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**Mahanadi
Coalfields
Limited**
(A Subsidiary of Coal India Limited)
A Mini Ratna Company

RECORD NOTE OF THE DISCUSSION HELD IN THE MEETING OF SUB-COMMITTEE OF JCC ON 20.04.2011 AT MCL HQ.

The record note of discussion held in the meeting of the Sub-Committee of JCC, in connection with union membership verification, on 20.04.2011 at 11.30 A.M. in the office chamber of Director (Pers.), MCL.

The meeting was attended by the following :-

Management Representative	Union Representative
1. Sri S.C. Padhy, Director (Personnel)	1. Sri Sriballav Panigrahi, President, (OCMS)INTUC
2. Sri K.R. Kumar, Dy. GM(IR)	2. Sri Alok Kishore Panda, Secretary, OCMS(INTUC)
3. Sri Y. Harakumar, Sr. Manager(IR)	3. Sri Anit Chakraborty, General Secretary, BCMWU(AITUC)
	4. Sri Srinibash Rao, Vice-President (TKKMS)/Convenor(BMS)
	5. Sri Shankar Prasad Behera, Treasurer, OCMLF(HMS)

At the outset, Director (Personnel) welcomed the members of the Sub-committee of JCC and initiated discussion on the following issues based on feed-back received with reference to union verification guidelines circulated vide No. 1405 dtd. 31.12.2009 & subsequent meetings of the sub-committee of JCC held :-

1. In some of the units, the authorization under check off system received from different unions are more than the total strength of the unit.
2. The stipulation of deletion of union membership from both the unions (Previous as well as new), in case the disputed employee does not appear before the verification committee on the appointed date, under para-9 of guidelines for check off system circulated vide No. 1405 dtd. 30.12.2009.

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3. In case the employee who could not appear for reasons other than that of sick/tour/leave(authorized)/training on the verification date as per the schedule fixed for the said employee, allowing such employees to appear before the verification committee on the last date.
4. Mode of deduction of union subscription from wages/salary on monthly or annual basis.

In addition to above, the following issues have also been raised by the union representatives :-

- Verification of union membership is not done in some units within the stipulated time as per schedule/guidelines.
- Norms to be decided for holding IR meetings at area level and representation of unions in Areas level JCC.
- Stoppage of deduction of union subscription when an employee desires so in writing.

After protracted discussion, unanimity has been arrived at, as under :-

1. The guidelines regarding verification of union membership already circulated vide No. 1405 dtd. 30.12.2009 will take care of the issue when the number of authorizations received are more than the number of manpower of that unit in due process of verification. However all the unions are requested to screen such things at their level while forwarding the forms under seal & signature.
2. In case the disputed employee does not appear before the verification committee on the appointed date, his membership will continue in existing union. The relevant stipulation under Para-9 will stand modified to that extent.
3. ✓ In case the employee fails to appear before the verification committee on the scheduled date for whatever reason, he will be allowed to appear before the verification committee on the last day of verification.
4. In case an employee wants to discontinue deduction of union subscription from his salary/wage for whatsoever reason, he will submit such written request personally to the Personnel Executive attached to the Unit/Mine/Establishment and confirm such representation in presence of the Personnel Executive and one witness who is a permanent employee of that Unit/Mine/Establishment & both the employee and the witness will affix their signatures before the Personnel Executive. Deduction of union subscription of the said employee will be stopped from the subsequent month onwards in case of monthly deduction and subsequent year in case of yearly deduction.

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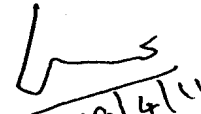
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- 5. The deduction of union subscription under check off system on monthly basis or annual basis will be decided as per the option given by the employees in the authorizations submitted by them for a particular union.
- 6. Verification of union membership will be done strictly in accordance with the guidelines and as per schedule to be followed in letter and spirit.
- 7. The stipulation regarding debarring union from IR system for two years in case of detection of false/forged signatures in the authorization forms, is kept in abeyance.
- 8. Regarding the representation of unions in Area level JCC and IR coverage at area level, the practice at Talcher Coalfields and IB Coalfields will be examined and uniformity will be brought about.

