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UNDERTAKING OF  
THE CALCUTTA TRAMWAYS COMPANY LIMITED  
(Incorporated in England)

REVISED STANDING ORDERS

The Company and employees engaged in its various departments are subject to the following Standing Orders regulating conditions of service, in accordance with the provisions in the Industrial Employment Standing Orders Act, 1946.

1. DEFINITION AND CLASSIFICATION

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

Employee means all persons employed by the Company in its various departments.

Employee may be permanent, probationary, temporary or casual.

A Permanent Employee is one whose name has been entered as such in the Company's records and who has been duly notified accordingly by the Departmental Head.

A Probationary Employee is one who is on probation for a specified period.

**The probationary period will be 6 months.**

A Temporary Employee is one who is engaged for any type of work which is of a temporary character.

An apprentice is a learner appointed as such by the Departmental Head and who is paid a nominal wage during the period of his training.

The Company means The Calcutta Tramways Company Limited.

The Agent means the Agent of The Calcutta Tramways Company Limited or any other official to whom his powers have been delegated.

The Head of a Department means the head of one of the various departments of The Calcutta Tramways Company Limited or such other official to whom his powers have been delegated.

The Head of a Section means the Head Office Officer of The Calcutta Tramways Company Limited or such other official to whom his powers have been delegated.

2. NOTICE OF SERVICE

Conditions of service will be displayed on Notice Boards in prominent places and in languages as required by the Act.

3. EXAMINATION AND ENGAGEMENTS

An applicant for employment will be subject to a medical examination by a Company's Medical Officer and any other trade test deemed to be necessary. No reason will be given for refusing an applicant.

All engagements other than temporary are subject to a probationary period as laid down by the Company. On expiry of this period if considered suitable an employee becomes a member of the Permanent Staff.

4. MANNER OF DETERMINING PERIODS OF HOURS OF WORK, REST PERIODS, PAY DAYS AND WAGES RATES

Notices specifying the following will be displayed on Notice Boards :-

- (1) Hours of work and rest periods as required for the proper and efficient running and maintenance of the System and in accordance with the Indian Factory and other relevant acts where applicable.
- (2) Pay days as required by the Payment of Wages Act. (Should an employee be unable to attend for payment at the appropriate time, his dues will be paid on such date as may be specified by the Company. No claim will be entertained after a period of three years).
- (3) Overtime rates as per applicable rules which will include statutory and Tribunal Awards).
- (4) In the special case of the Factory employees these days to be observed as holidays in conformity with statutes, Tribunal Awards and usage.

5. SHIFT WORKING

Shift working will be regulated in accordance with Factories Act where applicable and in other cases according to the rules of the Company. More than one shift may be worked at the discretion of the Company and employees shall work on the shift to which they have been allocated. When the need arises, employees will be transferred from one shift to another by the Company and may be discontinued notification of which will be displayed on the Notice Boards in the proper manner. If shift working is recommended, any staff laid off during the closing down of the shift would be given preference at the time of the recruitment as far as possible.

6. ATTENDANCE AND LATE REPORTING

All employees will be at work at the times fixed and notified to them. Any employee who attends late shall be permitted to commence work up to a grace period allowed by each department. Beyond this grace period an employee may be permitted to work provided he has obtained sanction from his departmental head; he is liable to be paid for such hours as have been worked. An employee absent from his place of work during his working hours, without permission or without sufficient reason will be treated as absent and a deduction will be made from his wages in accordance with the Payment of Wages Act.

7. LEAVE AND HOLIDAYS

According to the various categories of employees, Privilege and Casual Leave will be granted in terms of the Company's rules which includes statutes and Tribunal awards.

Leave applications must be addressed on the prescribed forms to the Departmental Heads and though leave will normally be granted in accordance with the Company's rules it may be postponed temporarily if it interferes with the efficiency of the System. If the leave as per rules of the Company is postponed, the reasons thereof shall be recorded and supplied to the persons concerned when demanded.

8. EXIT, ENTRY AND LIABILITY TO SEARCH

All employees entering their place of work and at any time whilst on duty are liable to be searched by any person authorised by the Company provided that no search shall be made except in the presence of one witness.

A declaration must be made upon entering the Company's premises of any personal property the employee may have in his possession. If circumstances warrant such property will be kept in the safe custody of the Company until his duty ends.

All employees must enter and leave the Company's premises at the place appointed for this purpose.

9. STOPPAGE OF WORK

The Company may at any time or times in the event of fire, catastrophe, breakdown of machinery or stoppage of power supply, shortage of essential raw materials, epidemic, civil commotion or other causes whatsoever beyond the control of the Company, suspend the working of the Tramways System or portion or portions thereof, fully or partially for any period or periods. Notice will be put up as soon as practicable.

10. STRIKES

The Company may in the event of a strike affecting either wholly or partially any one or more section or sections of the System, close down either wholly or partially such section or sections and any other section or sections affected by such closing down and for any period or periods. Notice will be put up as soon as practicable.

