

MISSION KARMAYOGI
PROPOSED COMPETENCY BASED TRAINING MODULE

HUMAN RESOURCE MANAGEMENT - DISCIPLINARY WORK

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Assignment on Mission Karamayogi
Human Resource Management - Disciplinary Work

Introduction

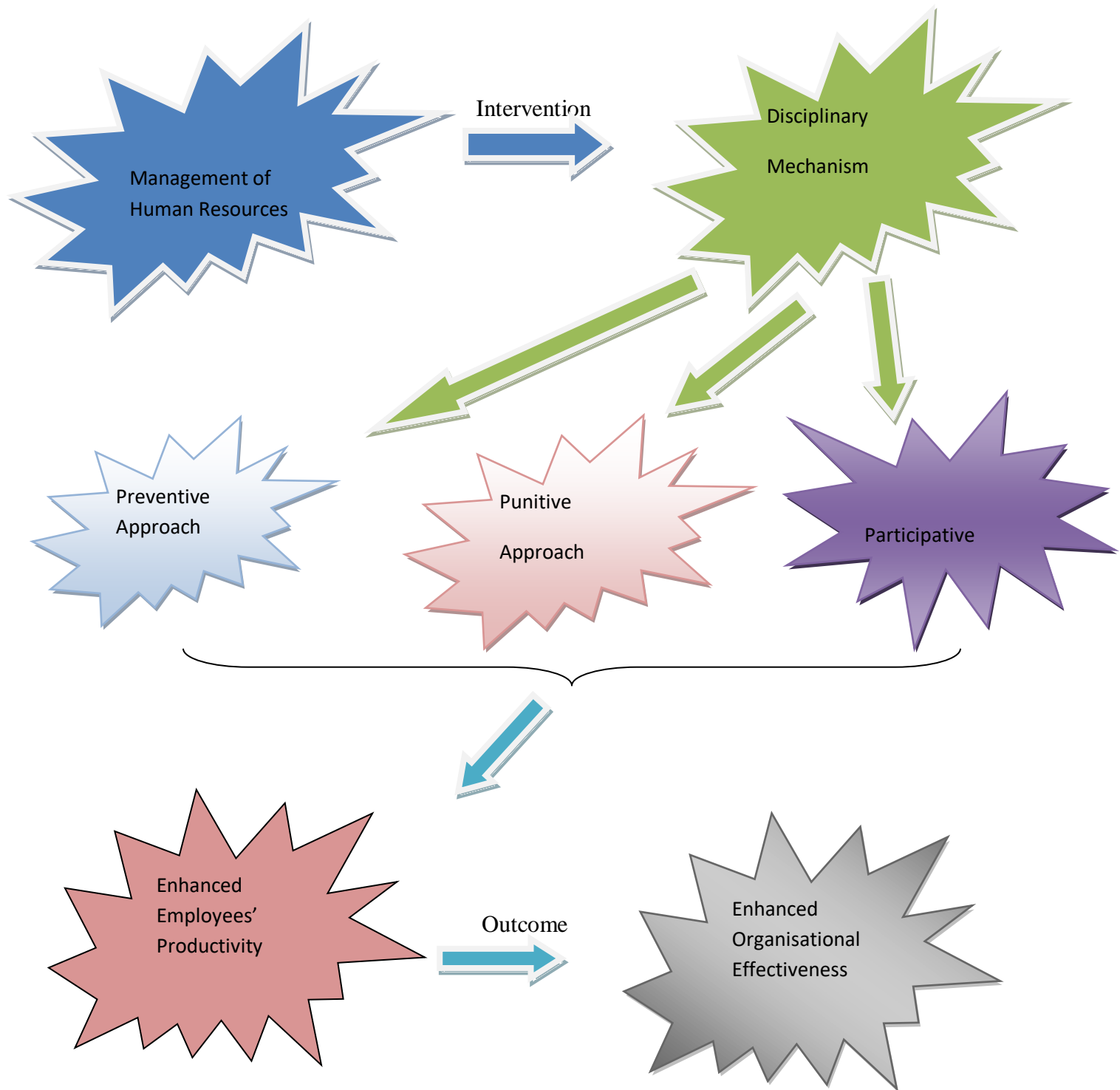
Human resource is the most valuable asset of any organisation. It is the human resource which exploits other resources in the organisation so as to achieve the organisational objectives of productivity.

