

THE CALCUTTA TRAMWAYS COMPANY (1978) LIMITED  
(A GOVERNMENT OF WEST BENGAL UNDERTAKING )  
12, R. N. MUKHERJEE ROAD, CALCUTTA - 700 001

MD/F-3/sp/61

FROM: MANAGING DIRECTOR

To : As below :

October 3, 1991.

"The CTC (1978) Ltd Officers and Supervisors Service Regulation" have been approved by the Government of West Bengal in terms of its Memo No.11975-WT dated 24.9.91. The above regulation shall come into force with effect from the date of approval, that is, from 24.9.91.

Necessary arrangement may kindly be made for its wide circulation.

*A. Swamy*  
( BARIN BASU ) 3/10/91  
MANAGING DIRECTOR

- c.c. All Heads of Depts.
- c.c. CTC Officers' Association.
- c.c. CTC Supervisors' Association.

10 copies with enclosures  
for MD's office file.

CERTIFIED TRUE COPY

*R. N. Ghosh*  
20/11/08

R. N. GHOSH  
Accounts Officer Cum Secretary  
The C.T.C (1978) Ltd.  
12, R. N. Mukherjee Rd  
Kolkata-700001

THE CALCUTTA TRAMWAYS COMPANY, (1978) LIMITED  
( A GOVERNMENT OF WEST BENGAL UNDERTAKING )  
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THE CALCUTTA TRAMWAYS COMPANY, (1978) LIMITED  
OFFICERS AND SUPERVISORS SERVICE REGULATIONS

CHAPTER - I

GENERAL :

1. Short Title :

- (1) These regulations may be called the CTC (1978) Ltd. Officers' and Supervisors' Service Regulations.
- (2) They shall come into force on receipt of approval from the Govt.

2. Application :

These regulations shall apply to all officers and employees of the Company excepting -

- (a) Officers on deputation from the Government.
- (b) Employees covered by the I.D. Act/Factorise Act, all subordinate staff and clerical staff;
- (c) Persons who are in the service of the Government of West Bengal/STC of the State and working under the Corporation on deputation.
- (d) Casual and Badli personnel;
- (e) Apprentices; and
- (f) Persons earning daily wages;

Provided that all of these regulations may apply to persons earning daily wages if it be expressly as provided in the letter of engagement.

3. Definitions :

In these regulations, unless there is anything repugnant in the subject or context :

- (a) "Apprentice" means a person undergoing training under the Company either with or without any stipend or allowance for such training.
- (b) "Company" means the CTC (1978) Ltd.
- (c) "Employee" includes persons including officers employed by the Company before acquisition and continuing in office thereafter.
- (d) "Holidays" means a day declared as such by the Company for Employees generally, or for specified employees or class of employees.
- (e) "Month" means a calendar month.
- (f) "Government" means the State Government.

Note : In calculating a period expressed in terms of months and days, complete calendar months, irrespective of the number of days in each month should first be calculated and the odd number of days calculated subsequently.

4. Terms and expressions used but not defined in these regulations and defined in the West Bengal Service Rules, shall have the meanings respectively assigned to them in the West Bengal Service Rules.

5. Age - how to be computed :

- (a) For the purpose of these regulations, age of an employee shall be computed from the date of birth, evidence regarding which shall be produced by the employee, at the time of appointment or within

- (ii) When the year of birth of any employee is known but not the exact date, the 1st July of the year of birth shall be treated as his date of birth; and when the year and month of birth are known but not the exact date, the first day of the month of birth shall be treated as the date of birth.
- (iii) When neither the year nor the month nor the date is known, a certificate from the Medical Officer of the Company stating the approximate date of birth of the employee may be accepted.
- (iv) When an employee is required to superannuate, revert or cease to be on leave on attaining a specified age, the date of which he attains that age shall be reckoned as a non-working day, and he shall superannuate, revert or cease to be on leave with effect from and including that date. Provided that his date of superannuation/ceasing to be on leave shall be the last day of the month preceding if his date of birth is the first day of a month, and the last day of the same month if the date of birth is a day other than the first of the month.
- (v) Amendment of age shall not be considered on expiry of three months from date of joining.

