

तार : 'फूड्कार्प'
Gram : 'FOODCORP'
फैक्स नं. : एचएफसीआई एनडी
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००६९९९४३५२७४३३

भारतीय
खाद्य
निगम



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CORPORATION
OF INDIA

मुख्यालय
नई दिल्ली
Headquarters
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ISO 9001 : 2000 Certified

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MOST URGENT

No. IR(L)/31(36)/2013

Dated : 06.10.2016

Circular No. 11 /2016

Subject: Extension of Festival Advance to 'No Work No Pay' workmen.

Board of Directors in its 377th meeting held on 28.09.2016 at Hqrs (**copy enclosed**) has approved grant of Festival Advance of Rs.4,000/- (Rupees Four thousand only) for the calendar year 2016 to 'No Work No Pay' system workers (only to those who apply for it) subject to the following conditions:-

- [1] This advance will be given only once in a calendar year;
- [2] This advance will be recovered in 10 (ten) equal monthly instalments;
- [3] The amount of festival advance will be free of interest; and
- [4] Earlier advance, if any, have to be recovered in full before sanction of new advance.

(Dr. C.L. Rain)

Chief General Manager (IR-L)

DISTRIBUTION:

- [1] The Executive Director (Zone), FCI, Zonal Office, NOIDA/ CHENNAI/ KOLKATA/ MUMBAI/GUWAHATI.
- [2] The General Manager (Region), FCI, Regional Office, New Delhi/ Chandigarh/ Panchkula/ Shimla/ Jaipur/ Lucknow/ Dehradun/ Jammu/ Mumbai/ Bhopal/ Ahmedabad/ Raipur/ Patna/ Ranchi/ Kolkata/ Bhubaneswar/ Shillong/ Guwahati/ Dimapur/ Itanagar/ Arunachal Pradesh / Chennai/ Thiruvananthapuram/ Bangalore/ Hyderabad.
- [3] The GM (P&IR / F), FCI Hqrs, New Delhi.
- [4] The DGM(IT), FCI Hqrs, New Delhi ... with the request to upload the same on FCI website.
- [5] The Principal, IFS, FCI, Gurgaon.
- [6] The AGM(FAP), FCI, Hqrs.
- [7] Guard file.

Item No. 40 /2016 (377th –BD) on Review petition of Shri V. Elumalai, Area Manager, Cuddalore (Tamil Nadu) now DGM(Hindi), FCI.

The Board was informed that the Review Petition of Shri V. Elumalai has been placed before the Board on priority as per directions of the Hon'ble High Court of Judicature at Madras dated 26.7.2016 in W.P.No. 24093 of 2016 viz:-

" Taking into consideration that the next promotion is due to the petitioner and without going into the merits of the claim made by the petitioner, directs the 1st respondent to consider the statutory review application, dated 29.4.2016 and pass appropriate orders , on merits and in accordance with law, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order. "

Accordingly, facts of the case including contents of the charge sheet, inquiry report, CO's written statement of defense, penalty order, orders passed by the Appellate authority , contents of the instant Review petition alongwith the related records were placed before the Board.

In pursuance of the directions of the Hon'ble Court, the Board considered all the facts of the case and the contentions of the appellant and decided that there is no need to give the petitioner a personal hearing.

One of the submissions made by the petitioner was that he is from the Hindi Cadre who was given the role of Area Manager and hence was not conversant with the rules. Board observed that this contention cannot be held tenable as once an officer has been given the responsibility, especially of the important and critical post of Area Manager, he is supposed to acquaint himself with all rules and regulations and ensure that interests of the Corporation are safeguarded by all means. Plea of being a Hindi Officer has already been considered sympathetically by the Inquiry Officer and the Appellate Authority and hence this cannot be a ground for taking a lenient view on his role in the matter.

The Board further observed that tenders for PEG godowns at Villupuram district was floated by the Regional Office, Chennai and the contracts to the selected bidder were also awarded by the Regional Office, Chennai. The role of the petitioner was limited to being associated with the site inspection committee constituted by the Regional Office for inspecting the proposed site as per the check list provided by the Regional Office. As per entries in the check list, it is apparent that only a lease deed was provided to the Committee for site inspection and original documents were not provided. It is apparent that the lease deed provided was for Survey No. 253 in Villupuram whereas the check list

5. ITEM NO. 38/2016 (377th -BD)

SUB: Status Report on Fund Projection for the year 2016-17.

The Board noted the financial status, for the year 2016-17.

6. ITEM NO. 39/2016 (377th -BD)

SUB: Revised guidelines /Criteria for reimbursement of expenses for In-Vitro Fertilization (IVF) to the employees of the corporation -reg.

The board deliberated the proposal and passed the following resolution:-

Resolved That the proposal as contained in para 4 of the Agenda Note be and is hereby approved.

7. ITEM NO. 40/2016 (377th -BD)

SUB: Statutory review under the FCI, Staff Regulations, 1971 preferred by Sh. V. Elumalai, aggrieved with the orders of the appellate Authority, to be decided on priority in compliance to the directions of Hon'ble High Court Madras.

It was proposed by the CMD, FCI that as "he being the Appellate Authority" had passed the impugned orders on 8th April 2016 on the Disciplinary Proceedings against Shri V. Elumalai, so he will not be participating as CMD while the Board considers the Review Petition. Further, the Board was requested to guide whether it would like to give personal hearing to the petitioner in the cases where their appeal/ Review petitions are placed before the Board for decision. The Board was of the opinion that personal hearing with opportunity to present his case has already been given to the appellant at the enquiry stage and by Disciplinary/Appellate Authority. The Board would hence like to decide the appeal/ review petitions on merits of the case as per the evidence on record. However, the Board at its discretion may grant personal hearing on a case to case basis as per requirements of the matter.

As per Regulation 7(2) of FC Act, 1964, "If the Chairman is not present at any such meeting, the Directors present shall choose one from among themselves to be Chairman of the meeting". Thus, AS&FA was nominated by the Directors present in the meeting to preside over the meeting for discussion on

