MMTC LIMITED

PERSONNEL DIVISION

CIRCULAR

Date: 03/09/2024

Subject: Terms and Conditions for the Empanelment of Inquiry Officers (IO)

Applications are invited for empanelment of Inquiry Officers (IO) from retired officers of Central Govt/ State Govt/ PSUs and serving employees to conduct Departmental Inquiries in MMTC Ltd.

SUBMISSION OF APPLICATION

Interested applicants are requested to apply in hard copy to Additional General Manager (P), Corporate Office, MMTC Limited.

TERMS AND CONDITIONS OF EMPANELMENT OF INQUIRY OFFICERS

1. Tenure:

The Panel created for the above purpose will be valid for a period of THREE YEARS extendable by one year.

2. Eligibility:

I) The officer should have superannuated from E-8 and above level (Rs. 1,20,000-2,80,000/- as per DPE 2017 pay-scales) or equivalent pre-revised scale & above in PSUs or PESB equivalent or above in Central Govt. or equivalent rank in the State Govt.

II) He/she should not have been penalized in a disciplinary proceeding case during the last ten years (No penalty in disciplinary proceedings or No prosecution in criminal case).

3. Other Terms and Conditions:

He/ she shall be entrusted with the cases for conducting the Inquiry by any Disciplinary Authority as per the rules.

A review of performance of every empanelled IO will be done by CMD, MMTC Limited in consultation with CVO, MMTC Limited as and when required.

The rates of Honorarium and other allowances payable to the IO shall be as under:

<table>
<tr><th>Items</th><th colspan="2">Category</th><th colspan="2">Rate per case (in rupees)</th></tr>
<tr><td rowspan="4">Honorarium</td><td></td><td></td><td>For retired Govt. Servants</td><td>For retired PSU executives</td></tr>
<tr><td>I</td><td>where number of witnesses cited in the charge sheet is more than 10</td><td>An amount equal to 90% of the monthly basic pension drawn.</td><td>An amount equal to 45% of the last drawn Basic Pay.</td></tr>
<tr><td>II</td><td>where number of witnesses cited in the charge sheet are between 6- 10</td><td>An amount equal to 70% of the monthly basic pension drawn.</td><td>An amount equal to 35% of the last drawn Basic Pay.</td></tr>
<tr><td>III</td><td>where number of witnesses cited in the charge sheet is less than 6</td><td>An amount equal to 60% of the monthly basic pension drawn.</td><td>An amount equal to 30% of the last drawn Basic Pay.</td></tr>
<tr><td>Transport Allowance</td><td colspan="4">Rs. 40,000/- per case.

Subject to the condition that for outstation journey, the actual expenses for air travel railways journey will be reimbursed in addition as per their entitled class at the time of retirement (subject to approval of Competent Authority)

Daily allowance (for outstation journey): Same as the officer was entitled to immediately prior to retirement.</td></tr>
<tr><td rowspan="4">Secretarial Assistance Allowance</td><td>I</td><td>where number of witnesses cited in the charge sheet is more than 10</td><td colspan="2">Rs. 40,000/-</td></tr>
<tr><td>II</td><td>where number of witnesses cited in the charge sheet are between 6- 10</td><td colspan="2">Rs.30,000/-</td></tr>
<tr><td>III</td><td>where number of witnesses cited in the charge sheet is less than 6</td><td colspan="2">Rs.20,000/-</td></tr>
<tr><td colspan="4">Secretarial Assistance shall normally not be provided by MMTC Limited. However, in the event of this being provided, secretarial assistance allowance shall not be payable.</td></tr>
<tr><td>Serving Employees</td><td colspan="4">An amount equal to 15% of the monthly basic pay drawn.</td></tr>
</table>

In case of common disciplinary proceedings, an additional amount of honorarium of Rs. 5000 will be payable to the IO for every additional Charged Officer (CO).

Miscellaneous:

MMTC Limited reserves the right to reject any or all applications from the Retired Officers without assigning any reason(s) thereto, MMTC Limited reserves the right to change/modify/ cancel the terms and conditions of the empanelment without assigning any reason or notice thereof.

1. The grant of Honorarium in the case of serving Government servants who are appointed Inquiry Officer/ Presenting Officer and retired Government servants appointed as an Inquiry Officers will be subject to the following conditions:

(i) In the case where serving officers are appointed as IO/PO, the controlling department or the administrative department should make all efforts to relieve the IO/PO of his normal duties to enable him/her to complete the proceedings expeditiously.

2. Before the payment is received by the Inquiry Officer, whether serving or retired, it will be the responsibility of IO to ensure that:

(a) All case records and inquiry report (two ink signed copies) properly documented and arranged is handed over to the office of Disciplinary Authority.

(b)The report returns findings on each of the Articles of Charge which has been enquired into should specifically deal and address each of the procedural objections, if any, raised by the charged officers as per the extant rules and instructions.

(c) There should not be any ambiguity in the inquiry report and therefore every care should be taken to ensure that all procedures for conducting departmental inquiries have been followed in accordance with the relevant rules/instructions of MMTC ECDA Rules by which the delinquent officials are governed.

3. Terms and conditions for appointment of Inquiry Officer: The designated Inquiry Officer shall be required to give an undertaking as follows:

i. that he/she is not a witness or a complainant in the matter to be inquired into or a close relative or a known friend of the delinquent officer. A certificate to this effect will be obtained from the Inquiry Officer with respect to every inquiry and placed on record;

ii. shall maintain strict secrecy in relation to the documents he/she receives or information/data collected by him/her in connection with the inquiry and utilize the same only for the purpose of inquiry in the case entrusted to him/her.