The aim of the Human Resource Management is to get the best out of the human resource of the organisation. For achievement of this purpose, there are many sub-systems such as Grievance Handling, Counseling, Performance Appraisal, Career Planning, Training & Development, etc.

Reward and Punishment system is one of the sub-systems under the Human Resource System. It is essential that every organisation, whether government or semi-government or private, should have a well-established reward and punishment system to ensure that the people are made to work towards the fulfillment of the organisational goals. While the reward system will encourage the employees to work better towards the achievement of organisational goals, the punishment system is used to discipline the work force and prevent them from working against the set goals.

Disciplinary Work and Organisational effectiveness:

Conduct and discipline are essential measures to be taken to build up sound personnel system. Hence, a provision for discipline through preventive, punitive and participative approaches is required to be build up in every organization so as to enhance effectiveness and productivity. My understanding is displayed in the following diagrammatic form :



Meaning of Disciplinary Action

Since all staff members cannot be expected to conduct themselves with equal zeal in an unimpeachable manner, a provision for disciplinary action is made in every organization. Stahl points out "No organisation is so perfect, no executive so ingenious, no personnel system so infallible that any of them can continuously avoid some measures of punishment for wrongful behaviour or poor performance of employees".

According to Dr. Spriegel, "Discipline is the force that prompts an individual to observe the rules, regulations and procedures which are deemed to be necessary to the attainment of an objective, it is force or fear of force which restrains an individual or a group from doing things which are deemed to be destructive of group objectives. It is also the exercise of restraint or the enforcement of penalties for the violation of group regulations."

Disciplinary action means the administrative steps taken to correct the misbehavior of the employee in relation to the performance of his/ her job. Corrective action is initiated to prevent the deterioration of individual inefficiency and to ensure that it does not spread to other employees.

Concept of disciplinary angle in the Government

The Disciplinary angle could be perceptible in cases characterised by:

- Commission of criminal offences like demand and acceptance of illegal gratification, possession of disproportionate assets, forgery, cheating, abuse of official position with a view to obtaining pecuniary benefits advantage for self or for any other person;
- Irregularities reflecting adversely on the integrity of the public servant;
- Lapses involving gross or willful negligence, recklessness, failure to report to competent authorities, exercise of discretion without or in excess of powers/jurisdiction, cause of undue loss or a concomitant gain to an individual or a set of individuals/a party or parties and flagrant violation of systems and procedures.

Misconduct and Indiscipline in Government

Once we have seen the dimensions of Disciplinary matters, we can appreciate what is looked upon as misconduct or deviance in Government.

A full set of activities have been listed in the actions covered in the CONDUCT RULES. Different categories of Government servants are governed by separate but substantially similar sets of conduct rules.

A diverse set of acts such as-restrictions on political activities, relationship with press, radio and outsiders, criticism of the Government, restrictions on public demonstrations, present restrictions on matters of property, private business and investments etc. fall under the purview of conduct rules. Some sets of conduct rules in India are (1) All India Services (Conduct) Rules, 1954; (2) Central Services (Conduct) Rules, 1955; and (3) Railway Services (Conduct) Rules; 1956. The *Dos and Don'ts* are clearly defined in these rules.

Common acts of Misconduct Resulting in Disciplinary Proceedings:

The following are the various criteria and forms that involve disciplinary proceedings.

- Acts Amounting to Crimes
- Embezzlement , Falsification of accounts not amounting to misappropriation of money
- Fraudulent claims (eg. Travelling Allowance)
- Forgery of documents for personal gain to defraud the Govt.
- Theft of Government Property
- Defrauding Government
- Bribery
- Corruption
- Possession of disproportionate assets
- Conduct Amounting to Misdemeanour
 - Disobedience of orders
 - Insubordination
 - Misbehaviour
 - i)with superior officers ii) with colleagues iii) with subordinates iv) with members of public.

