

CHAPTER - 7

LEAVE RULES

As Applicable to the Executive Cadre employees of Coal India Limited.

1. TITLE

1.0 These Rules may be called the Leave Rules of the Bharat Coking Coal Limited, 1972.

2. SCOPE & APPLICATION

2.0 These Rules will apply to all whole time regular employees of the company subject to the exceptions in Paragraph 2.1.

2.1 These Rules do not apply to :

- (1) Daily rated, piece-rated and monthly rated employees governed by Standing Orders.
- (2) Casual or Muster roll employees and apprentices.
- (3) Those of the employees to whom the Coal Wage Board recommendations as accepted by the Govt. of India and adopted by the Company apply.

3. DEFINITION

3.0 In these Rules unless there is anything repugnant in the subject or context :

- (a) 'Employee' means all whole time regular employee including officers on tenure appointment, contract service or on re-employment, not exclude in Paragraph 2.1.
- (b) 'Company' means the Bharat Coking Coal Limited.
- (c) 'Pay' for the purposes of these rules will be the amount drawn monthly by an employee as basic pay which has been sanctioned for the post held by him. It will also include special pay, dearness pay or such other emoluments specially classified by the Competent Authority.

Note : Rule 3.0(a) is amended vide clarification given in CIL's circular letter No. C-5(B)/50784/958, dated 16.1.1979 (Annexure-XIII).

- (d) 'Competent Authority' means the Board of Directors or any authority to which the power is delegated.
- (e) 'Sanctioning Authority' means the authority to whom the power to grant leave is delegated.

4. COMMENCEMENT

4.0 These rules shall come into force with effect from 12th January, 1972.

5. GENERAL TERMS & CONDITIONS

5.0 An employee in the service of the Company will earn leave in accordance with the provisions of these Rules.

5.1 Except on days declared as Company holidays, every employee must either be on duty or on leave. Absence without leave amounts to misconduct, and also involves a break in the service.

5.2 An employee who absent himself without leave for more than 8 calendar days or, having been laid off under the provisions of the Industrial Disputes Act, fails to report without sufficient reasons, within 8 days of the posting of a regular notice or being otherwise duly notified, shall lose his lien and be deemed to have left the services of the Company of his own accord with effect from the date he was due to return to work. The employee will however be entitled to represent his case to the management explaining the reasons for his absence. It will be upto the management to accept the explanation or not and if the explanation is accepted the employee may be reinstated with or without break in service.

5.3 Leave cannot be claimed as a matter of right but has to be sought and granted by the sanctioning authority.

5.4 Grant of leave to an employee shall depend on the exigencies of work of the Company and shall be at the discretion of the leave sanctioning authority.

6. TYPES OF LEAVE

6.0 CASUAL LEAVE

6.0.1 Casual Leave is intended to cover casual absence of the employees for personal reasons.

6.0.2 Casual leave will be allowed to all employees for 12 days in a calendar year subject to the condition that not more than 8 days' casual leave will be allowed at a time.

6.0.3 Public holidays and weekly offs occurring during the spell of the leave will not be treated as part of the leave.

6.0.4 Casual leave will not be permitted to be combined with any other kind of leave but this can be permitted to be combined with weekly days of rest or public holidays provided that the total period of absence from duty should not exceed 10 days at a time.

6.0.5 In the first year of his service under the Company, casual leave to an employee will be calculated proportionately, from the date of his joining the service.

6.1 Special Casual Leave

Special Casual Leave falls outside the scope of normal leave and may be granted to an employee not for personal or domestic reasons but to meet special situation such as the following :

- (a) Periods spent in camp by employees permitted to join the Territorial Army, not exceeding 14 days which can be combined with regular leave, wherever necessary.
- (b) Employee participating in athletic and sports events of national or International importance in a representative capacity or engaged in coaching or administration of teams participating in such events, special casual leave in these cases should not exceed 30 days in any calendar year. If the period exceeds 30 days in any calendar year, the employee can be permitted by competent authority to combine special casual leave with earned leave as a special case but not with ordinary leave.
- (c) Employees participating in inter-unit or inter-departmental tournament can also be granted special casual leave not exceeding 10 days which can also be permitted by competent authority to be combined with earned leave.
- (d) Employees who donate blood on working days may be granted special casual leave for that day.
- (e) Employees who undergo sterilisation operation under the Family Planning Scheme may be granted special casual leave not exceeding six working days.
- (f) Two principal office bearers of recognised unions who are also employees, attending annual general meetings or conferences of the central organisations to which they are affiliated may be granted special casual leave to a maximum of 10 days in a calendar year.
- (g) The employees appearing in the examination approved by the management (only twice for each examination) special casual leave for actual number of days of examination can be granted.

Clarification : Vide Annexure - XV

- (h) The employees who are ex-servicemen when called by Ministry of Defence to participate in the Republic Day Parade, special casual leave for the period of their stay in Delhi by direct route can be granted.
- (i) Special casual leave can be granted for other purposes like sports and cultural activities which enhance the image of the Company at the discretion of the Head of the office.