4. No such documents/information or data shall be divulged to anyone during the Inquiry or after presentation of the Inquiry Report. All the records, reports etc. available with the Inquiry Officer shall be duly returned to the authority which appointed him/her as such, at the time of presentation of the Inquiry Report.

5. The Inquiry Officer shall conduct the inquiry proceedings at a location taking into account the availability of records, station/place where the misconduct occurred as well as the convenience of the witnesses/ PO etc. Video Conferencing should be utilized to the maximum extent possible to minimize travel undertaken by the IO/PO/CO. The cadre controlling authorities will facilitate necessary arrangements for the Video Conferencing.

6. The Inquiry Officer shall undertake travel for conducting inquiry (in unavoidable circumstances) with the approval of an authority as may be nominated by MMTC Limited.

7. The Inquiry Officer shall submit the inquiry report after completing the inquiry within 180 days from the date of his/her appointment as the Inquiry Officer. Extension of time beyond 180 days can be granted only by the Authority as may be prescribed.

8. Letter regarding engaging a retired officer as the Inquiry Officer will only be issued with the approval of the Disciplinary Authority of MMTC Limited.

9. Any issue arising out of this EOI. between the Inquiring Officer and the Disciplinary Authority will be decided by the CMD, MMTC, whose decision shall be final and binding on both parties.

10. The IO appointed after following due process of POI, shall furnish monthly reports by 10th day of every month to DA with a copy to CVO, indicating the progress achieved within the prescribed time limit for completing Departmental Inquiry i.e. 180 days in the attached prescribed format of CVC.

11. Further, during the tenure of empanelment as Inquiry Officer in MMTC Limited, if it is found that false documents/declaration have been furnished while seeking empanelment, the empanelment as IO will be immediately cancelled, without assigning any reason(s) thereof

Removal from Empanelment:

Empanelment as IO shall be terminated at any time by the empanelling authority, viz. CMD. MMTC Limited in consultation with the CVO for performance-related or sundry other reasons, after serving a show-cause notice to the empanelled IO, to be replied within 30 days from the date of issuance of such notice. Such show-cause notice shall preferably be issued by Speed post and e-mail.

Important Dates
Date of Commencement of On-line submission of Application: 05/09/2024
Date of Closing of On-line submission of Application: 20/09/2024

No application shall be entertained under any circumstances after the stipulated date. Incomplete applications and applications not submitted as per the prescribed format are liable to be REJECTED.

Application will need to be submitted in hard copy to the Additional General Manager (P), Corporate Office, MMTC Limited.

UNDERTAKING

I, , am willing to be empanelled as the Inquiry Officer. I further reaffirm that I have not been penalized in a Disciplinary Proceeding case (No penalty has been imposed in Disciplinary Proceeding or I have not been prosecuted in criminal case). The information and document provided by me are correct and authentic to the best of my knowledge. 1, hereby undertake that in case of anything adverse is found in contradiction to the above declaration my application for empanelment may be cancelled without giving any further opportunity.

Signature of the applicant:

Name:

Designation at the time of retirement:

Permanent Address:

Emp. No. (only for Retired MMTC Limited employees):

Date:

Place:

Annexure-I

MMTC LIMITED
(A Govt. of India Interprises)

Corporate Office:: NEW DELHI

APPLICATION FOR EMPANELMENT OF INQUIRY OFFICER

1) NAME OF THE APPLICANT :

2) FATHER5'S NAME/HUSBAND'S NAME :

3) DATE OF BIRTH (DD/MM/YYYY) (As on 1st April, 2024) :

4) DATE OF RETIREMENT (FROM GOVT./PSU) :

5) AGE ON THE DATE OF SUBMITTING THE APPLICATION :

6) ADDRESS FOR CORRESPONDANCE :

7) MOBILE/CONTACT NO. :

8) EMAIL ID :

9) NAME OF THE ORGANIZATION LAST SERVED (Central Govt./State Govt./Central PSU: State PSU) :

10) POST HELD AT THE TIME OF RETIREMENT (Post & Level held in case of PSU/ Post held in case of Govt.) :

11) EDUCATIONAL/PROFESSIONAL QUALIFICATION:

12) YEARS IF EXPERIENCE AS INQUIRY OFFICER IF ANY :

S.No.	NAME OF THE ORGANIZATION SERVED (CENTRAL GOVT./STATE GOVT./CENTRAL PSU/STATE PSU	NATURE OF JOB EXPERIENCE PERFORMED	FROM	TO	EXPERIENCE AS INQUIRY OFFICERS IF ANY

13) WHETHER FOUND ACCUSED OR ANY INQUIRY/DISCIPLINARY ACTION IS PENDING :

14) WHETHER ANY PHYSICAL/MENTAL HEALTH ISSUE (kindly submit latest Medical Fitness Certificate) :

15) ADDITIONAL INFORMATION IF ANY MAY BE FURNISHED :

DATE :

PLACE :

(NAME AND SIGNATURE OF THE APPLICANT)

Name of Organisation_____

Annexure-1

Name of Inquiry Officer_____ Report for the month of _____

S. No.	Name and Designation of CO	Date of appointment of IO	Date of Preliminary Hearing	Whether Brief Hearing required. If Yes, date of Brief Hearing	No.of regular Hearings held till the end of the month	Dates of Regular Hearing	Date of submission of PO's Brief	Date of submission of Defence Brief	Date of submission of IO's report	Time taken since appointment as IO (upto the stage inquiry has progressed so far)	Whether time limit given in Commission's Circular No.21.12.21 dated 03.12.2021 is being adhered to. If not, reasons thereof
1	2	3	4	5	6	7	8	9	10	11	12

Signature of Inquiry Officer

To
Disciplinary Authority

Copy to :- Chief Vigilance Officer

Note:- Report to be submitted by IO by 10th day of every month to DA with copy to CVO