Current Approaches of Enforcing Discipline and Curbing Corruption:

Misconduct, or non-conforming behaviour, as it is sometimes called, can be tackled through preventive actions, punitive actions and surveillance. While preventive and surveillance actions help in creating an enabling environment, the punitive action adds to it through deterrence.

1.Preventive: Preventive measures can broadly be categorized as: -

- a) Simplification and standardization of rules: Simplification and standardisation of rules and procedures, and forms/applications results in elimination of discretion and arbitrariness.
- b) Leveraging technology: Technology as an enabler for fighting corruption has been effectively demonstrated. E-procurements, E-payments, use of websites for dissemination of information and creating awareness, use of CCTV in places of public dealing, receiving applications online, disbursement of Scholarships online through PFMS/DBT, use of appropriate analytical tools are examples of how technology strengthens the system. In Mann ki Baat, PM Modi has highlighted the use of technology for creating transparency and facilitating preventive corruption.
- c) Transparency and Accountability: Transparency removes the information gap between the public and public officials. A system with clear accountability and assigned responsibility at each level is necessary not only for smooth functioning but increased transparency, efficiency and for ensuring effective punitive action in case of misconduct.
- d) Control & Supervision: Regular and routine inspections, surprise inspections, audit and reviews keep a check on indiscipline and corruption.
- e) Early detection of misconducts: Early detection of misconduct will enable recouping the loss wherever possible and facilitate control of further damage.
- f) Time-bound and effective punitive action: Punitive action within short period of occurrence of misconduct and award of exemplary and adequate punishment deters others from committing such misconduct.
- g) Training & Awareness: Public officials should be made aware of their duties and responsibilities, code of conduct, rules and regulations through regular training.
- h) Awareness among public: If public is made aware of their rights, and also of the rules and regulations, then they are able to resist unfair treatment and arbitrary behaviour by public officials.

2. Punitive: Comes into picture when indiscipline and corruption has already been committed and punishment is granted to have deterrent effect on others

- a) Investigation based on complaints/ Suo moto cognizance
- b) Chargesheet
- c) Domestic enquiry: Presenting officer/enquiry officer/disciplinary authority
- d) Conduct discipline and appeal rules/model rules of conduct
- e) Major/minor penalties

3. Participative: Includes surveillance and detection

- a) Maintaining surveillance of personnel posted in sensitive corruption prone areas
- b) Surprise checks
- c) Prepare a list of employees of doubtful integrity and maintain surveillance
- d) Transparency in work.

In addition to this, it is also important to add dimension of ethics and value-based management and its training in the organization.

Violation of Discipline Results in Disciplinary Action:

Disciplinary action may be-

- a) Informal
- b) Formal.

a. **Informal disciplinary action** may mean assignment to a less desirable work, closer supervision, loss or withholding of privileges. failure of consultations in relevant matters. It may include curtailing of his/ her authority and diminishing his/ her responsibility. The reason for taking informal disciplinary action may be that offences are too slight, or too subtle, or too difficult to prove, to warrant direct and formal action.

b. **Formal disciplinary action** follows where the offence is serious and can be legally established. In such cases the penalties which are imposed on a member of the service are:

1) Minor Penalties: a) Censure b) withholding of promotions c) recovery from pay of the whole or part of pecuniary loss caused to Government or to a company, association or body of individuals and d) withholding of increments of pay.

2) Major Penalties: a) Reduction to a lower stage in the time scale of pay for a specified period . b) reduction to a lower time scale of pay grade or post. and c) compulsory retirement.

In very serious cases of offence, even judicial proceedings against the offender may also be launched.