#### CHAPTER - II

##### Recruitment ::

6.
  - (i) Appointment to all officers' posts, except that of the Managing Director shall be made by the Managing Director either through direct appointments or as per orders of the State Govt or by promotion. Direct appointment shall be made in accordance with the provisions of Art.121 of the Articles of Association of the Company.
  - (ii) Appointment to all other posts shall be made by such authority and subject to such conditions as may be determined by the Board. Recruitment rules for each post shall be framed with the approval of the Govt.
7.
  - (i) There shall be a Selection Board, consisting of not less than three and not more than five members, including a Chairman for filling up vacancies through direct recruitment where such is the manner for filling up such vacancy.  
The life of the Selection Board shall normally be till finalisation of the direct recruitment for which it is constituted, unless otherwise specified.
  - (ii) In the case of recruitment to posts determined by the Company as technical posts, in addition to the members mentioned in Sub-regulation (1) the Selection Board may co-opt not more than two specialists in the concerned discipline.
  - (iii) If there is a vacancy among the members of the Selection Board on account of death or continued absence of any member or due to any other cause, the Company shall appoint another member in his place.
  - (iv) All questions at the meeting of the Selection Board shall be decided by majority of votes of the members present, and in the case of equality of votes, the Chairman or in his absence any other person presiding shall have a second or casting vote.
8. The period for which a non-official member of the Selection Board shall hold office shall be as laid down by the Company where the life of the Board is otherwise than specified under 7(1).
9. All direct recruitment vacancies under the Company for the post of Officers shall be advertised and filled up by direct recruitment in accordance with Notification No.136TU/EC dated 27.3.98 subject to the pay ceiling indicated in Notification No. 1029L dated 15.6.90 of the State Govt.

- (i) the appointing authority may decide that any particular vacancy may be filled up by promotion subject to future adjustment against promotional vacancy;
- (ii) the appointing authority may, in special cases resort to in-house recruitment.

No employee of the Company may accept/continue any other employment, honorary or otherwise. In the case of honorary service, prior written approval of the Managing Director shall be obtained by the employee seeking to render such service.

An employee of this Company may be required to serve on deputation in any STC of the State. State Govt rules re:lien etc shall apply in such cases.

Promotion :

10. Promotion shall be based on seniority-cum-merit, but where two candidates are of equal merit preference shall be given to seniority in service. The Company shall prescribe the mode for assessment of merit.

11. In filling up a vacancy by promotion, the claims of employees of the Company within such consideration zone as may be decided on by the Company holding the categories of posts which are declared to be feeder posts to fill up such a vacancy shall be considered.

12. The Company shall prescribe the different categories of posts which shall be treated as feeder posts for promotion to a particular class of posts, and the length of service which shall make an employee eligible for such promotion.

Age of recruitment & Superannuation :

13. (i) Except as otherwise provided no person whose age exceeds thirtyfive years may be normally admitted into the service of the Company as a fresh recruit, except in senior officers' posts calling for experience and special qualifications.

(ii) The Company may, in special cases, condone an excess in age over the limits laid down in Sub-regulations (i) and (ii) as per procedure laid down by the Government.

14. Except as may be provided in any contract, the date of compulsory retirement, of an employee is the date on which he attains the age of fiftyeight years, subject to the proviso in (iv).

General conditions of service :

15. (i) A person selected for appointment shall be required to undergo medical examination by a Medical Officer appointed by the Company and he shall not be appointed without a medical certificate of fitness.

(ii) The Company shall prescribe the standards of physical fitness for different categories of its employees.

(iii) At any time during his service an employee may be required by the appointing authority to submit himself for medical examination and his service may be terminated if he is found to be below the standard of physical fitness required for his work.

16. A candidate shall ordinarily be appointed after verification of his character and antecedents. Where such verification cannot be completed before a candidate is appointed, he shall be appointed subject to such verification. If the report of such verification is unsatisfactory, the appointment shall be cancelled, and the decision of the appointing authority in this regard shall be final.

