subsistence allowance shall be equal to  $\frac{1}{2}$  of his wages as defined in the Payment of Wages Act, 1936 (Central Act 4 of 1936), for the first 180 days. If such an enquiry gets prolonged and the workman continues to be under suspension for a period exceeding 180 days. the subsistence allowance shall be paid @  $\frac{3}{4}$  of the wages. But if the enquiry is delayed beyond 180 days due to reasons directly attributable to the workman the subsistence allowance be reduced to  $\frac{1}{4}$  of the wages.
- (c) If on conclusion of the enquiry, or as the case may be, of the criminal proceedings the workman has been found guilty of the charge and it is considered that an order of dismissal may

meet the ends of justice, the employer shall pass orders accordingly. When such orders are passed the workman shall be deemed to have been absent from duty during the period of such suspension and shall not be entitled to any remuneration for such period but the subsistence allowance already paid to him shall not be recovered.

Provided that in case of a workman to whom the provisions of clause (2) of Article 311 of the Constitution of India apply the provisions of the Article shall be complied with.

- (d) If, on conclusion of the enquiry or as the case may be, of the criminal proceedings, the workman has been found not guilty of the charge, he shall be deemed to have been on duty during the period of such suspension and shall be entitled to the same wages as he would have received if he had not been suspended, after deducting subsistence allowance paid to him for such period.
- (e) The payment of subsistence allowance shall, however, be subject to the workman concerned not taking any employment during the period of his suspension.
- \* (vii) An appeal against and appealable punishment imposed shall lie to the next higher authority and shall be preferred within 30 days of the passing of the orders. Decision of the next higher authority shall be final.

No.F./RSRTC/Lab/75/2575

Dated 25th Aug.,1975

### CIRCULAR

Sub :- Administrative instructions on modified Standing Orders No.35 of the Rajasthan State Road Transport Corporation Standing Orders.

Recent modification in order No.35 of the Standing Orders has already been intimated to all concerned separately. The following

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\* Substituted vide order No. F/HQR/Gen/Lab/2016/83 dated 09.02.16

administrative instructions necessary for implementing the amendment are issued for guidance of all concerned –

1. The modified Standing orders are operative with effect from 29<sup>th</sup> April , 1975.
2. The subsistence allowance during the suspension period shall be paid at the following rates –
  - (a) If the enquiry is departmental, the subsistence allowance shall be equal to 1/2 of wages for the first 90 days.
  - (b) If the department enquiry gets prolonged and the workman continues to be under suspension for a period exceeding 90 days the subsistence allowance shall be paid at 3/4 of the wages.
  - (c) If the enquiry is delayed beyond 90 days due to reasons directly attributable to the employee, the subsistence allowance shall be reduced to 1/4 of the wages.
3.
  - (a) If the enquiry is by an outside agency like investigation by the Police Department or trial on apprehension of commission of a crime, the subsistence allowance shall be equal to 1/2 of his wages for the first 180 days.
  - (b) If such an enquiry gets prolonged and the employee continues under suspension for a period exceeding 180 days, the subsistence allowance shall be paid at the rate of 3/4 of the wages.
  - (c) But if such enquiry is delayed beyond 180 days due to reasons directly attributable to the workman, the subsistence allowance shall be reduced to 1/4 of the wages.
4. If on conclusion of the enquiry or as the case may be, of the criminal proceedings, the workman has been found not guilty of the charge, he shall be deemed to have been in employment during the period of such suspension and he shall be entitled to the same wages as he would have received, had he not been suspended, after deducting the subsistence allowance paid to him for such a period.

5. The employee shall be entitled to subsistence allowance in case he does not accept employment elsewhere. Therefore, at the time of payment of subsistence allowance the employee concerned shall be required to produce a certificate to the effect that he was not in employment anywhere during the period of suspension for which he was claiming subsistence allowance.
6. while issuing suspension order, it shall also be simultaneously added therein that the employee will not leave headquarter during the period of suspension. He should be required to present himself in the office of the controlling officer. An attendance register for suspended employee will be necessary.
7. These standing orders have come into force with effect from 29.04.75 and consequently, these are applicable even to those employees who are continuing under suspension. As such wherever necessary suspension period may be extended beyond the present prescribed period of 2 months.
8. Subsistence allowance for the period following 29.04.75 shall be payable in accordance with the modified Standing orders.
9. Enquiry officer conducting enquiry in respect of a suspended employee will intimate to the suspending authority immediately on completion of 90 days of the suspension period informing him of the reasons responsible for not completing the enquiry.
  - (a) He should maintain a register which will facilitate a watch on progress in enquiry cases.
  - (b) Without waiting for a query or a reminder from the suspending authority, the enquiry officer will intimate the suspending authority if delay in completion of enquiry was due to reasons which could be attributed to the suspended employee.
  - (c) Such an intimation from the enquiry officer to the suspending authority will be necessary even in case delay in completion of enquiry cannot be attributed to the employee concerned. In such cases, the enquiry officer will inform accordingly as the

quantum of subsistence allowance beyond 90 days will depend on the intimation from the enquiry officer.

10. No employee shall be kept under suspension beyond a period of 90 days in case of department enquiry unless it was expedient in the over all interest of the Corporation and good discipline. Keeping an employee under suspension for more than 90 days in case of department enquiry, should be on sufficient reasons to be recorded in writing by the suspending authority.
11. In respect of Police enquiry and proceedings before the criminal Court of law, the quantum of subsistence allowance should be decided on the recommendation of the Corporation Counsel contesting the case before the court of law.

These instructions should be adhered to strictly.

General Manager.

- \*36. One or more of the following penalties may for good and sufficient reasons, be imposed on a worker by a competent authority. penalties from (i) to (viii) shall be appealable –
  - (i) Censure :- There censures in a period of one year will involve withholding of one increment.
  - \* (ii)(a) Withholding of increment without cumulative effect.
    - (b) Withholding of increment with cumulative effect or promotion.
  - (iii) Recovery from pay/wages of the whole or part of any pecuniary loss caused to the employer by negligence of breach of any law.
  - (iv) Fine upto 2% of worker's wages.
  - (v) Forfeiture of wages during the period or of suspension.
  - (vi) Reduction to a lower post or grade.
  - (vii) Termination of service, which shall not be a disqualification for future employment.
  - (viii) Dismissal from service which shall be disqualification for future employment.

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\* Substituted vide order No. F/HQR/Gen/Lab/2016/83 dated 09.02.16

## Deductions from wages

37. Deduction from the wages of a worker shall be of the following kinds duly approved by Chief Inspector of Factories under the Payment of Wages Act, 1936 only –
- (i) Fines.
  - (ii) Deductions for absence from duty.
  - (iii) Deductions for damage to or loss of property entrusted to the employee for custody or for loss of money for which he is required to account, where such damage or loss is directly attributable to his neglect or default.
  - (iv) Deductions for house accommodation supplied by the Corporation.
  - (v) Deduction for any amenities and services supplied by the Corporation.
  - (vi) Deductions of income tax payable by the worker.
  - (vii) Deductions for recovery of advances or for adjustment of overpayment of wages.
  - (viii) Deductions required to be made by the order of court or any other authority competent to make such order under any law for the time being in force.
  - (ix) Deductions for subscription to or for repayment of advances from the Provident Fund Scheme.
  - (x) Any other deduction which is obligatory under any law or Act.

## Seniority

38. Seniority in each class of service shall be determined by the date of the order of appointment to a post, in such class of service.

## Complaints

39. All complaints including those relating to unfair or wrongful action on the part of any authority under whom a worker is employed shall be submitted to the General Manager or a competent authority specified in this behalf.

## Certificate on termination of service

40. Every permanent worker shall be entitled to a service certificate at the time of his dismissal, discharge or retirement from service.

## Travelling allowance

41. Travelling allowance shall be admissible to a worker as per regulations that may be framed by the Corporation.

## Free pass concession

42. A worker of the Corporation shall be entitled to travel in the buses owned by the Rajasthan State Road Transport Corporation which ply regularly for the conveyance of passengers as per regulations framed by the Corporation in this respect.
- (i) A free pass shall be issued to each worker once during a calendar year, after he has rendered full one year service in the Corporation.
  - (ii) This concession shall be admissible to a worker and his family. Provided that the number of persons including worker, who travel with a free pass shall be only five.
  - (iii) Benefit of free pass will be allowed only if seating space is available in the bus plying on the route of travel.
  - (v) "Family" for the purpose of this regulation shall include wife/husband, unmarried daughters and sons under 18 yrs of age, and dependent widow mother.