The above decision will modify the guidelines issued vide No. 1405 dtd. 30.12.2009 only to the extent mentioned above.

The above amendments will take immediate effect and the verification will be completed as per the schedule.

The meeting ended with vote of thanks to the chair and members present in the meeting.


 29/4/11
 Dy. General Manager (IR)

Ref. No. MCL/PD/IR/Sub-JCC/Union Verfn./2011/51 Dt. 28.04.2011

Copy to :

- 1. Dy. General Manager (IR), MCL
- 2. Concerned Unions' Representatives attended the meeting.
- 3. Sr. Manager (IR), MCL

Ref. No MCL/D(P) Sectt./10/ 1543

Date: 18.03.2010

To

All Area CGMs / GMs

Sub: Verification of Union membership under check off system and inclusion of the union under IR System.

Ref. No.: MCL/D(P) Sectt./09/1405 dated 30.12.2009

Dear Sir,

There has been doubts regarding submission of individual authorization forms by the Unions, who are in the IR Systems in respect of members who have already submitted the authorization forms earlier and deductions is being carried out in respect of them.

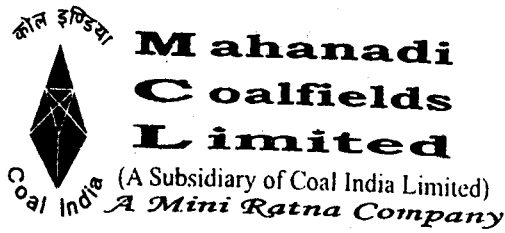
In this regard reference is made to Point No. 01 of the new guidelines for verification systems and inclusion of Unions under IR Systems circulated vide above referred letter, wherein the opening lines speaks about the modalities to be followed regarding submission of individual authorization forms duly authenticated / certified /countersigned by the Secretary / President of the Union with official seal between January to March. It has also been interalia clarified further that the authorization forms are to be submitted in respect of new members and those who are desirous of changing the membership only and the verbatim of the expression is reproduced below -

"Hence the unions has to submit authorizations every year for all new members and those given for change of union by 31st March every year"

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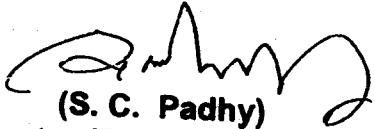
MAHANADI COALFIELDS LIMITED
(A Subsidiary of Coal India Limited)
Office of the Director (Personnel)
At / Po : Jagriti Vihar, Burla
Dist. Sambalpur - 768 020

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This indicates that the Unions has to submit the authorization form every year for all the new members and those given for change of Union by 31st March only and this issue was discussed at length during the scheduled meetings with the representatives of JCC.

In view of the above, it is once again clarified that the Unions, who are already under IR System, need not submit the authorization forms in respect of members, who have already submitted the authorization forms earlier and deductions have already been affected, unless otherwise the individual member gives specific authorization for change from one Union to the other.

Yours faithfully,


(S. C. Padhy)
Director (Personnel)
18/13

Copy to:
CMD, MCL
D(F), MCL / D(T(P&P), MCL / D(T/OP), MCL
JCC Members → *Sanjay Verma BMS IH.*
CGM (A/EE/IR), MCL.
Dy. CPM (IR), MCL Hq.
All Area Personnel Managers.
All Personnel Executives.

Ref. No MCL/D(P) Sectt./09/ 1810

Date: 30.12.2009

To

✓ Shri A. Srinivas Rao,
Secretary / Convener,
BMS.

Through APM, Jagannath Area

Sub: Union verification - reg.

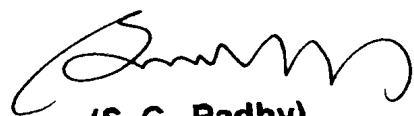
Dear Sir,

I am extremely thankful to all the JCC members and Unions for participating in the meetings held on 17.11.2009 & 18.12.2009 and positively contributed in reviewing the existing guidelines pertaining to union verification process and inclusion under IR system, which has resulted into formulation of new / revised guidelines and will certainly facilitate smooth and efficient conclusion of verification process.