17. Unless otherwise provided in any individual contract all employees except those on officiating appointments, shall be on probation for a period not exceeding one year which may be extended upto two years at the discretion of the appointing authority. During the period of probation the service of any employee may be terminated with 48 hours' notice and without assigning any cause.

18. An employee may resign from the service of the Company subject to acceptance of the resignation on giving one month's notice provided that in the case of technical personnel three months' notice shall be necessary. The appointing authority may similarly terminate the services of an employee by giving one month's notice, or in the case of technical personnel three months' notice.

Provided that the period of notice may be reduced or waived on agreement by both sides or in lieu of equivalent salary, if so decided by the Company.

The appointing authority may by order terminate the service of a permanent employee provided that no order of termination shall be passed except after an enquiry in which the employee has been informed of the reasons for termination and has been allowed an opportunity of being heard in the matter.

Pay, Allowances, Honoraria, etc. :

19. (i) The Company shall fix pay scales for its employees with the prior approval of the Govt.
- (ii) The Company shall also fix dearness allowance, house rent allowance and such other allowances as it deems necessary with the approval of the Govt where necessary and in line with that prevailing in the case of Govt. employees of comparable status.

20. The initial pay of an employee shall ordinarily be fixed at the minimum of the time-scale, but the Company may sanction a higher initial pay after having due regard to the age, qualifications and experience of the employee in a particular case.

20A. Increment in the time-scale shall be awarded at the completion of one year and shall be due from the first day of the concerned month. The period of unauthorised absence and the period of special leave without pay shall not be computed in calculating the completion of a year from granting of the last increment.

21. The Managing Director may sanction rewards, honoraria and allowances as incentive for good work in consideration of special arduousness or devotion to duty required in special circumstances.

22. Unless otherwise provided by the Company travelling allowance shall be admissible at the rates and subject to the conditions which are applicable to similar employees of the State Govt.

23. In respect of matters for which no specific provision has been made in these regulations, the rules in the West Bengal Service Rules shall apply, provided that the said rules are not inconsistent with any of the provisions of the Articles of Association or the instant regulations.

Leave :

24. Leave will be guided by rules to be framed by the Company for all categories including officers and supervisors.

Conduct & Discipline :

25. An employee of the Company shall, at all times, maintain a very high standard of integrity and impartiality and shall not behave in a manner which is improper and derogatory to the prestige of the Company.

25A. An employee of the Company shall faithfully perform the duty or obligation imposed on him under any law or by or under the authority of the Company or by any order or direction issued by a superior of the Company in the interest of the Company.

26. An employee shall be regular in attendance and shall devote himself to his duties with due diligence and care. He shall not remain absent or abstain from duty except under proper authority. Frequent late attendance or absence shall be sufficient cause for taking penal action.

27. An employee shall behave in an orderly and peaceful manner and shall not use abusive or filthy language or create any disturbance while inside any premises of or while travelling in any vehicle belonging to the Company. No employee shall disturb the work of another employee of the Company. An employee shall be at the service of the Company at all hours and behaviour outside Company premises shall also be subject to the above conditions.

28. No employee of the Company shall do anything which may cause loss to the Company or damage its properties. Every employee shall take all reasonable steps to prevent any such loss or damage and shall take proper care of any property of the Company placed in his charge.

Private trade or employment :

29. (i) No employee shall, except with the previous sanction of the Company engage in any trade or business or undertake any employment other than his duties or carry on directly or indirectly any business or undertaking or use his position as an employee of the Company to help such business or undertaking.

(ii) An employee of the Company may undertake honorary work of a social or charitable nature or work of a literary, artistic or scientific character, provided that his official duties do not suffer thereby; but the appointing authority may, in its discretion, at any time, forbid him to undertake, or require him to abandon any such work, if it is in its opinion undesirable or likely to occupy so much of his time as to interfere with his official duties, even if permission had earlier been accorded under Regulation 9.

Canvassing of non-official or other outside influence :

30. No employee shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Company or for prevention of penal action proposed against him.