## Medical facilities

43. A worker not covered by the E.S.I. Scheme shall be entitled to medical facilities, as may be prescribed by the Corporation.

## Exhibition of Standing Orders

44. A copy of these orders in Hindi or in English shall be pasted at the General Manager's office and on the notice boards of all the Depot Managers or offices where a transport worker is employed and shall be kept in a legible condition.
45. It shall be incumbent on all the workers to abide by these standing orders and they shall look and safe guard the interest of the Corporation and shall not divulge its secret to anybody.

### SCHEDULE – I

- (1) Supervisory staff of the rank of –
  - (a) Depot Manager and above in the Traffic Department.
  - (b) Asstt. Accounts Officers and above in the Accounts Departments.
  - (c) Senior Foreman Grade (Junior and Senior) and above in the Engineering Department.
  - (d) Air-conditioned technician.
- (2) Clerical and subordinate staff other than those included in the definition of Motor Transport Workers or Factory Worker.
- (3) Peons, Chaprasies, Cycle Sawars, Mali, Orderlie, Waterman in all Departments and Chowkidars and Sweepers in Administrative Offices.

## ANNEXURE-1

### RAJASTHAN STATE ROAD TRANSPORT CORPORATION EMPLOYEES (CONDUCT) REGULATIONS

**1. Short title, extent and applications (1)** These regulations may be called the RSRTC Employees (conduct) Regulations. These Regulations are being framed under section-45 of The Road Transport Corporation Act-1950.

(2) They shall come into force with immediate.

(3) Except as otherwise provided by in these regulations, they shall apply to all employees governed by RSRTC workers and work shop employees standing order 1965.

Provided that when a Corporation employee is placed on deputation to another Corporation or State or Central Government, he shall be governed by the Conduct rules of the Borrower during the period of deputation to the exclusion of these Regulations to that extent:

Provided further that the corporation board may by general or special order exempt a corporation employee belonging to a particular classification from the application of whole or any part of these Regulations:

2. Definitions.– In these regulations, unless the context otherwise requires –

(a) "Appointing Authority" shall have the meaning assigned to it in the RSRTC workers and workshop employee standing order 1965.

(b) Corporation means RSRTC

(c) Corporation employee means any person appointed by corporation whose service are governed under RSRTC employees workers and workshop employees standing order 1965.

(d) "Member of Family" in relation to a Corporation employees includes:-

(i) The wife or husband, as the case may be, of the corporation employee, whether residing with the corporation employee or not, but does not include a wife or husband as the case may be, separated from the corporation employee by a decree or order of a competent court;

- (ii) son or daughter or step-son or step-daughter of the corporation employee and wholly dependent on him, but does not include a child or step-child who is no longer in any way dependent on the corporation employee or of whose custody the Corporation employee has been deprived by or under any law;
- (iii) Any other person related, whether by blood or marriage, to the corporation employee or to the corporation employee's wife or husband, and wholly dependent on the corporation employee.

**3. General.**– (1) Every corporation employee shall at all times–

- (i) maintain absolute integrity; and
  - (ii) maintain devotion to duty and dignity of office.
- (2) (i) Every corporation employee holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all corporation employee for the time being under his control and authority;
- (ii) No corporation employee shall, in the performance of his official duties or in the exercise of powers conferred on him, act otherwise than in his best judgment except when he is acting under direction of his official superior and shall where he is acting under such direction, obtain the direction in writing, wherever practicable, and where it is not practicable to obtain the direction in writing, he shall obtain written confirmation of the direction as soon thereafter as possible.

**Explanation**– Nothing in clause (ii) of sub-regulation (2) shall be constituted as empowering a corporation employee to evade his responsibilities by seeking instructions from, or approval of, a superior officer or authority when such instructions are not necessary under the scheme of distribution of powers and responsibilities.

**4. Improper and unbecoming conduct.** – Any corporation employee who –

- (i) is convicted of an offence involving moral turpitude whether in the course of the discharge of his duties or not;
- (ii) Behaves in public in a disorderly manner unbecoming of his position as a corporation employee; or
- (iii) is proved to have sent an anonymous or Pseudonymous petition to any person in authority;

- (iv) Leads an immoral life;  
shall be liable to disciplinary action.

**4-A Unauthorized occupation of corporation Accommodation –**

Any corporation employee who,

- (i) Occupies corporation accommodation beyond authorisation by General Administration Department or other competent authority, or
- (ii) occupies corporation accommodation when he has his own house at the place of posting except earmarked accommodation, or
- (iii) Contravenes any of the rules/instructions/orders regarding occupation of corporation accommodation including Dak Bungalows, Tourist Bungalows, RSRTC rest house etc., – shall be liable for disciplinary action.

**4B.** An corporation employee found travelling in corporation bus without ticket or having his pass without entering in the way-bill shall be termed as misconduct.

**4C.** A conductor found allowing a corporation employee without ticket or with a pass without entering in his way-bill shall be termed as misconduct.

**4d.** A corporation employee found travelling in a corporation bus without entering pass in the way-bill shall be debarred from using this facility for three years.

**5. Employment of near relatives in firms enjoying patronage. –** No corporation employee shall, except with previous sanction of the corporation permit his son, daughter or dependent to accept employment with private firms with which he has official dealings, with the corporation.

Provided that where the acceptance of the employment cannot await the prior permission of the corporation, or is otherwise considered urgent, the matter shall be reported to the corporation, and the employment may be accepted provisionally subject to the permission of the corporation:

Provided further that if the son/daughter or any other dependants of a corporation employee accepts any employment with a private firm referred to above without the permission and consent of such corporation employee, he shall forthwith report the matter to the corporation.

- 6. Acceptance of employment during leave.**—A corporation employee on leave shall not take any service or accept any employment without the prior sanction of –
- (a) Corporation board, if the proposed service or employment lies elsewhere than in India; and
  - (b) His appointing authority; if the proposed service or employment lies in India;

Provided that the corporation employee who has been granted permission to take any service or accept any employment under this regulation during any leave preparatory to retirement shall be precluded, save with the specific consent of the corporation Board, or the Appointing Authority, as the case may be, from withdrawing his request for permission to retire and from returning to duty.

**Note:**— This regulation shall not be constructed as permitting a corporation employee who avails himself of leave on medical grounds to undertake regular employment during such leave.

**7. Taking part in politics and elections.**—

- (1) No corporation employee shall be a member of, or be otherwise associated with, any political party or any organization which takes part in politics nor shall he take part in, subscribe in aid of, or assist in any other manner, any political movement or activity.
- (2) It shall be the duty of every corporation employee to endeavor to prevent any member of his family from taking part in, subscribe in aid of, or assist in any other manner any movement or activity which is, tends directly or indirectly to be subversive of the corporation as by law established and where a corporation 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 corporation.
- (3) If any question arises whether a party is a political party or whether any organization takes part in politics or whether any movement or activity falls within the scope of sub-regulation (2), the decision of the corporation thereon shall be final.

- (4) No corporation employee shall canvass or otherwise interfere with or use his influence in connection with, or take part in an election to any legislature or local authority;

Provided that –

- (i) A Corporation employee qualified to vote at such election may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted;
- (ii) a corporation 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.

**Explanation.** –This display by a corporation employee on his personal vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election, within the meaning of this sub–regulation.

**Note:–** (i) A corporation employee who has reason to believe that attempts are being made to induce him to break the provisions of this rule by or on behalf of an official superior or superiors shall report the facts to the chairman of RSRTC.

(ii) Proposing or seconding the nomination of a candidate at an election or acting as a Polling agent shall be deemed as an action participating in the election.

- 8. Joining Associations by corporation employee.**–No Corporation employee shall join or continue to be a member of an association the object or activities of which are prejudicial to the interest of the sovereignty and integrity of India or public order or morality.

- 9. Demonstration and strikes.**– No Corporation employee shall –

- (i) engage himself or participate in any demonstration which is prejudicial to the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, Public order, decency or morality, or which involves contempt of court, defamation or incitement to an offence, or
- (ii) resort to or in any way abet any form of strike in connection with any matter pertaining to his service or the service of any other corporation employee.