I am enclosing herewith the set of revised guidelines circulated vide letter No. 1405 dated 30.12.2009 for your information. It is requested that you may kindly extend all the cooperation and get the verification process completed for the year 2009, which are pending at various stages.

Thanking you,
Encl. as above.

Yours faithfully,


(S. C. Padhy)
Director (Personnel)

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**MODIFIED / NEW GUIDELINES FOR CHECK OFF SYSTEM & INCLUSION
OF THE UNION(S) UNDER IR SYSTEM.**

- Ref.: (i) MCL/PD/IR/01/Verification/Circular/2057 dtd. 14.12.2001
(ii) MCL/GM(Pers.)/IR/Ver./Cir/2002/1378 dtd. 13/16.07.2002
(iii) MCL/GM(P)/IR/03/413 dtd. 05.03.2003
(iv) MCL/GM(Pers.)/2003/Union Check Off/1014 dtd. 12.08.2003

1. The existing union(s) already in the IR System as well as the union(s) claiming fresh IR will submit list along with individual authorization forms duly authenticated/certified/countersigned by the Secretary/President of the Union with official seal between January to March to the Unit/Mine/Area HQ. The authorizations once submitted and the union is included in the IR system will remain valid till specific request is received for discontinuance/exclusion/change for other union by the employee. Hence the union has to submit authorizations every year for all new members and those given for change of union by 31st March every year. Authorization should be latest ones and shall not be older than three months on the date of submission i.e the authorization must have been given after 1st January of the year for which the verification is being carried out. After checking the list, and that the individual authorization forms are duly stamped and signed by the General Secretary / President of the union, the head of the Unit / his authorized representative will send acknowledgement receipt of the same.

2. The authorizations so received are to be scrutinized on the following aspects :-
 - On roll verification to check whether they are in the live roll of the Unit/Area
 - Dual membership verification to check whether there are more than one authorization, authorization for more than one union.

3. Separate list will be prepared for undisputed (single membership) and disputed (dual memberships) by the concerned Unit/Mine/Area HQ.

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4. Undisputed list will be displayed on the notice boards by 15th Apr, inviting objections, if any, by giving 15 days time. The copy of the notice will be given to the concerned union and displayed on the notice board/s. The members having objection has to give the same in writing with signature, name & U.M. No. and the applications has to be submitted to the authorized executive in person. The authorized executive for receiving the above forms, will be appointed by the authority who is competent to constitute the committee for verification (under Para 6 of these guidelines). The duly completed individual application forms has to be submitted in duplicate and the authorized executive will return one copy of the same to the concerned employee as a proof after affixing his signature with date of receipt!

5. For undisputed members , where no objection has been received, deduction of union membership subscription in respect of such members of the Union(s) which are already covered under IR System, the list will be prepared and advise will be sent to finance for affecting the recovery and the membership subscription recovery will be done from the salary of May payable in June . In case the list contains fresh authorizations the signature of such member will be verified from the personal file/record available with the personnel Department. In case of any doubt the new member will be called by the committee on any day of verification, and specific advance information will be given to the union in writing before 3 days. If the member fails to present on the appointed day the membership authorization will not be taken in to consideration

6. For the Union(s) claiming inclusion under IR system afresh, the instruction for deduction of the membership fee from the salary will be sent only after completion of the entire process of verification and approval of the Competent Authority for Inclusion under IR system.



7. A committee comprising of executives from Personnel, Finance & Mining will be formed by the Unit Head of Mine/CGM/GM of the Area to hold verification of the disputed cases both for unions covered under IR system and for those claiming fresh inclusion. Generally the committee will be formed by the Unit Head. However, because of any reason for whatsoever, if felt necessary, the same will be formulated by the Area CGM/GM.

8. The objection so received from the employees within the stipulated period of 15 days in relation to Para No. 4 will be treated as disputed members and all such cases will be put up to scrutiny by the committee formulated under Point No. 7 above. The members have to give confirmation in person before the committee so constituted for verification purpose and the committee will obtain dated signature of the member and also affix their signature on the newly submitted authorization form on the date of verification.