Unauthorized communication of information :

31. No employee shall, except in accordance with any general or special order of the Company or in the performance in good faith of the duties assigned to him communicate directly or indirectly to any outsider or to the Press any document or information which has come into his possession in the course of his duties, or has been prepared or collected by him whether from the Company or otherwise.

Discussion of the policy or action of the Company :

32. No employee shall, in any radio broadcast or in any document published anonymously or in his own name or in the name of any other person or in any communication to the Press or in any public utterances, make any statement of fact or express opinion on any matter which amounts to an adverse criticism of any action or policy of the Company.

Taking part in politics and election :

33. No employee of the Company covered by these rules shall be a member of, or be otherwise associated with, any political party or any organisation 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.

34. (i) Employee shall not call a public meeting for discussing their conditions of service nor shall any employee participate in any such meeting.
- (ii) No employee shall resort to any form of illegal demonstration or strike.

35. No employee of the Company who has a wife living, shall contract another marriage without first obtaining the permission of his appointing authority, notwithstanding that such subsequent marriage is permissible under the personal law for the time being applicable to him.

Acceptance of employment during leaves :

36. An employee on leave shall not take any service or accept any employment without the prior sanction of his appointing authority.

Discipline :

37. The following penalties may, for good and sufficient reason as hereinafter provided, be imposed upon employees of the Company namely.

- (i) Censure.
- (ii) Withholding of increment or promotion, including stoppage at any efficiency bar.
- (iii) Reduction to a lower post or time-scale, or to a lower stage in a time-scale.
- (iv) Recovery from pay of the whole or part of any pecuniary loss caused to the Company by negligence or breach of orders.
- (v) Suspension.
- (vi) Removal from the service of the Company, which does not disqualify from future employment.
- (vii) Dismissal from the service of the Company, which ordinarily disqualifies from future employment.

Explanation : The discharge of a person -

- (a) Appointed on probation, during the period of probation;
- (b) Appointed otherwise than under contract to hold a temporary appointment, on the expiration of the period of the appointment.
- (c) engaged under contract, in accordance with the terms of his contract.

does not amount to removal or dismissal within the meaning of this regulation.

38. The appointing authority for any particular post or an authority which is not subordinate to such appointing authority may, if so authorised by the Company impose any penalty specified in regulation 36 upon employees of the Company.

39. Subject to the condition that no employee may be removed or dismissed by an authority subordinate to that by which he was appointed, the Company may authorise its officers to impose such penalties as may be specified by the Company upon employees subordinate to such punishing authority.

40. No order of dismissal, removal or reduction shall be passed on an employee of Company other than an order based on facts which can lead to his conviction in a criminal court or facts which prove insubordination or negligence of duty and unless he has been informed in writing the grounds on which it is proposed to take action, and has been afforded an adequate opportunity of defending himself. The grounds on which it is proposed to take action shall be reduced to the form of a definite charge or charges, which shall be communicated to the person charged with particulars of the allegations on which each charge is based and of any other circumstances which it is proposed to take into consideration in passing orders on the case. He shall be required, within reasonable time, to put in a written state-

At that enquiry oral evidences shall be heard as to such of the allegations as are not admitted, and the person charged shall be entitled to cross-examine the witness, to give evidence in person and to have such witnesses called, as he may wish, provided that the officer conducting the enquiry may, for special and sufficient reason to be recorded in writing, refuse to call a witness. The proceedings shall contain a sufficient record of the evidence and a statement of the findings and the grounds thereof.

This regulation shall not apply where the employee concerned had absconded or where it is for other reasons impracticable to communicate with him. All or any of the provisions of this regulation may, in exceptional cases, for special and sufficient reasons to be recorded in writing, be waived, where there is difficulty in observing exactly the requirements of the regulation and those requirements can be waived without injustice to the person charged.

41. No order imposing a penalty specified in clauses (ii), (iv) and (v) of regulation 36, other than an order of suspension pending proceedings, shall be passed on any employee of the Company unless he has been given an adequate opportunity of making any representation that he may desire to make and such representation, if any, has been taken into consideration before the order is passed.