**10. Connection with the Press or Radio.–**

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

**(2) No corporation employee shall –**

(a) Participate in a radio broadcast, except with the previous sanction of corporation, or

(b) contribute without the previous sanction of his Appointing Authority, any article or write any letter either anonymously or in his own name or in the name of any other person to any newspaper or periodical:

Provided that no such sanction shall be required, if such broadcast or such contribution is of purely literary, artistic, or scientific character and does not contain any matter which a corporation employee is forbidden by any law, rule or regulation to disclose;

Provided further that if such a broadcast or contribution deals with matters relating to a corporation employee's own department, (irrespective of the fact whether) the same has been prepared from official sources or otherwise, the fee chargeable by the officials only shall be charged and he shall not charge any fee which may be payable for such a broadcast or contribution to a non-official.

**11. Criticism of corporation–** No corporation employee shall, in any radio broadcast or on TV or in any document published in his own name or anonymously, pseudonymously or in the name of any other person in any communication to the press or in any public utterance make any statement of fact or opinion –

(i) Which has the effect of an adverse criticism of any current or recent policy or action of the Central Government or of State Government or of the Corporation.

(ii) Which is capable of embarrassing the relations between the Central Government and the Government of any states or Corporation.

(iii) Which is capable of embarrassing the relations between the Central Government and the Government of any friendly foreign country:

Provided that nothing in this regulation shall apply to any statements made or views expressed by a Corporation employee in his official capacity or in the due performance of the duties assigned to him.

**12. Evidence before committee or any other authority.–**

- (1) Save as provided in sub–regulation (3) no corporation employee shall, except with the previous sanction of the Appointing Authority, give evidence in connection with any inquiry conducted by any person, committee or authority.
- (2) Where any sanction has been accorded under sub–regulation (1), no corporation employee giving such evidence shall criticise the policy or any sanction of the corporation or of the State/ Central Government or of the Government of any other State.
- (3) **Nothing in this regulation shall apply to –**
  - (a) evidence given at an inquiry before an authority appointed by Government, Parliament or the State Legislature; or
  - (b) evidence given in any judicial enquiry;
  - (c) evidence given at an departmental inquiry ordered by authority subordinate to the Government/ corporation.

**13. Unauthorised communication of information. –** No corporation employee shall, except in accordance with any general or special order of the corporation or in the performance in good faith of the duties assigned to him, communicate directly or indirectly document or information which has come into his possession in the course of his public duties, or has been prepared or collected by him whether from official sources or otherwise:

Provided that nothing in these regulations shall be deemed to preclude an employee whose duty it is to give publicly to corporation activities in accordance with the general or special direction of corporation form communication with the press;

Provided further that nothing in this regulation shall be deemed to prohibit the disclosure of any information or document by a corporation employee the police(Anti-corruption department) a bonafide belief that the information will lead to checking corruption or other malpractices, or in detecting or punishing delinquents.

**14. Subscriptions.** – No corporation employee shall, except with the previous sanction or order of the corporation or of the prescribed authority, ask for or accept contributions to, or otherwise associate himself with the raising of, any object whatsoever.

**15. Gifts.** –

(1) Save as otherwise provided in these regulations no corporation employee shall accept or permit any member of his family advantage when provided by any person other than a near relative or personal friend having no official dealings with the corporation employee.

**Note(1)**–A casual meal, lift or other social hospitality shall not be deemed to be a gift.

**Note(2)**–A Corporation employee shall avoid accepting lavish hospitality or frequent hospitality from any individual having official dealing with him or from industrial or commercial firms, organizations, etc.

(2) On occasions, such as wedding, anniversaries, funerals or religious functions, when the making of a gift is in conformity with the prevailing religious or social practice, a corporation employee may accept gifts from his near relatives but he shall make a report to the corporation if the value of any such gifts exceeds –

(i) Rs.1500/- in the case of a corporation employee holding any post carrying pay scale of Rs. 6500-10500.

(ii) Rs.750/- in the case of a corporation employee holding any post carrying pay scale of Rs. 3050-4590 and above but below pay scale of Rs. 6500-10500.

(iii) Rs.300/- in the case of a corporation employee holding any post carrying pay scale below of Rs. 3050-4590.

(3) On such occasions a corporation employee may accept gifts from his personal friends having no official dealing with him, but he shall make a report to the corporation if the value of any such gift exceeds –

(i) Rs.500/- in the case of a corporation employee dealing any post carrying pay scale of Rs. 6500-10500 and above.

(ii) Rs.250/- in the case of a corporation employee holding post carrying pay scale of Rs. 3050-4590 and above but below pay scale of Rs. 6500/-.

- (iii) Rs.125/- in the case of a corporation employee holding post carrying below pay scale of Rs. 3050-4590 .
- (4) In any other case, a corporation employee shall not accept any gift without the sanction of the corporation if the value thereof exceeds –
  - (i) Rs.150/- in the case of a corporation employee holding any post carrying pay scale of Rs. 6500-10500 and above.
  - (ii) Rs.50/- in the case of a corporation employee holding any post carrying below pay scale of Rs. 6500-10500/-.

**16. Public demonstrations in honour of Corporation employee.**– No corporation employee shall, except with the previous sanction of the Appointing Authority, received any complimentary or contradictory address or accept any testimonial or attend any meeting or entertainment held in his honour or in the honour of any other Corporation employee.

Provided that nothing in this regulation shall apply to –

- (i) A farewell entertainment in honour of a corporation employee or any other corporation employee on the occasions of his retirement or transfer or any person who has recently quitted service of any corporation; or
- (ii) The acceptance of simple and inexpensive entertainments arranged by public bodies or institutions.

**Note** – Exercise of pressure or influence on any corporation employee to induce him to subscribe towards any farewell entertainment even if it is of a substantially private or informal character, and the collection of subscription from Ministerial or Class IV employees under any circumstances for the entertainments of any Corporation employee not belonging to Ministerial Service or Class IV Service, is forbidden.

**17. Prohibitions of joining or attending educational institutions**– No corporation employee, while in corporation service except with the previous permissions of the Head of Department concerned, shall join or attend any educational institution for the purpose of preparing himself for, or shall appear at, any examination of a recognised Board or University:

Provided that –

- (i) nothing in this regulation shall apply to a corporation employee who applies for and is granted such leave as may be due to him under the RSRTC workers & workshop employee standing order 1965 or RSRTC service regulation for the entire period of the school or college session in which he so prepares himself;
- (ii) A corporation employee who has (in or before the year 1955) passed any previous examinations may be permitted by the Appointing Authority to join or attend an educational institution outside his office hours for the purpose of preparing himself for, and to appear at, the final examination next following such previous examination;
- (iii) a corporation employee may be permitted by the Appointing Authority to join or attend an educational institution outside his office hours for the purpose of preparing himself for and to appear at, the matriculation examination of a recognised Board or University or any other examination held by the recognised Board or University;
- (iv) A technical employee may also, subject to any departmental rules, be permitted by the Appointing Authority to join and attend, outside his office hours, any technical Institution for the purpose of pursuing higher technical studies and sitting at any technical examination.

**Explanation.–**

- (a) The expression ‘previous examination’ immediately preceding the final Intermediate or Degree or Postgraduate examination.

**18. Private trade or employment. –**

- (1) No corporation employee shall, except with the previous sanction of the corporation engaged directly or indirectly in any trade or business or undertake any other employment:

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

**Explanation.–**

(1) Canvassing by a corporation employee in support of the business of insurance agency, commission agency, and of like nature owned or managed by his wife or any other member of his family shall be deemed to be a breach of this sub-regulation.

**19. Investment, lending and borrowing.–**

(1) No corporation employee shall speculate in any stock, share or other investment.

**Explanation.–** Frequent purchase or sale or both of share, securities or other investments shall be deemed to be speculation within the meaning of this sub-regulation.

(2) No corporation employee shall make, or permit any member of his family or any person acting on his behalf to make, any investment which is likely to embarrass or influence him in the discharge of his official duties.

(3) If any question arises whether any transaction is of the nature referred to in sub-regulation (1) or sub-regulation (2), the decision of the corporation thereon shall be final.

