



## MAHARASHTRA STATE ELECTRICITY DIST.CO.LTD.

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**Disciplinary Action Section**  
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### ADMINISTRATIVE CIRCULAR NO. 144 dt.20/2/2008

#### **Sub: Deciding Competent Authority in case of common misconduct for initiating disciplinary action against employee.**

The provision of the Note 1(i) of Schedule 'C' appended to MSEB Employees' S.R. is reproduced below :

*In case of common misconduct or incident involving more than one employee and/or falling under the jurisdiction of more than one Competent Authority specified above, the authority competent to initiate disciplinary action against the employee of the highest rank amongst the employees involved in such a case and under whose jurisdiction the incident occurred, shall be the Competent Authority to initiate/ take disciplinary action against all the employees involved. The appeal against the decision of the Competent Authority shall lie with the Authority immediately next above in the same hierarchy.*

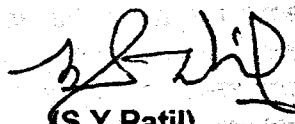
In accordance with the aforesaid provision one of the Zonal Chief Engineer has referred the case to Corporate Office for initiating disciplinary action against all the employees involved in common acts of misconduct amongst whom one of the employee was Superintending Engineer being highest ranking employee.

The highest ranking employee viz. Superintending Engineer in the aforesaid case was already retired from the services of the Company on attaining the age of superannuation.

Hence, a question arisen as to whether the Competent Authority for highest ranking employee including non-serving employee has to take disciplinary action against all the employees involved in aforesaid common acts of misconduct or the authority competent for highest ranking serving employee has to deal with the disciplinary action against remaining employees.

This issue has been examined and in consultation with the Chief Legal Adviser and it has been decided that whenever a case of disciplinary action of common acts of misconduct or incident involving more than one employee arises where highest ranking employee has ceased to serve the Company for any reasons as on the date of initiating disciplinary action, the competent authority in such cases shall be decided on the basis of residual serving employees only (excluding employees who are not in service for any reasons) on the date of initiating disciplinary action.

In view of the above all competent authorities are advised to decide all such cases which are pending for initiation of action and the cases that may arise in future. However, if the actions are already initiated by any Authority higher than the Competent Authority in view of involvement of highest ranking employee who cease to be an employee of the Company for any reason, those cases shall continued to be dealt with by the same authority in view of the proviso to S.R.5.



(S.Y.Patil)

**Chief General Manager(P)**

To  
As per Mailing List upto Divisions