Provided that the requirement of this regulation may, for sufficient reasons to be recorded in writing, be waived where there is difficulty in observing them and they can be waived without injustice to the employee concerned.

Appeals :

42. (a) An appeal shall lie from any order passed by an authority other than the Managing Director imposing any of the penalties mentioned in Regulation 36 to the Managing Director.

(b) Appeal shall lie from any order imposing any of such penalties passed by the Managing Director to the Chairman of the Board of Directors.

43. The appellate authority shall consider -

(a) Whether the facts on which the order is based have been established;

(b) whether the facts established afford sufficient ground for taking action; and

(c) whether the penalty is excessive, adequate or inadequate;

and after such consideration shall pass such order as it thinks proper.

44. Every appeal preferred under these regulations shall contain all materials statements and arguments relied on by the appellant, shall contain no disrespectful or improper language, and shall be complete in itself. Every such appeal be addressed to the authority to whom the appeal is preferred, and shall be submitted through official channel.

45. An appeal may be disallowed if -

(a) it does not comply with the provisions of these regulations; or

(b) it is not preferred within one month from the date on which the appellant was informed of the order appealed against; and no new facts or circumstances are adduced which afford grounds for a reconsideration of the case :

Provided that an appeal disallowed on the ground mentioned in clause (a) may be re-submitted within one month from the date on which the appeal has been disallowed after removal of the defects.

46. Notwithstanding anything contained in the foregoing provisions, the Company may, of its own motion or otherwise review an order made by itself or revise an order made by an authority subordinate to it, and make such order in the case as it deems fit. Provided that an order enhancing the penalty shall not be passed unless the employee concerned has been given an opportunity of making any representation which he may wish to make against such enhanced penalty.

Except under very special circumstances no lawyer or agent may be allowed appear either before the authority who conducts an enquiry or any authority to whom an appeal may be made.

For any aspect of discipline not covered by the above regulations the provisions of W.B.S. (C.C. & A) Rules, 1971 shall be applicable.

Suspension :

The appropriate authority may, for gross misconduct, or for prevention of manipulation of records pertaining to the enquiry place an employee under suspension before serving a chargesheet and grant him for his subsistence, such pay not exceeding 75% of his basic pay and such proportion of dearness allowance, as may be considered appropriate in the circumstances. Such suspension shall continue till disposal of inquiry unless withdrawn by the same authority or his superior for reasons to be recorded in writing. (Subsistence allowance as per provisions of the relevant Act shall be payable during such suspension).

An employee detained in police custody for more than 48 hours shall be deemed to have been automatically suspended on completion of 48 hours of such detention.

When the suspension of an employee is held to have been unjustifiable or not wholly justifiable, or when such an employee who has been dismissed or moved or suspended is reinstated, the punishing or the appellate authority of the Company may grant to him for the period of his absence from duty -

- (a) If he is honourably acquitted, the full pay to which he would have been entitled if he had not been removed or suspended and, by an order to be separately recorded, any allowance of which he was in receipt prior to his dismissal, removal or suspension; or
- (b) In other cases, such proportion of the employee's pay and allowances as the punishing or the appellate authority or the Company may decide.

In cases falling under clause (a), the period of absence from duty shall be treated as a period spent on duty. In a case falling under clause (b), the period may be treated as duty or leave but it shall not be treated as on duty unless the punishing or the appellate authority or the Company directs accordingly.

Termination of Employment :

1. The service of an employee of the Company is liable to termination on his conviction of an offence involving moral turpitude or on his becoming insolvent.

Asset Statement :

1. All employees coming under these rules shall be required to submit a statement of assets, movable or immovable, owned by the employee or his wife or standing in the name of his children or dependants or held in lease or mortgage by any of the above-mentioned persons in the form to be prescribed for the purpose within the 30th April of every calendar year. The assets held as on the 1st January of that year will be indicated in the statement. The statement for the year in which these rules come into force will be submitted within one month from the date of coming into force of these rules. Here also the position of assets held as on the 1st January of the year shall be shown. All asset statements shall be submitted in a sealed cover to the Officer authorised by the Company for the purpose.

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