(4) (i) No corporation employee shall, save in the ordinary course of business with a Bank or a firm of standing duly authorised to conduct banking business, either himself or through any member of his family or any other person acting on his behalf –

(a) lend or borrow money, as principal or agent, to or from any person within the local limits of his authority or with whom he is likely to have official dealings or otherwise place himself under any pecuniary obligation to such person, or

(b) lend money to any person on interest or in a manner whereby return in money or in kind is charged or paid:

Provided that a corporation employee may, give to, accept from, a relative or personal friend, a purely temporary loan of a small amount with or without interest, or operate a credit

account with a bonafide trades man or make an advance of pay to his private employees.

- (ii) When a corporation employee is appointed or transferred to a post of such nature as would involved him in the breach of any of the provisions of sub-regulation (2) or sub-regulation (4) he shall forthwith report the circumstances to the appointing authority and shall thereafter act in accordance with such orders as may be made by such authority.
- (5) Every corporation employee shall report within a period of one month to the authority prescribed in explanation (2) under regulation 21, every loan advanced or received by him, whether in his own name or in the name of a member of his family, if the amount of such loan exceeds. Rs.5,000.

**20. Insolvency and habitual indebtedness.–**

- (1) A corporation employee shall avoid habitual indebtedness.
- (2) When a corporation employee is adjudged or declared an insolvent or when one moiety of the salary of such corporation employee is constantly being attached, has been continuously under attachment for a period exceeding two years, or is attached, for a sum which, in ordinary circumstances, cannot be repaid within a period of two years, he will be considered liable to dismissal.
- (3) When such corporation employee is not liable to dismissal otherwise than by or with the sanction of the chairman, RSRTC, the matter must, if he is declared insolvent, and may, if a moiety of his salary is attached, be reported to chairman, RSRTC
- (4) In the case of any other corporation employee , the matter should be reported to the Head of the Office or department in which he is employed.
- (5) When a part of an employee salary is attached, the report should show what is the proportion of the debts to the salary; how far they detract from the debtor's efficiency as a corporation employee; whether the debtor's position irretrievable and whether, in the circumstances of the case, it is desirable to remain him in the post occupied by him when the matter was brought to notice or in any post under the corporation.

- (6) In every case under this rule, the burden of proving that the insolvency or indebtedness is the result of circumstances which, with the exercise of ordinary diligence, the debtor could not have foreseen or over which he had not control, and has not proceeded from extravagant or dissipated habits will be upon the debtor.

**21. Movable, Immovable and valuable property.–**

- (1) Every corporation employee shall on his appointment to any service or post and thereafter at such intervals as may be specified by the corporation, submit a return of his assets and liabilities in such form as may be prescribed by the corporation giving the particulars regarding.

- (a) the immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage, either in his own name or in the name of any member of his family 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; and
- (d) debts and other liabilities incurred by him similarly or indirectly.

Note –I. Sub–regulation (1) shall not ordinarily apply to class IV servants but the corporation may direct that it shall apply to any such corporation employee, or class of such corporation employee.

Note –II. In all returns, the values of items of a movable property worth less than rupees 5000 may be added and shown as a lump sum. The value of articles of daily use such as cloth, utensils, crockery, books etc, need not be included in such return.

Note –III. Every corporation employee who is in service on the date of the commencement of these regulations shall submit a return under this sub–regulation on or before such date as may be specified by the corporation after such commencement.

- (2) No corporation employee shall, except with the previous knowledge of the appointing 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:

Provided that the previous sanction of the appointing authority shall be obtained by the corporation employee if any such transaction is –

- (i) with a person having official dealings with the corporation employee; or
  - (ii) otherwise than through a regular or reputed dealer.
- (3) Every corporation employee shall report to the appointing authority every transaction concerning movable property owned or held by him either in his own name or in the name of a member of his family, if the value of such property exceeds Rs.5,000 in the case of a corporation employee holding any post in corporation carrying pay scale of Rs.6500-10500 and above or Rs.2,500 in the case of a corporation employee below pay scale Rs. 2000-3200.

Provided that the previous sanction of the appointing authority shall be obtained if any such transaction is –

- (i) with a person having official dealings with the corporation employee; or
  - (ii) otherwise than through a regular or reputed dealer.
- (4) The corporation or the appointing authority may at any time, by general or special order, require a corporation employee to furnish, within a period specified in the order, a full and complete state of such movable or immovable property held or acquired by him or on his behalf or by any member of his family as may be specified in the order. Such statement shall, if so required by the corporation or by the appointing authority, include the details of the means by which, or the source from which, such property was acquired.
- (5) The corporation may exempt any category of corporation employee belonging to subordinate , Ministerial and Class IV Services from any of the provisions of this regulation except sub–regulation (4). No such exemption shall, however, be made without the concurrence of Department of personnel.

**Explanation.**– For the purpose of this regulation

- (1) the expression ‘ movable property ’ Includes–
- (a) Jewellery , insurance policies the annual premium of which exceeds Rs.5,000 or one sixth of the total annual emoluments received from corporation whichever is less, shares, securities and debentures;
  - (b) Motor cars, motor cycles, horses, or any other means of conveyance; and
  - (c) Refrigerators, radios, radiograms,
- (2) In respect of a corporation employee on Foreign Service or on deputation to any other authority like the Central Government, Corporation, State Undertaking or any other Organisation, the parent department on the cadre of which such corporation employee is borne.
- 22. Representation by corporation employee** – No corporation employee shall make any representation to corporation or any subordinate authority except in accordance with such rules, orders or regulations as corporation employee prescribe in this behalf from time to time.
- 23. Vindication of Act and character of corporation employee.**– No corporation employee shall except with the previous sanction of corporation , have recourse to any court or to the press for the vindication of any official act which has been the subject matter of adverse criticism or an attack of defamatory character.

**Explanation.**– Nothing in this regulation shall limit or otherwise effect the right of any corporation employee to vindicate his private acts or character.

**Note** –In granting sanction to have recourse to a Court, the corporation shall in each case decide whether it shall itself bear the costs of the proceedings or whether the corporation employee shall institute the proceedings as his own expense and, if so, whether in the event of a decision in his favour, the corporation shall reimburse him to the extent of the whole or any part of the cost.

- 24. Canvassing of non-official or other influence.**– No corporation employee shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the corporation.

- 25. Bigamous marriage.**— (1) No corporation employee who has a wife living, shall contract, another marriage without first obtaining the permission of the corporation notwithstanding that such subsequent marriage is permissible under the personal law for the time being applicable to him.
- (2) no female corporation employee shall marry any person who has a wife living without first obtaining the permission of the corporation.

**25A No corporation employee shall. –**

- (i) give or take or abet the 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 purpose of this regulation, “dowry” has the same meaning as in the Dowry Prohibition Act, 1961 (central Act 28 of 1961).

**26. Consumption of intoxicating drinks and drugs. –**A Corporation employee shall –

- (a) 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;
- (b) neither be under the influence of an 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 nor take such drink or drug in such close proximity of time when he has to appear on duty that odour from his mouth or his demeanour may ordinarily make others feel that he had partaken of any intoxicating drug or drink.
- (c) Not appear in public a place under the influence of any drink or drug;
- (d) Not use any intoxicating drink or drug in excess.

**27. Acceptance of passage and hospitality by employee from foreign contracting firms. –** employee should neither accept, nor be permitted to accept, offers of the cost of passage to foreign countries and hospitality by way of free board and lodging there, if such offers are made by foreign firms contracting with corporation either directly or through agents/ representatives in

India. The only exception to this will be in respect of facilities for training abroad offered by foreign firm who obtain re-imbursment from the Foreign Government Servant as part of Aid Programme.

- 28. Acceptance of the hospitability of Subordinate staff while on tour.**—A corporation employee while on tour must take his own arrangement for accommodation and food at places of halt and should not accept the hospitability of the subordinate staff nor should subordinate officers offer such hospitability to their official superiors.
- 29. Litigation on service matters.** —No corporation employee shall attempt to seek in Court of Law a decision on grievances arising out of his employment or conditions of service even in cases where such a remedy is legally admissible, without first taking resort to the normal official channel or redress.
- 30. Interpretation.** —If any question arises relating to the interpretation of these regulations, it shall be referred to the corporation in Department of personnel whose decision thereon shall be final.
- 31. Delegation of powers.**—The corporation may, by general or special order, direct that any power exercisable by it or any head of department under these regulations (except the powers under the regulation (30) and this regulation) shall, subject to such conditions, if any, as may be specified in the order, be exercisable also by such officer or authority as may be specified in the order.

