

(No: CVO/Misc/Policy/2019)
BHARAT SANCHAR NIGAM LIMITED
Eastern Court Complex, Ground Floor,
Janpath New Delhi-110001
(Corporate Vigilance Cell)

Dated : 09.08.2019

OFFICE MEMORANDUM

Subject: Imposition of Penalty on delinquent officer regarding

The Government of India's instructions mandates that the nature of the disciplinary action and quantum of punishment has to commensurate with the gravity of the offence committed by the delinquent officer.

2. It has been brought to my notice that Disciplinary Authorities(DAs) are lenient while initiating disciplinary proceedings or imposing the Penalty. Further ,at many times decision of Disciplinary/Appellate/Review Authorities are at variance with above said instructions and penalty proposed is insignificant such as "Reduction of pay by 1 Stage for 3 months" etc.

3. Disciplinary/ Appellate/ Review must appreciate that the levy of penalty should be stringent enough so that it act as a effective deterrent and sends a strong message to the other employees in the organisation to refrain themselves from corrupt practice or any other unlawful activity(ies).

4. In this regard, it is suggested that while deciding the quantum of penalty, Disciplinary/Appellate/Review Authority should take care of the following points:

- I. *Gravity of misconduct, past conduct, the nature of duties assigned to the delinquent, responsibility of the position that the delinquent holds, previous penalty, if any, and the discipline required to be maintained in the department or establishment he/she works.*
- II. *Impact of the misconduct on the values cherished by the Organization. Does it amount to the negation of the basic values such as trust, faith, honesty and integrity?*
- III. *Impact of the misconduct on the image of the organization among the stakeholders. Is it likely to affect the credibility of the organization? Whether the stakeholders are likely to lose faith on the organisation?*
- IV. *Message the punishment will send to other members and stakeholders of the organization?*

- V. *Whether the proposed penalty will serve public interest?*
- VI. *In case of grave misconduct involving lack of integrity such as charges of possession of disproportionate assets illegal gratification etc, the appropriate penalty should be stringent enough to act as a deterrent.*
- VII. *Needless to add, there can be no bar to taking into account the past good conduct of the charged officer and reducing the penalty.*
- VIII. *Genuine procedural mistakes without malafide intent and the past track record including 360° view of the charged official should be taken into account while deciding the penalty.*

You may accordingly suitably sensitize all officers under your jurisdiction towards above points and be advised that while initiating the disciplinary proceedings or deciding /reviewing the penalty above guidelines may be strictly adhered to .


(P.K.Purwar)

Chairman & Managing Director

To,

All Directors of BSNL/ All CGMs