- (j) Special Casual Leave can be granted to an employee if he is called as witness by the court towards the days of his absence, i.e. attendance day and minimum travelling time by shortest route, by the number of days falling short after adjusting the casual leave which may be due to him. This concession will only be allowed to the employees when they are called as witnesses in the cases where the Government is a party or a Government calls the incumbent for evidence, even though the company has nothing to do in these cases. Where the Company is a party and the employee is called in for evidence by the Company, the said employee will be treated as on duty and paid the usual TA/DA.
- (k) For other purpose at the discretion of the Head of the Office taking into consideration local circumstances and the merits of the cases.

6.2 Earned Leave on Full Pay

- 6.2.1 Every employee shall be credited with earned leave in advance in two instalments of 15 days each on the first day of January and July of every calendar year.
- 6.2.2 An employee will cease to earn leave when the earned leave due accumulates to 240 days.
- 6.2.3 The maximum earned leave that may be granted at a time to an employee shall be 120 days within India and 180 days Ex-India.

Note :

Rule 6.2.2 is amended vide CIL's OM No. C-5A (vi) : I : 266, dated 13th January, 87 — **(Annexure - XXIII)**.

6.3 Half Pay Leave

- (i) The half pay leave account of every employee shall be credited with half pay leave in advance, in two instalments of ten days each on the first day of January and July of every calendar year.
 - (ii) (a) The leave shall be credited to the said leave account at the rate of 5/3 days for each completed calendar month of service which he is likely to render in the half year of the calendar month upto the date of retirement or resignation.
 - (b) The credit for the half year in which an employee is due to retire or resigns from the service shall be allowed at the rate of 5/3 days per completed calendar month upto the date of retirement or resignation.
 - (c) When an employee is removed or dismissed from service or dies while in service, credit of half pay leave shall be allowed at the rate of 5/3 days per completed calendar month up to the end of the calendar month preceding the calendar month in which he is removed or dismissed from service or dies in service.
- (iii) The leave under this rule may be granted on medical certificate or on private affairs.

Authority : CIL's O.M. No. C-5A(vi)/50784/61, dated 4.6.86 **(Annexure XXII)**.

6.4 Commuted Leave

- 6.4.1 An employee can have the half pay leave due converted into half the amount of full pay leave, at his option. Such converted leave will be termed as 'Commuted Leave'. It will be granted only on medical certificate, by the competent sanctioning authority provided he has reason to believe that the employee will return to duty on the expiry of the Commuted Leave.

6.5 Extra-ordinary Leave Without Pay

- (a) Extra-ordinary leave without pay, may be granted to any employee in special circumstances upto a maximum of 3 months.
 - (i) When no other leave is by Rule admissible or

- (ii) When other leave is admissible, but the employee applies in writing for grant of extraordinary leave.

6.6 Special Leave

Special leave on full pay for a total period not exceeding six months during the entire service may be granted only when the employee is suffering from the following diseases on production of medical certificate from an authorised medical officer :

- T. B.
- Cancer
- Leprosy
- Severe Heart Attack
- Paralysis
- Any other disease which the Chairman/MD may add to this list
- By-pass and Open Heart Surgery Included vide circular letter No. C-5A(vi)/50706/1/230, dated 4th September, 1985 (**Annexure-XIV**).

6.7 Study Leave

- (i) Study leave on half pay may be granted to an employee to enable him to study scientific, technical or similar problems or to undergo special course of instruction, if it is considered to be in the Company's interest.
- (ii) It is not ordinarily granted to an employee of less than five year's service or to the employees within three years of the date at which they have the option of retiring.
- (iii) It is not debited against the leave account and it counts as service for promotion but not for leave.
- (iv) The grant of study leave is at the discretion of the Chairman/Managing Director or any authority to whom this power is delegated subject to a maximum period of 2 years during the entire service.

6.8 Maternity Leave

- (a) Maternity Leave may be granted to the female employees of the company for a period of 90 days from the date of its commencement. The leave is grant on full pay and is not debited against the leave account. (CIL's OM No. C-5(A)/50784/156, dtd. 4.7.77) (**Annexure-X**).
- (b) Maternity Leave may be combined with earned leave on medical certificate.
- (c) Maternity Leave under this rule may also be granted in case of miscarriage, including abortion, subject to the following conditions :
- (i) That the woman employee, if temporary has been in service for not less than one year before the commencement of the leave; and
- (ii) That the leave does not exceed six weeks and the application is supported by a certificate from the authorised medical attendant.

Clarification :

Vide CIL's O.M. No. C-5A(vi)/50784/92, dated 11.6.88 (**Annexure-XXIV**).

6.9 Quarantine Leave

This leave may be granted with pay to an employee who is required not to attend duty in consequence of the presence of any infectious diseases in his family or household. Such leave may be granted on the certificate of the Medical or Public Health Officer for a period not exceeding 20 days and in exceptional cases 30 days. Any leave necessary for quarantine purpose in excess of this period shall be treated as ordinary leave.