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## ORDER

It has been decided by the Rajasthan State Road Transport Corporation, Jaipur to grant 12 days casual leave in a year to its employees covered under the Motor Transport Workers Act 1961 and the Factories Act 1948. This casual leave may be availed of by the employee in a calendar year i.e. from 1<sup>st</sup> January to 31<sup>st</sup> December.

This casual leave may be allowed to the employees subject to the following conditions –

- (1) Casual leave may be availed of by an employee only after obtaining prior sanction in writing by the controlling officer under whom the employee is working.
- (2) An employee who is freshly recruited may be granted casual leave during the first year as under–
  - (i) Upto 3 days for service of 3 months or less.
  - (ii) Upto 6 days for service of more than 3 months but less than 6 months and
  - (iii) Upto 12 days for service of more than six months.
- (3) An employee will not leave his head quarters during casual leave without previous permission of the casual leave sanctioning authority.
- (4) An employee applying for a casual leave will have to state in his application the specific purpose for which he wants leave.
- (5) If at any time during the period of casual leave of an employee the controlling officer thinks or has reason to believe that the employee is not availing of the leave for the purpose for which he applied leave or that during that period his activities are such which are subversive or prejudicial to the interest of the Corporation working, the controlling officer shall have that right to cancel the leave so granted forthwith and recall the employee to work and the employee

shall be bound by such orders. In case of failure on the part of the employee to obey such orders he shall make himself liable to disciplinary action.

- (6) The controlling officer shall have the right to refuse casual leave to an employee without assigning any reason whatsoever.
- (7) Casual leave not availed of by an employee during a calendar year shall not be carried forward in the next year.
- (8) While applying for casual leave the employee shall have to give his address where he wants to avail of the leave and any communication by the Corporation officers on the said address shall be deemed sufficient service of the employee.
- (9) Casual leave may be granted to an employee for a maximum period of 12 days in a year subject to a limit of 6 days at any one time.

Dy. General Manager

No.F.Hqr/Lab/77/320

Date 12<sup>th</sup> April 1977

### CIRCULAR

Under section 27(v) of the Motor Transport Workers Act 1961 a Motor Transport worker who has worked for a period of 240 days or more during a calendar year shall be allowed during the subsequent a calendar year leave with wages at the rate of one day for every 20 days of work performed during the previous calendar year.

Under Sub-section 5 of section 27 ibid the leave that may be carried forward to a succeeding year shall not exceed 30 days in the case of an adult or 40 days in case of an adolescent.

In normal course, the earned leave should not be refused but it has been observed that in certain cases earned leave has been refused in the interest of Corporation work. In these cases the worker has been deprived of his earned leave since in such cases

benefit of carry forward of leave is not given after 30 days. To remedy this situation it has been decided that if leave is refused to an employee in the interest of Corporation work, the maximum leave that can be carried forward shall be 60 days. In cases where leave has not been applied and refused, the maximum leave which can be carried forward shall remain 30 days only.

General Manager

No.F.Hqr/Lab/77/764

Date 05.05.1977

### CIRCULAR

The Corporation vide its resolution No. 83 dated 31.05.77 has decided that the employees who are covered by the Standing Orders but not getting any benefit of E.S.I. Scheme may be granted 7 days medical leave in a year on production of medical certificate from a registered medical practitioner. In case of hospitalisation, additional leave of three days will be given on production of a certificate from the authorised medical attendant.

This order will come in force with immediate effect.

General Manager

No.F.RSRTC/Lab/77/1190

Date 22.09.1977

### OFFICE ORDER

The Corporation vide its resolution No. 83 dated 31.05.77 has decided that the date of increment to such employees whose services are governed under Standing order will remain the same on account of leave without wages if such leave is taken on medical grounds subject to the production of medical certificate from Registered Medical Practitioner. This order will come into force w.e.f. 1<sup>st</sup> June, 77.

General Manager

No. 1191

Date 22.09.1977

### OFFICE ORDER

The Corporation vide its resolution No. 83/77 dated 31.05.77 has decided that the next increments to such workers whose services are governed under Standing Orders on promotion shall be granted on the date he would have drawn his increment had he continued in the lower post, provided that where the pay is fixed at the minimum of the time scale and the pay so fixed exceeds the pay drawn in the lower post by the amount equal to the amount of the next increment in the lower post plus the amount of the first increment in the higher post, the next increment shall be admissible after completion of service for the full incremental period counting for increment under rules.

This order will come into force w.e.f. 1<sup>st</sup> June,77.

General Manager

No. 1192

Date 22.09.1977

### OFFICE ORDER

The Corporation vide its resolution No. 33 dated 31.05.77 has decided that any woman whose service are governed under Standing Orders who is pregnant and gives in writing to the controlling officer that she expects to deliver a child within six weeks from the date of such notice. She shall be permitted, if she desires to absent herself from work up to the day of her delivery.

The absence of such a woman during the period she is entitled to maternity benefit under the Maternity Benefit Act 1961 or due to illness medically certified to arise out of pregnancy or confinement shall be treated as authorised leave of absence.

The order will come into force w.e.f. 1<sup>st</sup> June,77.

General Manager

No. F2/Acctts/Rules/75-76/3426

Date 14.06.1977

OFFICE ORDER

The Corporation vide its resolution No. 67/77 dated 30.04.77 has decided that the Drivers, Conductors and those working in workshop of the Rajasthan State Road Transport Corporation and are not entitled to E.S.I. benefits may be given the facility of leave with full wages for the period of their hospitalisation as a result of any accident while on duty.

The Depot Manager concerned shall be competent to sanction such leave, keeping in view the circumstances of the case and for this purpose he may also seek second medical opinion.

Chief Accounts Officer

No. Hqr/Legal/LA/77/2568

Date 09.12.1977

OFFICE ORDER

In pursuance of Corporation resolution No. 165/77 the powers are here by delegated to the undersigned to sanction special diet allowance not exceeding Rs. 75/- per month to employees who are governed by the Rajasthan State Road Transport workers and workshop Employees Standing Orders, 1965.

This benefit will be given to the employees who are suffering from Tuberculosis subject to production of a certificate (in the prescribed form) from a competent Medical Authority.

General Manager

CIRCULAR

The certifying authority under the Industrial Employment (Standing Order) Act, 1946 Rajasthan, Jaipur has certified the following new clauses 18D(1) and 18D(2) to be inserted after Clause C in the Rajasthan State Road Transport workers and workshop Employees Standing Orders, 1965. Certified clauses are as under :-

18D(1) Compulsory Retirement

Notwithstanding anything contained in the regulation the Corporation, may, if is of the opinion that it is in the interest of the corporation to do so, have the absolute right to retire any corporation employee after he has attained the age of 50 years or on the date he completes 25 years of service which ever is earlier, or on any date there after, by giving him 3 months, notice in writing or three months pay and allowance in lieu thereof.

18D(2) Voluntary Retirement

Notwithstanding anything contained herein before Corporation employee may after giving three months previous notice in writing, retire from the service on the date on which he completes 20 years service on the date he attains the age of 45 years or on any other date there after.

Note : The period of service rendered in the state Govt. as well as in the Corporation by such an employee shall be counted while accounting the period of 25 years service under above provisions only if the pension contribution is paid by the State Govt. of the employee.

The above addition is being made as per decision of the Certifying authority dated 18<sup>th</sup> Nov. 1992.

Managing Director

OFFICE ORDER

Consequent upon addition of new clauses 18D(1) and 18D(2) in the Rajasthan State Road Transport workers and workshop Employees Standing Orders, 1965 vide order No. Hqr/Gen(Lab)/92/5436 dated 24.12.92, now in continuation of this office order No. 183 dated 08.02.92, it is hereby ordered that the RSRTC Employees Pension Regulation,1989 and the RSRTC Employees GPF Regulation,1989 shall also be applicable for those employees who are governed by the RSRTC Workers and Workshop Employees Standing Order,1965.

The Employees on regular pay scale shall be entitled to submit their option either for existing CPF scheme or for Pensionary benefit alongwith GPF. The option shall be submitted within 60 days from the date of issue of this order.

