

Disciplinary Action by S. K. Dutta, Third Edition, Tata McGraw Hill Publishing Company, New Delhi, 1994, Rs. 150/-.

The working and growth of any industry depends on efficiency, discipline and morale of employees. Among these three, a disciplined group of workforce appears to be the most important prerequisite for continuing the business as well as to face competition. For maintaining discipline, management of any organisation has to adopt various measures which are called as disciplinary actions. While the real or basic sense of discipline comes from within, sometime it has to be enforced from out side. As far as it is spontaneously accepted, it refers to positive discipline, whereas imposition or enforcement of disciplinary action refers to negative discipline.

The Book under review traces in detail the different dimensions of disciplinary action and procedure in three different parts. The first part deals with concepts, characteristics, components of discipline, different approaches of disciplinary action and types of disciplinary cases. According to the author, discipline in the broader sense of the term is an orderly and systematic behavior as opposed to confusion. It refers to a force which prompts an individual or a group to observe rules and regulations of a company. Agreeing with Duglas McGregor the author has pointed out that sound disciplinary proceedings should be impartial, immediate and impersonal and like a red-hot stove it should warn and make people conscious beforehand. Unlike legalistic viewpoint, behavioural, human resource and leadership approaches of discipline advocate a different method of tackling the indisciplined behaviour.

The second part (Chapter 4 to 18) deals with the methodology or procedural aspect of disciplinary actions. According to the author, principles of natural justice (Chapter 5), which may be regarded as an expanding concept of social justice in industrial establishment constitute a foundation on which disciplinary actions should proceed. He has provided a number of case laws in describing implications, principles, nature and applications of natural justice.

Chapter 6 deals with the concept of misconduct and misconducts in banking and in public sector industries. As a first step of disciplinary procedure against an employee, management may issue a show cause notice or a charge sheet as the case may be. Framing and issuing of charge-sheet by a competent authority itself is an action which has to be done carefully and

with a sound knowledge on the methodology of steps involved in preparing this i.e., the language and content for framing the charges, time factor, etc. Chapters 10, 11, 12 and 13 concentrates on domestic enquiry, its authorities, applications, rules of enquiry, method of conducting enquiry, role of enquiry officer and also the decision and report writing modalities of enquiry commission. Since domestic enquiries are quasi-judicial management functions, it has to be conducted in an impartial, and legal manner, maintaining all provisions of misconduct as mentioned in the Industrial Employment (Standing Order Central Rules 1946) Act and relevant case laws. The opportunities an employee would get for representation or second hearing or for inspecting documents have also been elaborated in Chapter 14.

The third part i.e., Chapter 15 to 19 is a combination of various individual aspects linked to disciplinary actions like punishment, appeal, statutory obligations and role of vigilance commission. Besides, while inflicting punishment, some specific considerations like seriousness of misconduct, identical cases dealt in past, past records of employee, impact of the proposed punishment or organisation and general employees etc. should also be taken into account.

Chapter 19 deals with role, scope, composition, function and penalty procedures of Central Vigilance Commission. According to him the main objectives of vigilance commission is to facilitate the holding of investigation and enquiry for seeing whether allegations are *prima-facie* correct and provable. Depending on the nature of complaints, investigations are carried out through Central Bureau of Investigation (CBI) or Chief Vigilance Officer. In this edition of the book a new chapter (18) has been supplemented which specifies disciplinary action which may be taken under Central Civil Services (Conduct) Rules 1964, applicable to central government employees. Author has also provided a list of cases at the end of the book.

The second and third part gives a detailed narration of facts and provisions of various acts with case laws. However, some actual case presentation from industry (for example, domestic enquiry for a specific misconduct) or industry-wise data on disciplinary actions would have enriched the whole presentation. Considering the entirety, the book forms a good reference for students of personnel and industrial relations, practitioners managers and trade unionists.

— Dr. Santwana Chaudhuri
IIM Calcutta