Consideration of Fairness and Justice

All this, however, does not mean that consideration of fairness and justice should be lost sight of in taking a disciplinary action against an employee. On the contrary, suitable machinery and procedure should be provided so as to eliminate every possibility of personal prejudices. Usually following provisions are made either in the Constitution or in the statute to check the misuse of power to take disciplinary actions:

- a) No employee shall be demoted or dismissed by an officer below in rank to one who had appointed him/ her.
- b) No employee shall be punished except for a cause, specified in some statute or departmental regulation.
- c) No employee shall be punished unless he/she has been given reasonable opportunity to defend his/ her case.
- d) The employee shall be informed of the charges laid against him/ her.
- e) Where a Board of Inquiry is appointed, it shall consist of not less than two senior officers, provided that at least one member of such Board shall be an officer of the service to which the employee belongs.
- f) After the inquiry against an employee has been completed and after the punishing authority has arrived at any provisional conclusion in regard to the penalty to be imposed, if the penalty proposed is dismissal, removal, reduction in rank or compulsory retirement, the employee charged shall be supplied with a copy of the report of inquiry and be given a further opportunity to show Cause notice.

Desired State of Affairs and Reality

The above set of rules for prevention and the procedures are so extensive that they should in fact prevent any violation of the rules from occurring, however reality is far from the desired state of affairs. We shall look into the challenges in the following paragraphs.

Role of the Government Servant

The role of a Government Servants is to serve the citizens, to plan and implement projects serving the interests of society, to spend public money responsibly according to clearly defined procedures, to ensure that there is no wastage of public funds due to poor implementation, to work without bias in terms of caste creed, religion or gender etc. Hence HR management in

Government has a dimension which enforces the commitment to high ideals mentioned in our country's Constitution.

Another dimension of HR management in Government is that Government organizations are Manpower Heavy, in which the personnel issues are bound to be magnified, hence hierarchical Structures are in built in multiple levels of authority and responsibility.

Good Conduct > Good Governance

Good Governance is based on there being a high moral standard of conduct among the public servants. Since Independence, with the transformation of the country from a passive police state into an active welfare state, drastic changes have been brought in the role of the state. The state's role in the management of development programmes and public affairs has been increasing. The success of democracy and implementation of development programmes largely depend on public personnel engaged in building the future of the country. All officials are expected to adhere to the principles of Integrity, Fairness, Appropriate Conduct, Neutrality, Punctuality and Devotion to Duty. If the public servants who are the backbone of the government's welfare measures are undermined by indiscipline and misconduct, *SABKA SAATH*, *SABKA VIKAS*, *SABKA VISHWAS*, *SABKA PRAYAS* will remain a slogan only.

Current Challenges

1. Impact of the Disciplinary Sword on Productivity of the employee:

There is a flipside of discipline too. In order to avoid the risk of getting caught in indiscipline, too much attention is paid to adherence to rules. Means become the end in itself. Strict adherence to rules and procedure leads to slow decision making and low productivity.

Secondly, the vigilance procedures are long, tedious and onus of proving indiscipline lie on the government. The cases take a lot of time. During the process, the employee remains demotivated and out of action in case of suspension. This results in double loss to the government in terms of losing his man hours on one hand and wasting resources on disciplinary proceedings on the other.

2. Unintended outcomes:

Some unintended outcomes of disciplinary actions are listed below:

1. Complexity of the statutory provisions cause confusion and can lead to misinterpretation of rules.
2. Decision making becomes slow because huge stakes are involved and delayed decision-making results in cost escalation, opportunity loss and overall low productivity.
3. High proportion and frequency of the affected employees seeking judicial intervention results in demotivated staff and complete loss of their productivity.,
4. High percentage of the cases being subjected to judicial scrutiny lead to financial burden to the exchequer.