11. TERMINATION OF EMPLOYMENT :

Permanent employees who wish to resign must give one month's notice in writing to the Head of their Department.

Except in cases of misdemeanours, permanent employees who are discharged will normally be given one month's notice but if it is considered that an employee should be discharged without notice, one month's wages may be given in lieu of notice.

Temporary employees will be given 14 days' notice before discharge or pay in lieu of notice except in case of misdemeanour.

12. MISDEMEANOUR AND DISCIPLINE

All employees guilty of breaches of discipline by misdemeanours will render themselves liable to punishment by reprimand, warning, suspension, fine, debit, postponement of increment, reversion, discharge, dismissal or such other punishment as may be deemed expedient. All employees will be held liable to pay for loss or misappropriation of Cash or Company Property which may be in their custody or wilful damage to Company Property.

12.(a) The following are major misdemeanours and for commission of any of them the punishment is Reversion, Discharge or Dismissal :

1. Wilful insubordination or disobedience whether alone or in combination with others to any lawful or reasonable order of a Superior including an order to work overtime in accordance with provisions of the Factories Act or Company's Rules.
2. Continuous unauthorised absence in excess of 7 days except cases of Sickness covered by Company rules.
3. Disclosing without authority confidential information about Company's affairs.
4. Demanding, accepting, or offering bribes or any illegal gratification whatsoever.
5. Holding of unauthorised meetings inside the Company's premises provided it does not interfere with the rights under the Indian Constitution.

6. Taking part in or inciting others to take part in illegal strikes or interruption to Company's work.
7. Smoking where prohibited by notice for safeguarding inflammable materials.
8. Failure to observe safety instructions resulting in a major accident.
9. Theft, cheating, impersonation, fraud, dishonesty.
10. Wilfully or due to rashness or negligence endangering the lives, property and safety of others.
11. Wilful damage to Company's property or goods or damage to Company's property or goods due to rashness or negligence.
12. Riotous conduct and/or aggressive behaviour within the Company's premises and/or while on duty.
13. Sleeping on duty in the case of Watch & Ward Staff. Plea of sickness will not be accepted as an excuse unless confirmed by Company's Chief Medical Officer.
14. Jobbing on an employee's own account on the premises of the Company.
15. Conviction in a Court of Law for any criminal offence involving moral turpitude.
16. The collection of Union or other subscriptions or distribution of subversive propaganda leaflets or the posting of subversive notices on or within the Company's premises and tramcars without the sanction in writing of the Agent having been first obtained except as may be permissible under the Constitution of India or the Code of Discipline.
17. Being found guilty of more than three minor offences within a period of 1 or 2 years as the case may be as defined in these rules hereafter.
18. Any other act which is sufficiently serious to constitute a major misdemeanour and for which there is no provision in the above clauses. This clause will be applied sparingly and only in extreme cases, and a charge sheet under this clause shall be issued only by the Departmental Heads themselves, and in consultation with the Establishment Officer.

The Establishment Officer means the Establishment Office of the Uttar Pradesh Tramways Company Limited or such other Officer to whom his power is delegated.

12.(b) MINOR OFFENCES

Except minor accidents by Tram Drivers which will be dealt with in accordance with separate rules hereinbelow provided, minor offences are deemed to include minor negligence or neglect of work, minor inefficiency, short absenteeism of upto 7 days, unpunctuality, irregular attendance, failure to observe safety instructions except those which end in major accidents and which shall be major misdemeanours, sleeping on duty except Watch & Ward Staff for whom this is a major misdemeanour, smoking on duty while at actual work, misbehaviour, committing a nuisance on the Company's premises, improper use of Service Book or non-production of Service Book without reasonable cause or justification, as necessary, or acts or omissions for which a fine may be imposed under the Payment of Wages Act. Each such act or omission shall, unless otherwise provided constitute an offence and the Company reserves to itself the right to impose the following penalties :-

- (a) First offence - Warning
- (b) Second " - Warning which may be accompanied by a fine.
- (c) Third " - Postponement of increment of not more than six months or suspension of not more than 21 days. If it is suspension it shall be imposed in the following manner :-

For a 3rd offence for the 1st time - 7 days  
   - 14 -    2nd " - 14 "  
   - 21 -    3rd " - 21 "

If however an 3rd offence is committed within 2 years of the previous 3rd offence, the next 3rd offence will be treated as the first 3rd offence.

- (d) Fourth " - Reversion, discharge or dismissal without notice or pay in lieu of notice. (will constitute a major misdemeanour if it occurs within one year of the first minor offence in case of dissimilar offence or if it occurs within two years of the first minor offence in case of repetition of the same offence).

Should however no fourth offence be committed within 1 year of the first offence in case of dissimilar offences and 2 years of the first offence in case of repetition of the same offence, the next minor offence will be treated as the first minor offence.

For the purpose of disciplinary action, minor accidents by Tram Drivers shall be dealt with in the following manner :-

6 minor accidents by Tram Drivers in 1 year, for which they are held to blame, will make a major misdemeanour.