Manager Director

S.No.:-F/HQR/Gen/Lab/2013/ 714

date:- 24.09.13

CIRCULAR

The certifying authority under the Industrial Employment (standing order) Act 1946, Rajasthan Jaipur has certified the following new clause 26(1)(c) to be inserted after clause 26(1)(b) in the Rajasthan State Road Transport Workers and Workshop Employee Standing Orders 1965. Certified clause is as under :-

26(1)(C)

"A worker shall be entitled to one restricted holiday in a year as per terms and conditions laid down in the order circulated or to be circulated by the Competent Authority from time to time".

Chairman & Managing Director

CIRCULAR

The Corporation vide its resolution No. 16/ 2017 dated 16.08.2017 has resolved to implement of the amendments made in the Maternity Benefit Act, 1961. Women employees of RSRTC are governed by RSRTC Workers & Workshop Employees Standing Order 1965. The said Maternity Benefit Act, 1961 has been amended by Ministry of Law and Justice, Govt. of India, New Delhi vide The Maternity Benefit (Amendment) Act, 2017 (No. 6 of 2017).

The relevant amendments/new provisions are as under :-

This Act may be called the Maternity Benefit (Amendment) Act, 2017. In the Maternity Benefit Act, 1961 (hereinafter referred to as the Principal Act), in section 3, after clause (b), the following clause shall be inserted, namely :-

'(ba) "commissioning mother" means a biological mother who uses her egg to create an embryo implanted in any other woman.

3. In the principal Act, in section 5

(A) In sub-section (3)

(i) For the words "twelve weeks of which not more than six weeks" the words "twenty six weeks of which not more than eight weeks" shall be substituted;

(ii) After sub section 3 and before the first proviso, the following proviso shall be inserted, namely :-

"Provided that the maximum period entitled to maternity benefit by a woman having two or more than two surviving children shall be twelve weeks of which not more than six weeks shall precede the date of her expected delivery;"

(iii) In the first proviso, for the words "provided that", the words "Provided further that" shall be substituted;

- (iv) In the second proviso, for the words "Provided further that", the words "Provided also that" shall be substituted;
- (B) After sub section (3), the following sub-sections shall be inserted, namely :-

"(4) A woman who legally adopts a child below the age of three months or a commissioning mother shall be entitled to maternity benefit for a period of twelve weeks from the date the child is handed over to the adopting mother or the commissioning mother, as the case may be.

- (5) In case where the nature of work assigned to a woman is of such nature that she may work from home, the employer may allow her to do so after availing of the maternity benefit for such period and on such conditions as the employer and the woman may mutually agree."

4. In the principal Act, after section 11, the following section shall be inserted, namely:-

"11A (1) Every establishment having fifty or more employees shall have the facility of creche within such distance as may be prescribed, either separately or along with common facilities;

Provided that the employer shall allow four visits a day to the creche by the woman, which shall also include the interval for rest allowed to her.

- (2) Every establishment shall intimate in writing and electronically to every woman at the time of her initial appointment regarding every benefit available under the Act.

Provisions of the Amendment Act have come into force w.e.f 1<sup>st</sup> April 2017 except those relating to creche facility (section 4(1)) which would come into force from 01.07.2017. BoD of RSRTC has resolved to implement above benefits for women Employees of RSRTC.

Managing Director

### परिपत्र

समस्त सम्बन्धितों का ध्यान निगम मण्डल के पारित प्रस्ताव संख्या 83 दिनांक 31.05.77 के अन्तर्गत इस विभाग से जारी किए गए परिपत्र क्रमांक मु./एफ/श्रम/77/764 दिनांक 05.07.77 की ओर आकर्षित किया जाता है, जिसके द्वारा स्थाई आदेश, 1965 से शासित जिन श्रमिकों को ई.एस.आई. योजना के अन्तर्गत लाभ देय नहीं होते हैं, उन श्रमिकों को पंजीकृत चिकित्सा व्यवसायी का चिकित्सा प्रमाण पत्र प्रस्तुत करने पर एक वर्ष में 7 दिवस के पूर्ण वेतन चिकित्सा अवकाश एवं चिकित्सालय में भर्ती रहने की स्थिति में प्राधिकृत चिकित्सा अधिकारी का चिकित्सा प्रमाण पत्र प्रस्तुत करने पर 3 दिवस के अतिरिक्त पूर्ण वेतन चिकित्सा अवकाश की सुविधा देने का प्रावधान किया गया था, जो यथावत् प्रचलित है।

इस प्रकरण से सम्बन्धित विभिन्न परिस्थितियों पर विचार करने के उपरांत ई.एस.आई. योजना के अंतर्गत नहीं आने वाले स्थाई आदेश, 1965 से शासित श्रमिकों के लिए प्रचलित उक्त पूर्ण वेतन चिकित्सा अवकाश सुविधा के प्रावधान को ई.एस.आई. योजना के अन्तर्गत नहीं आने वाले सेवा विनियम, 1965 से शासित कर्मचारियों के लिए प्रचलित अर्द्धवेतन अवकाश एवं प्राधिकृत चिकित्सा अधिकारी के चिकित्सा प्रमाण पत्र के आधार पर अर्द्धवेतन अवकाश की आदि मात्रा तक पूर्ण वेतन रूपान्तरित अवकाश सुविधा के प्रावधान के अनुसार निम्न प्रकार परिवर्तित करने का निर्णय लिया गया है :-

1. अर्द्ध वेतन अवकाश की देयता :

- (ए) ई.एस.आई.योजना के अन्तर्गत नहीं आने वाले श्रमिक प्रत्येक पूर्ण वर्ष की सेवा पर 20 दिवस के अर्द्धवेतन अवकाश अर्जित करेंगे।
- (बी) ई.एस.आई.योजना के अन्तर्गत नहीं आने वाले श्रमिक किसी एक पूर्ण वर्ष की सेवा में स्थिति परिवर्तित होने पर ई.एस.आई.योजना में जा सकते हैं एवं ई.एस.आई.योजना के अन्तर्गत आने वाले श्रमिक किसी एक पूर्ण वर्ष की सेवा में स्थिति परिवर्तित होने पर ई.एस.आई.योजना से बाहर हो सकते हैं। ऐसी स्थिति में केवल उस अवधि में जब श्रमिक ई.एस.आई.योजना के अन्तर्गत नहीं रहे हो 18 दिवस की सेवा पर 1 दिवस की दर से अर्द्ध वेतन अवकाश अर्जित होंगे। 18 दिवस से कम दिवस पर अर्द्ध वेतन अवकाश अर्जित नहीं होगा।
- (सी) प्रत्येक श्रमिक के सेवा पुस्तिका में अर्द्ध वेतन अवकाश खाता संधारित किया जाएगा। जो श्रमिक दिनांक 01.01.05 को सेवा में थे, उनके लिए प्रथम पूर्ण वर्ष दिनांक 01.01.05 से प्रारम्भ होकर दिनांक 31.12.05 को समाप्त होगा एवं इस पूर्ण वर्ष में अर्जित अर्द्ध वेतन अवकाश दिनांक 01.01.06 को उनके अर्द्ध वेतन अवकाश खाते में जमा किए जाएंगे। जो श्रमिक दिनांक 01.01.05 के बाद सेवा में आए हैं उनके लिए प्रथम पूर्ण वर्ष सेवा में आने की दिनांक से प्रारम्भ होकर 365 दिवस पूर्ण होने पर समाप्त होगा एवं इस पूर्ण वर्ष में अर्जित अर्द्ध वेतन अवकाश इस पूर्ण वर्ष के समाप्त होने की अगली दिनांक को उनके अर्द्ध वेतन अवकाश खाते में जमा किए जाएंगे। अर्द्ध वेतन अवकाश जमा करने का यह चक्र उक्त दोनों प्रकार के श्रमिकों के लिए प्रत्येक वर्ष दोहराया जाएगा।