3. Problems concerning the disciplinary proceedings In addition to the above, there are various problems concerning the disciplinary proceedings. They are as follows:

- i) Lack of Knowledge of the Disciplinary Procedure :It has been seen many a time that the appointing authorities as well as employees are unaware of the details of the disciplinary procedures resulting in many problems. Since employees are expected to conform to rules and regulations and behave in a responsible manner, it is essential that these rules and regulations are properly and carefully formulated and communicated to them. Periodic refresher training can address this issue.
- ii) Delays The time taken to take disciplinary action is very long. When an employee knows of the impending action, he/ she becomes more and more irresponsible and problematic. Delays cause hardship to the employees.
- iii) Lack of Fair Play There is a tendency that the appellate authority generally supports the decision of his/ her subordinates. This defeats the purpose of appeal. The appellate authority may or may not have adequate training or skills to dispose the appeal .
- iv) Withholding of Appeal : Most of the officers do not like appeals against their decisions. There is a tendency to withhold appeals.

v) Too Many Rules : It is a sound policy to have as few rules as possible for the proliferation of rules leads to contempt and undermines the concept of discipline. The rules must be simple and clear.

iv) . Lack of Proper Understanding : it is wrong to conceive of discipline as something restrictive which is imposed by force or threats of punishment. It can only be maintained by self-respecting employees who follow the seniors in whom they have confidence.

Optimum performance in any organisation depends on the willingness with which employees carry out the instructions and the way they conform to the rules of conduct established to aid the successful attainment of the organisation's objectives. If unreasonable rules are imposed, great damage may be done to morale.

Corrective Measures:

1. In any case, breach of disciplinary rules may be tolerated to some extent in practice. However, it should not exceed the point where the status and prestige of the supervisors is jeopardized.

2. The late T.N Chaturvedi stated that ethical conduct has three implications. First, all the people must be served equally and impartially. The sense of impartiality, fairness and justice are embedded in our ethical heritage. Acts that smack of favoritism only, undermine the faith of people in administration. Secondly, public servants must try to work in harmony and co-operation with representative institutions and voluntary organisations so that there is greater rapport with the people and there is no breakdown of communication between the working of the system and the requirements or aspirations of the citizens. Thirdly, the internal working and administration of government agencies and offices must be consistent with these modes of behaviour, that is, a sense of fair play and involvement within the organisation will ensure a satisfactory style of functioning in relation to the public outside in general. Hence the competency to be addressed here is of Empathy and Fairness.

3. Clarify Standards Expected from Employees: At present, the rules and regulations which the employees are expected to achieve are vague resulting in confusion. There is a need to clarify what is expected of an employee in- the way of behaviour. It would produce good results if all

the employees are apprised of what is expected of them through written circulars or manual or ' indoctrination.

4. Attitude of the Supervisor: The success or failure of the disciplinary action depends upon the attitude of the supervisor. Most of them are biased and work under pressure from different quarters. Supervisors should be objective in collecting facts so that justice can be ensured.

5. Consistency in Disciplinary action: Disciplinary action should be consistent under the same offence. Otherwise, it leads to favouritism, nepotism and corruption.

6. Constructive Element: The authorities should not only impose penalties but also suggest steps to stop the future recurrence. The ultimate use of conduct and discipline should be made to promote self-discipline, penalties being applied only after the preventive measures have failed.

7. Positive discipline: Using negative discipline to punish employees for poor performance is not as effective as helping them to identify their weaknesses and explore how to improve their strengths.

Therefore, while discipline is important in ensuring order and subordination, a fine balance needs to be followed so that it does not become counter productive to the organisational interests. Positive discipline approach through meetings and regular interactions , which uses constructive criticism can be followed to instill correct behavior.

8. Attitude more important than skill-

All said and done, it is not rules that make a good civil servant but his/ her own standards of conduct imposed by his/ her own conscience, the 'esprit de corps' and tradition of the service and by the examples of his/ her fellows and those set in authority and by the watchfulness of public opinion.

9. Role of Capacity Building:

How can a Training intervention help to prevent the above issues from germinating and taking root? We will now approach these issues. The Gaps and shortcomings mentioned in the foregoing

paras require training in areas which are not clearly defined – “the Grey Areas”. In addition, the focus has to be on development of behavioural competencies which are elaborated below.