If no minor accident for which tram drivers are held to blame occurs within one year from the previous minor accident, the next minor accident will be the first in a sequence for the purpose of this rule.

3 minor accidents for which Drivers are held to blame in any one year, or two successive years, will also make a major misdemeanour.

If punishment is imposed for minor accidents by Tram Drivers, first punishment will be warning, second punishment will be warning which may be accompanied by fine, third punishment may be suspension of not more than 7 days.

The present system of dealing with Drivers' accidents, will be abandoned.

Drivers' will not be called after every minor accident, but 2 or more minor accidents will be dealt with together.

All punishments awarded shall be correctly recorded on the employees' Record Cards and Service Books or in Personal Files.

For the purpose of sub-clauses (c) and (d) of this clause in respect of Traffic Staff only, such minor offences which are dealt with by Officers not below the rank of Chief Traffic Officers shall be taken into account and recorded in the Service Books. Offences dealt with at lower levels shall not be recorded in the Service Books.

Chief Traffic Officers mean Chief Traffic Officers of the Calcutta Tramways Company Limited or such other Officers to whom their powers may be delegated.

13. CHARGE SHEETS

Any employee charged with a major misdemeanour under these Rules except for continual unauthorised absence of over two weeks other than cases of sickness covered by the Company's rules, shall receive a copy of such charge or charges and will be given every opportunity to rebut the charge or charges. If however an employee evades receiving the charge sheet or cannot be found, the charge sheet will be displayed on the Notice Board at his usual place of work and this will be reckoned as due service of charge sheet and the case will be decided in his absence. The charge or charges will be clearly stated in the charge sheet and the employee or employees will be forthwith suspended. The suspension period shall not generally exceed 4 days and in any case should not extend beyond 7 days. A written reply must be submitted by the employee or employees so charged within 3 working days, and as soon thereafter as possible an enquiry will be instituted by the Departmental Head at which an employee so charged shall be given every opportunity to rebut the charge or charges and shall have the right to cross examination. He may by prior arrangement opt to be represented by a fellow-employee. But if an employee does not submit his written explanation as required or does not present himself at the Enquiry the case will be decided in his absence. Except as hereinbefore mentioned no employee will be dismissed or discharged unless a charge sheet has been issued. Cases of continual unauthorised absence will be dealt with in accordance with the following procedure, namely, cases of continual absence beyond 7 days and not exceeding 14 days, except cases of sickness covered by the Company's rules will be dealt with by charge sheets but for cases of continual absence exceeding 14 days, the charge sheet procedure will be dispensed with and the offenders will be treated as automatically discharged.

If the charge, after enquiry is established, the employee concerned in addition to such other punishment as may be imposed, shall be deemed to be absent from duty for the period of suspension and shall not be entitled to any remuneration for such period.

If however, the charge is not established, the employee shall be deemed to be on duty during the period of suspension and shall be entitled to a full day's pay for each working day of suspension.

No employee will be dismissed or discharged except by a Departmental Head.

An employee whose services are dispensed with due to a major misdemeanour will, according to the seriousness of the offence, be discharged or dismissed without notice or pay in lieu of notice.

If discharged, he will receive the benefits due to him in accordance with the Rules of Provident Fund; if dismissed he will forfeit the benefits as laid down in the Provident Fund rules.

An employee who has been discharged or dismissed has the right to appeal to the Agent within a period of 14 days from the date of the order after which period no appeal will be considered.

If a workman refuses to accept a Charge Sheet or to submit an explanation within the stipulated time on being charged with an offence against him, the case will be decided in his absence.

14. COMPLAINT BY EMPLOYEES AND MEANS OF REDRESS

All complaints arising out of employment including those relating to unfair treatment or exaction on the part of the Company, may be submitted to the Company's Labour Officer. All such complaints will be carefully investigated. In the first instance, will be referred to the Departmental Head of the Labour Office, and if necessary, to the Agent, if the seriousness and nature of the complaint so demands.

This shall be without prejudice to any rights or redress an employee may have under any existing law for the time being in force.

15. MEETING

No meetings will be held or attended on the Company's premises without the prior written sanction of the Agent.

16. ACCIDENTS

In the event of any accident involving the Company's property or personnel, or the Company's property or personnel, an immediate report will be made with any names and addresses of witness obtainable. Should any employee be involved in an accident while on duty the terms of the Workman's Compensation Act will apply.



17. RETIREMENT

The retiring age in the Company is 55 years but the age limit may be extended under special circumstances.

18. RIGHTS OF THE COMPANY

The Company's rights relating to fines and deductions under the Payment of Wages Act and rules shall not be affected by the terms of these Standing Orders. Apart from these Standing Orders, rules for guidance and procedure will be issued by the Agent and Departmental Heads.

19. AMENDMENTS

The Company may from time to time amend these Orders in accordance with provisions of the Industrial Employment (Standing Orders) Act 1946, or any amendment thereof.

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