The list of the disputed members will be displayed in the notice boards advising the members to appear before the committee in person to confirm his/her affiliation to a particular union & authenticating the authorization form for which 7 days notice will be given before the starting day of verification. The copy of the notice will be given to the union(s) also.

9. Generally the verification will be done @ 100 or more members per day. However to uniformly distribute the additional members, if the number is beyond 600 and the entire verification process has to be completed within seven days in line with the guidelines circulated vide Letter No.2057 dtd. 14.12.2001 the number can be increased to accommodate the additional members. In case the number is less than the next hundred then the distribution can be adjusted for balancing and in that case the number may be less than 100 also. For example if total number required for verification is 175 the distribution can be 90 on the first day and 85 on the second day. Disputed list, as agreed in Para 8, will be prepared alphabetically and verification will be done as per the alphabetical list. Employees

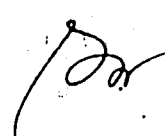
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who could not appear due to sick/tour/leave (authorized)/travel on the verification day as per the scheduled fixed for the said employees, the employee will be allowed to appear before the verification committee on the last day, i.e 7th day of the verification days and if the disputed employee does not appear on the appointed date, his membership will not be taken into consideration for any union. If the 7th day falls on Sunday/Holiday, the same will be shifted to the immediate next working day.

10. If false/forged signature is claimed by any union in respect of any member, the same has to be forwarded giving the details in writing to the Committee comprising of CGM/GM, APM, AFM of the area, and the concerned employee, gives a statement before the verification committee confirming that the signature is forged and will put his dated signature. Moreover, the committee will check the signature from the personal file/identity card for further confirmation. The committee will give specific speaking order on the above and the union forwarding such application will be debarred from IR system of the said Unit/Area for two years, i.e. for the continuing year for which union verification is carried out, and for subsequent year and the decision of the committee is final and binding. This clause will be applicable for the verification to be carried out in 2010 and will not be applicable to the ongoing verification process for the year 2009.

Member under influence of alcohol/intoxicated condition will not be allowed for giving statement before verification committee.

11. No affidavit towards membership, any contradiction related to membership or consideration for counting for union verification etc. will be entertained and no cognizance will be given to such affidavits.



12. After verification of disputed cases by the committee, the deduction of union membership subscription in respect of existing union(s) covered under IR system will be deducted from the salary of June payable in July, with the approval of the CGM/GM of the Area.

13. Verification and Inclusion in IR System claiming fresh Inclusion.

The verification procedure as followed for unions already covered under IR System will also be followed for fresh inclusion including the time schedule, i.e. submission of authorization by 31st March every year. Wherever possible the activities for fresh IR inclusions can be clubbed and carried out simultaneously along with the verification for the unions already included under the IR system.

In respect of new union(s) applying for inclusion under IR system, the following steps are further clarified and to be adhered to :-

- 13.01 As brought out at Para 1, such union(s) desirous of inclusion in IR System has to forward the duly completed list along with all authorizations by 31st March to the Unit Head.
- 13.02 The undisputed membership list as per Point No.4 short listed disputed list as per point no. 8 will be displayed on the notice board and the copies will be given to the Union by 15th April.
- 13.03 Both the undisputed & disputed members have to appear before the committee in person to authenticate/confirm the genuineness of the authorization submitted by new union has to put their date, signature before the committee as per the schedule of date notified.
- 13.04 The committee, constituted for verification under Point No. 6 will verify and authenticate the authorizations of undisputed list as well as the disputed list in line with the procedure laid down in point no 9. After completion of the entire process of verification the committee will submit its report for competent approval.

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- 14. After completing the above formalities, the competent approval will be obtained and the union will be informed about the inclusion/non-inclusion in the IR/Check Off System in writing.
- 15. The entire process of verification will have to be completed by the end of September and after Competent Approval the deduction under check off system will be made effective from the salary of September to be paid in October of every year in respect of a new union qualify for inclusion under IR.
- 16. In future if any amendment / changes propose to be taken the same will be discussed between October / November' 2010 and the amendment after agreed to will be incorporated in the subsequent year.

The guidelines circulated in this regard to the union for verification process from time to time are modified to the above extent in order to complete the verification process smoothly for the benefit of all.

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