Future Competency building of officers:

At the theoretical level, organizational goals cannot be achieved without defined set of rules and procedures at the individual as well as at the organizational level. In Government, however while the discipline rules are very well defined, the adherence to discipline is very weak despite preventive, punitive and surveillance, indiscipline and corruption is rampant. As there is a GAP between expected levels of discipline and actual levels of discipline, there is an urgent need of training intervention in terms of building competency of discipline with focus on productivity.

DOMAIN- in domain, the various rules and guiding principles pertaining to preventive vigilance measures can be covered.

FUNCTIONAL-in functional training, the competency related to vigilance action, vigilance planning, disciplinary procedures etc can be developed.

BEHAVIOURAL- this will cover the attitude development and such competencies like Integrity, Empathy, Un biased decision making etc. in the individual.

Attitudinal Assessment of the training needs to be part of all the Capacity Building programmes . This can be gauged through questionnaires and other forms of evaluation . The impact of the training intervention needs to be monitored and has to be re-enforced periodically amongst all staff.

An approach to making a CBT on Ethical and Value Based Management is attempted below. The CBT will aim at imparting knowledge on ethical aspects of a Government servants role and explain how value-based management is required to bring transparency in day-to-day functions of any organization.

The suggested topics for this CBT are:

- Recommended conduct expected- theoretical and practical aspects
- Interpretation and application of disciplinary rules

- Awareness of what constitutes Punitive action
- Disciplinary Proceedings: Stages in Disciplinary Proceedings:
- Why sometimes we have to say no
- Leading others- Ethics and Leadership
- Role of a mentors in organisations
- Team building-role of subordinates should be seen more as team members rather than as a lower ladder in hierarchy

The Domain Level areas will cover

- What are expected Ethics and Values ,
- the norms to be followed,
- what constitutes a Violation of the accepted values.

The Functional Competencies to be addressed will be those related to;

- Preventive Vigilance,
- Surveillance and Monitoring ,
- Audits etc.

The Behavioural competencies which will be addressed in such a CBT are

- Integrity
- People first
- Empathy
- Organisational Awareness

Periodicity of competency building:

Thus, as discussed earlier, the key player is the attitude and to some extent the functional competency of government servants that needs to be addressed. Therefore, COMPETENCY BASED TRAINING is recommended at following stages of every Govt. official's career:

- a. Entry level
- b. Mid-career
- c. At regular intervals through workshops/seminars .

Online platforms such as IGOT can make such training easily accessible at low cost.

New Dimension of Discipline in the Scenario of ‘From Rule to Role’:

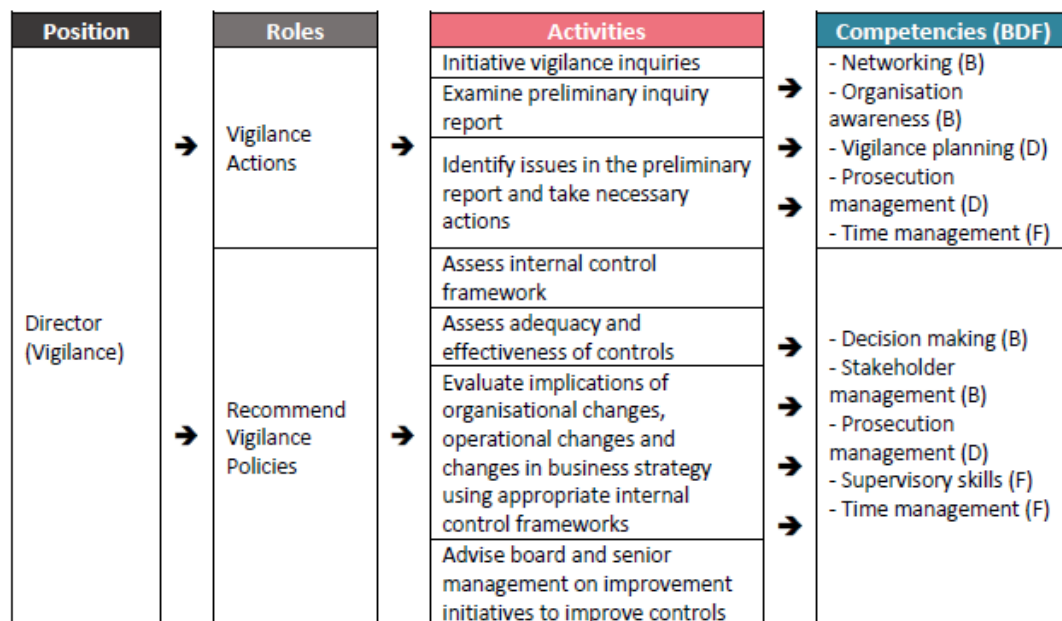
The central theme of Mission Karmayogi is to move from rule to role based governance.