2. अर्द्ध वेतन अवकाश एवं पूर्ण वेतन रूपान्तरित अवकाश स्वीकृति की स्थितियां :
- (ए) श्रमिकों को उनके आवेदन पर अर्द्ध वेतन अवकाश खाते में जमा अर्द्ध वेतन अवकाशों की मात्रा की सीमा तक किसी मात्रा में किसी समय अर्द्ध वेतन अवकाश उनके निजी कारणों के आधार पर स्वीकृत किए जाएंगे। श्रमिकों अर्द्ध वेतन अवकाश उनके स्वयं की बीमारी के उपचार के लिए भी प्राधिकृत चिकित्सा अधिकारी के प्रमाण पत्र के आधार पर स्वीकृत किए जाएंगे।
- (बी) श्रमिकों को उनके आवेदन पर स्वयं की बीमारी के उपचार के लिए प्राधिकृत चिकित्सा अधिकारी के चिकित्सा प्रमाण पत्र के आधार पर उनके अर्द्ध वेतन अवकाश खाते में जमा अर्द्ध वेतन अवकाश की मात्रा की आधी मात्रा तक पूर्ण वेतन रूपान्तरित अवकाश स्वीकृत किए जाएंगे। जिस मात्रा में पूर्ण वेतन रूपान्तरित अवकाश स्वीकृत किए जाएंगे, उसकी दोगुनी मात्रा में अर्द्ध वेतन अवकाश खाते में जमा अर्द्ध वेतन अवकाश घटा दिए जाएंगे।
- (सी) प्राधिकृत चिकित्सा अधिकारी से तात्पर्य राजकीय चिकित्सालय या राज्य सरकार द्वारा मान्यता प्राप्त चिकित्सा संस्थान या निगम द्वारा मान्यता प्राप्त निजी चिकित्सालय के चिकित्सा अधिकारी या निगम द्वारा अधिकृत चिकित्सा अधिकारी से है।
- (डी) श्रमिकों को उनके आवेदन पर अर्द्ध वेतन अवकाश एवं/या पूर्ण वेतन रूपान्तरित अवकाश और उपार्जित अवकाश एवं/या अवेतनिक अवकाश एक दूसरे के साथ स्वीकृत किए जा सकते हैं किन्तु इनमें से कोई अवकाश आकस्मिक अवकाश के साथ स्वीकृति योग्य नहीं होंगे। अर्द्ध वेतन अवकाश एवं पूर्ण वेतन रूपान्तरित अवकाश अवधि के किसी छोर पर पड़ने वाले निर्धारित सवैतनिक अवकाश, साप्ताहिक अवकाश एवं ऐसे अन्य घोषित अवकाश यदि कोई हो तो उन्हें अर्द्ध वेतन अवकाश या पूर्ण वेतन रूपान्तरित अवकाश से विलग माना जाएगा किन्तु अर्द्ध वेतन अवकाश या पूर्ण वेतन रूपान्तरित अवकाश की अवधि के मध्य में पड़ने वाले निर्धारित सवैतनिक अवकाश, साप्ताहिक अवकाश एवं अन्य घोषित अवकाश यदि कोई हो तो उन्हें ऐसे अवकाश में सम्मिलित माना जावेगा।
- (ई) उपार्जित अवकाश स्वीकृति के लिए सक्षम अधिकारी ही अर्द्ध वेतन अवकाश एवं पूर्ण वेतन रूपान्तरित अवकाश स्वीकृति के लिए सक्षम अधिकारी होंगे।
- (एफ) अनुशासनिक कार्यवाही/सेवानिवृति/स्वेच्छिक सेवानिवृति/त्याग पत्र/देहांत के कारण सेवा से अलग होने की दिनांक को श्रमिकों के अर्द्ध वेतन अवकाश खाते में शेष अर्द्ध वेतन अवकाश की मात्रा के बदले नकद भुगतान देय नहीं होगा।
3. अर्द्ध वेतन अवकाश अवधि एवं पूर्ण वेतन रूपान्तरित अवकाश अवधि में वेतन की देयता :
- अर्द्ध वेतन अवकाश अवधि में, उपार्जित अवकाश अवधि में भुगतान योग्य वेतन का आधा वेतन देय होगा अर्थात् अर्द्ध वेतन अवकाश शुरू होने की दिनांक से एक दिवस पूर्व की दिनांक को देय रहे मूल वेतन का आधा वेतन + मूल वेतन के आधे वेतन पर देय मंहगाई भत्ता + अन्य क्षतिपूर्ति भत्ते सम्बन्धित नियम/आदेश/परिपत्र के अनुसार पूर्ण वेतन रूपान्तरित अवकाश अवधि में उपार्जित अवकाश अवधि की भांति देय वेतन के बराबर वेतन देय होगा।
- यह परिपत्र निगम मण्डल के अनुमोदन की प्रत्याशा में जारी किया जा रहा है।

अध्यक्ष एवं प्रबंध निदेशक

**परिपत्र**

ई.एस.आई.योजना के अन्तर्गत नहीं आने वाले निगम के स्थाई आदेश, 1965 से शासित श्रमिकों को एक वर्ष में पंजीकृत चिकित्सा व्यवसायी के चिकित्सा प्रमाण पत्र के आधार पर 7 दिवस के पूर्ण वेतन चिकित्सा अवकाश एवं चिकित्सालय में चिकित्सा के लिए भर्ती रहने की स्थिति में प्राधिकृत चिकित्सा अधिकारी के चिकित्सा प्रमाण पत्र के आधार पर 3 दिवस के अतिरिक्त पूर्ण वेतन चिकित्सा अवकाश की देय सुविधा को ई.एस.आई. योजना के अन्तर्गत नहीं आने वाले निगम के सेवा विनियम, 1965 से शासित कर्मचारियों को एक वर्ष में 20 दिवस के अर्द्ध वेतन अवकाश एवं प्राधिकृत चिकित्सा अधिकारी के चिकित्सा प्रमाण पत्र के आधार पर अर्द्ध वेतन अवकाश की आधी मात्रा तक पूर्ण वेतन रूपान्तरित अवकाश की देय सुविधा के अनुसार परिवर्तित करने के लिए निगम मण्डल के अनुमोदन की प्रत्याशा में इस विभाग द्वारा परिपत्र क्रमांक एफ 500/मु./श्रम/सामा.॥/05/373 दिनांक 02.02.05 जारी किया गया था।

समस्त सम्बन्धितों को सूचित किया जाता है कि इस विभाग के तत्सम्बन्धित प्रस्ताव संख्या 31/217/05 को निगम मण्डल के निर्णय संख्या 32/05 दिनांक 02.03.05 द्वारा अनुमोदित करके उक्त परिपत्र क्रमांक एफ 500/मु./श्रम/सामा.॥/05/373 दिनांक 02.02.05 की पुष्टि कर दी गई है।

कार्यकारी निदेशक (प्रशासन)

**परिपत्र**

श्रीमान अध्यक्ष एवं प्रबंध निदेशक महोदय के परिपत्र क्रमांक एफ 500/मु./श्रम/सामा.॥/05/373 दिनांक 02.02.05 के द्वारा ई.एस.आई.योजना के अन्तर्गत नहीं आने वाले स्थाई आदेश, 1965 से शासित श्रमिकों के लिए अर्द्ध वेतन अवकाश की देयता से सम्बन्धित आदेश जारी किए गए थे। उक्त परिपत्र के क्रम में सुविधा के लिए निम्न स्पष्टीकरण जारी किए जाते हैं :-

1. दिनांक 01.01.2005 से 31.12.2005 तक अर्जित अवकाश दिनांक 01.01.06 के बाद ही देय होंगे तथा उक्त परिपत्र क्रमांक 373 दिनांक 02.02.05 से पूर्व यदि किसी ने वर्ष 2005 में 7 मेडिकल अवकाश ले लिए हो तो वे अवकाश निरस्त नहीं किए जावे।
2. परिपत्र क्रमांक 373 दिनांक 02.02.05 जारी होने से पूर्व के इस क्रम में प्रचलित आदेश 7 + 3 मेडिकल अवकाश के विषय में स्वतः ही समाप्त हो गए हैं। अतः परिपत्र जारी होने के पश्चात यह लाभ नहीं दिया जावेगा।

अतः परिपत्र संख्या 373 दिनांक 02.02.05 के क्रम में उक्त बिन्दुओं से सम्बन्धित प्रकरणों का निपटारा इस आदेश के प्रकाश में ही किया जावे।

कार्यकारी निदेशक (प्रशासन)