When this is applied to the area of Disciplinary Matters then the starting point would be to list out the Roles and activities performed pertaining to disciplinary matters . Each Role needs to be very meticulously defined.

Next we must list out challenges that cause indiscipline and how to link what constitutes indiscipline with each role performed in the organisation. Rule-non compliance has definitely a behavioural dimension apart from systemic flaws. Hence , the competency building is for Domain and Functional areas , as well as in Behavioural areas.

The Department of Personnel and Training has developed a guide for identifying Roles , Activities and Competencies for every Position in Government. Different Departments are supposed to carry out the guidelines therein. A snapshot from DOPT Website is given which illustrates how a Director Vigilance has Roles and Activities and Competencies associated with his position . Trainings have to be developed to build Domain , Functional and Behavioural competencies of the person who occupies the role of Director Vigilance.

FIGURE 6. The competency view for users showing all competencies linked to a specific position



Conclusion

SABKA SAATH, SABKA VIKAS of PM Shri Narendra Modi has got one more addition of SABKA VISHWAS. This trust is possible only through an enabling environment. Disciplinary work is a sine quo non for achieving this. However, over the years it is felt that in order to avoid any disciplinary action, it has become more important to follow the procedure, than to deliver the results! Thus, the punitive actions have become counterproductive. Instead of adding to productivity, it is adding to slow work, red-tape and shirking from taking decisions. Therefore, it is important to build the ethics in the team, lead by example and win the trust of the people for successful and effective governance. Building competencies of government servants will go a long way in making them citizens centric in their thoughts and behavior. A change in attitude with a more disciplined mind set will also have a positive impact on service delivery. With the launch of mission Karmyogi, the horizon is bright for capacity building of Indian government servants of all cadres.

REFERENCES AND FURTHER READINGS:

- [www.dopt.gov.in \(https://dopt.gov.in/sites/default/files/Vigilance_Handbook-2013.pdf \)](https://dopt.gov.in/sites/default/files/Vigilance_Handbook-2013.pdf)
- [www.cvc.gov.in \(https://cvc.gov.in/preventive-vigilance-initiatives \)](https://cvc.gov.in/preventive-vigilance-initiatives)
- Vigilance manual 2017 (<https://cvc.gov.in/sites/default/files/vmn06092017.pdf>)
- Civil services Competence Dictionary
(<https://dopt.gov.in/sites/default/files/Competency%20Dictionary%20for%20the%20Civil%20Services.pdf>)
- Mann ki Baat Episode 81(<https://youtu.be/ydVgD7Tqiow>)
- (<https://zeenews.india.com/hindi/zee-hindustan/national/modi-said-in-mann-ki-baat-digital-transaction-lows-corruption/994230>)
- (<https://dopt.gov.in/sites/default/files/Implementation%20Tool-kit.pdf>)
- The Framework of Roles, Activities, and Competencies (FRAC) and everything else of FRACing (<https://dopttrg.nic.in/igotmk/ImportantDocuments/Part1%20FRAC.pdf>)
- <https://clopinitiative.org/blog/creating-learning-opportunities-all-along-bureaucratic-ladder>