कार्यालय-आदेश

स्थाई आदेशों से शासित कर्मकार जो कि मोटर ट्रांसपोर्ट अधिनियम, 1961 के अथवा फैक्ट्री एक्ट 1948 के तहत वर्णित कर्मकारों को उपार्जित अवकाश इनके खाते में अधिकतम 30 दिवस तक जोड़े जाने का प्रावधान है। निगम हित में उपार्जित अवकाश उपभोग करने से मना किए जाने की स्थिति में अधिकतम 60 दिवसों तक अवकाश खाते में जोड़े जाने का प्रावधान है।

निगम मण्डल के अनुमोदन की प्रत्याशा में आदेश क्रमांक एफ19/मुख्या/श्रम/सामा. 11/04/3825 दिनांक 21.12.04 स्थाई आदेश से शासित कर्मचारियों के उपार्जित अवकाश उनके खाते में अधिकतम सीमा 120 दिवस तक निर्धारित की गई थी। इन आदेशों का प्रभाव तुरन्त प्रभाव से स्थगित किया जाता है।

प्रबंध निदेशक

No. 91/290

Date 05.02.91

**OFFICE ORDER**

In partial modification of this office order No.F/28/RSRTC/Lab/69/278 dated 12.05.1969 employees of the cadres of the being covered under the provisions of RSRTC Workers & Workshop Standing Order, 1965; 15 days casual leave shall be granted in a Calendar year commencing from 1<sup>st</sup> Jan.1991. These casual leave shall be allowed to the employees subject to the following conditions :-

1. Casual leave may be availed of by an employee only after obtaining prior sanction in writing by the controlling officer under whom the employee is working.
2. An employee who is freshly recruited may be granted casual leave during the first year as under—
  - (i) Upto 5 days for service of 3 months or less.
  - (ii) Upto 10 days for service of more than 3 months but less than 6 months and
  - (iii) Upto 15days for service of more than six months.
3. An employee will not leave his head quarters during casual leave without previous permission of the casual leave sanctioning authority.

4. An employee applying for a casual leave will have to state in his application the specific purpose for which he wants leave.
5. If at any time during the period of casual leave of an employee the controlling officer thinks or has reason to believe that the employee is not availing of the leave for the purpose for which he applied leave or that during that period his activities are such which are subversive or prejudicial to the interest of the Corporation working, the controlling officer shall have that right to cancel the leave so granted forthwith and recall the employee to work and the employee shall be bound by such orders. In case of failure on the part of the employee to obey such orders he shall make himself liable to disciplinary action.
6. The controlling officer shall have the right to refuse casual leave to an employee without assigning any reason whatsoever.
7. Casual leave not availed of by an employee during a calendar year shall not be carried forward in the next year.
8. While applying for casual leave the employee shall have to give his address where he wants to avail of the leave and any communication by the Corporation officers on the said address shall be deemed sufficient service of the employee.
9. Casual leave shall be granted to an employee for a maximum period of 15 days in a year subject to a limit of 10 days at any one time.
10. Casual leave shall not be granted in continuation to or in conjunction with other kind of leave.
11. The gazetted holidays/weekly holidays and other declared holidays falling in the beginning, in between and at the end of the casual leave shall be excluded in counting 10 days limit for grant of casual leave at one time.

These orders are issued in pursuance of clause of the settlement made with Rajasthan State Road Employees Union (AITUC) on 28<sup>th</sup> Nov.1990.

Managing Director

### प रि प त्र

औद्योगिक नियोजन (स्थाई आदेश) अधिनियम 1946 में वर्णित प्रावधानों के अनुसार निगम के कर्मचारी एवं कार्यशाला कर्मचारी स्थाई आदेश, 1965 में स्वैच्छिक सेवानिवृत्ति बाबत प्रावधान पूर्व कार्यालय आदेश संख्या F/HOD/GEN/LAB/92/5436 दिनांक 24.12.92 के द्वारा प्रचलित किया गया था। इसके बाद परिपत्र क्रमांक एफ(66)/श्रम/सामा.।।/2000/2585 दिनांक 03.08.2000 तथा परिपत्र क्रमांक एफ(92)/मु./श्रम/सामा.।।/2008 दिनांक 20.03.08 के जरिए स्वैच्छिक सेवानिवृत्ति देने में "क्वालीफाईंग सर्विस" के बारे में स्थिति स्पष्ट की गई थी। प्रायः यह देखने में आया है कि राजस्थान स्टेट रोड ट्रांसपोर्ट वर्कर्स एण्ड वर्कशॉप एम्पलाईज स्टैन्डिंग ऑर्डर की धारा 18 डी(2) के प्रावधानों के अन्तर्गत स्वैच्छिक सेवानिवृत्ति पेंशन योग्य सेवा (qualifying service) जो कि 20 वर्ष है, वे नहीं होने पर भी सक्षम अधिकारियों द्वारा स्वीकृत कर दी जाती है, जो उक्त प्रावधानों के अन्तर्गत नहीं है।

अतः उपरोक्त सभी परिपत्रों में उल्लेखित स्वैच्छिक सेवानिवृत्ति बाबत प्रावधानों को निम्नानुसार पुनः प्रतिस्थापित किया जाता है :-

### 18(D)(2) Voluntary Retirement

Not withstanding anything contained herein before 'Corporation employee may after giving three months previous notice in writing, retire from the service on the date on which he completes 20 years service on the date he attains the age of 45 years or on any other date there after.

विभागाध्यक्षों/मुख्य उत्पादन प्रबन्धकों/मुख्य प्रबन्धकों को निर्देशित किया जाता है कि उक्त प्रावधानों को इस सावधानी के साथ लागू किया जावे कि निगम के स्थाई आदेशों से शासित कर्मचारियों की पेंशन योग्य सेवा (qualifying service) जो कि 20 वर्ष है, पूर्ण होना आवश्यक है, साथ ही 45 वर्ष की आयु भी देखी जावे। ऐसा नही होने पर किसी कर्मचारी को स्वैच्छिक सेवानिवृत्ति स्वीकृत न की जावे। यह भी सुनिश्चित किया जावे कि यदि कोई कर्मचारी लम्बे समय से अनुपस्थित है या उसके विरुद्ध कोई विभागीय जाँच बाकी है तो ऐसी अनुपस्थिति या विभागीय जाँच का निष्पादन लम्बित रहते स्वैच्छिक सेवानिवृत्ति स्वीकृत नहीं होगी। "क्वालिफाईंग सर्विस" का तात्पर्य कर्मचारी द्वारा राजस्थान परिवहन निगम में की गई उस सेवा से है जिसमें वह स्वीकृत स्थाई/अस्थाई पद एवं/अथवा ऑफिसियटिंग रूप में कार्यरत रहा हो। प्रायः यह देखने में आया है कि इन निर्देशों की कठोरता से पालना नहीं की जा रही है। अतः उपरोक्त निर्देशों की कठोरता से पालना की जावे।

अध्यक्ष एवं प्रबन्ध निदेशक

CIRCULAR**1. Amendment of clause 34-**

After the existing sub clause (v) of clause 34 of the said orders, the following new sub clauses (x) and (y) shall be added namely-

Sub clause	Provisions is to be added
<b>34(x)</b>	A conductor found allowing a corporation employee without ticket or with a pass without entering in his waybill.
<b>34(y)</b>	An employee found travelling in corporation bus without ticket or having his pass without entering in the waybill.

**2. Addition of new clause 34(1)**

After existing clause 34 and before existing clause 35 of the said orders, the following new clause shall be added namely:-

"34(1) Rajasthan state road transport corporation conduct regulation (enclosed annexure 1)"

**3. Amendment of clause 35:-**

The existing sub clause (vii) of clause 35 of said orders shall be substituted the following namely:-

"35(vii) an appeal against and appealable punishment imposed shall lie to the next higher authority and shall be preferred within 30 days of the passing of the orders. Decision of the next higher authority shall be final."

**4. Amendment of clause 36:-**

The existing clause 36 of the said orders shall be substituted by the following namely:-

1. "one or more of the following penalties may for good and sufficient reasons, be imposed on a worker by a competent authority. Penalty from (i) to (viii) shall be appealable."

2. The existing sub clause (ii) of clause 36 shall be substituted by the following namely-

"36(ii) (a) withholding of increment without cumulative effect.

(b)withholding of increment with cumulative effect or promotion"

Enclosed Annexure-1

Managing Director

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