This leave can be granted in continuation of any other leave.

Clarification :

A point has arisen as to the names of diseases which can be termed as infectious diseases for the purpose of grant of quarantine leave to the executive of Coal India Limited as provided in Rule 6.9 of the Leave Rule of Coal India Limited. After examination it has been decided that :

- (i) Small pox and plague should be considered as infectious disease. Chicken pox shall not, however, unless the Medical Officer of the Company or the Public Health Officer of the Corporation/Municipality considers that because of doubt as to the true nature of the disease (for example, small pox) there is reason for the grant of such leave.
- (ii) In the case of the executives posted in an area under the administration of a State Govt. Such other disease as may have been declared by that Government as infectious for the purpose of Quarantine Leave Rules in force in that State may be considered as infectious disease for the purpose of grant of quarantine leave.

Authority :

CIL's O. M. No. C-5A(vi)/50784/40, dated 26th April, 1982 (**Annexure-XVII**).

6.10 Special Disability Leave

6.10.1 Special disability leave may be granted to an employee who is disabled by injury unintentionally inflicted or caused in, or in consequence of the performance of his official duties or in consequence of his official position. This Leave is sanctioned subject to the following conditions :

- (a) The disability manifested itself within three months of the occurrence to which it is attributed and the person disabled acted with the promptitude in bringing it to notice.
- (b) The period of leave shall be such as is certified by a medical board, constituted by a competent authority. The maximum period admissible is 24 months.

6.10.2 Special disability leave may be granted to an employee who is disabled by injury accidentally incurred in or in consequence of the due performance of his official duties or in consequence of his official position or by illness incurred in the performance of any particular duty which has the effect of increasing his liability to illness or injury beyond the ordinary risk. The grant of this concession is subject to the further conditions :

- (a) That the disability, if due to disease, must be certified by medical board, to be directly due to the performance of the particular duty.
- (b) That the disability is in the opinion of the company exceptional in character or that there are circumstances to justify such unusual treatment and the grant of these form of leave.

6.10.3 Special disability leave may be combined with leave of any other kind, and shall be counted as duty.

6.10.4 The employee shall, during the period of the special disability leave draw leave salary equal to full pay for the first ninety days and half-pay thereafter provided that the employee can, at his own option convert the leave on half pay to a leave on full pay to the extent of another ninety full days i.e. 180 days of leave on half pay can be converted into 90 days of leave on full pay.

6.11 Leave Preparatory to Retirement

Leave preparatory to retirement is not a new type of leave but only leave, as due, concluding on the date of the compulsory retirement of an employee.

6.12 Refused Leave

Deleted.

Authority : CIL's O. M. No. C-5B/50784/637, dated 20.11.1979 (**Annexure-XVI**).

7. SAVINGS

7.0 The Company reserves to itself the right to amend or alter these rules.

8. INTERPRETATION

8.0 Should any dispute or doubt arise as to the interpretation of these rules the decision of the Company will be final.

Ref : CIL/C-5A (vi)/50784/1/43

Dated : 22/23-07-1996

OFFICE MEMORANDUM

Sub : Amendment of special disability leave applicable to the executive cadre employees of CIL under Leave Rules

The Board of Directors, CIL at its 157th meeting held on 29th June, 1996 accorded its approval to the amendment of rule 6.10 of CIL Leave Rules regarding Special Disability Leave as under :

Existing Provision

6.10.4 The employees shall, during the period of the special disability leave draw leave salary equal to full pay for the first ninety days and half pay thereafter provided that the employees can, at his own option convert the Leave on half pay to a leave on full pay to the extent of another ninety full days i.e. 180 days of leave on half-pay can be converted into 90 days of leave on full pay.

This will take immediate effect.

Amendment

The employees during the period of special disability leave will draw leave salary equal to full pay and dearness allowance till he/she is declared fit by the Company's Medical Officer. The leave salary shall be paid on the basis of last pay drawn by the executive immediately before he/she met with the accident.

Sd/-

(B. N. Jha)

Chief General Manager (P&IR)

COAL MINES AUTHORITY LIMITED

(A Government of India Enterprise)

Regd. Office : 10-Camac Street

10th Floor, Calcutta-700 017

Ref : Apxa./Adm./MEMO/107

Dated 28.3.1974

OFFICE MEMORANDUM

Procedure for Sanction of Leave and Maintenance of Leave Records of Employees in the Executive Cadre Scale of Pay.

The procedure for grant of various types of leave, other than Casual Leave, to the employees in the Executive Cadre Scales of pay will be as follows :

1. APPLICATION FOR LEAVE

An application for leave must be made to the competent authority as defined in Para 6 below through proper channel in the prescribed form (Annexure-I) in duplicate at least 15 days in advance.

2. SANCTIONING OF LEAVE AND NOTIFICATION THEREOF

The leave application made in the prescribed form will be received by the Personnel/Administration Deptt. in the office of the competent authority who after certifying the entitlement of the leave *applied for*, will put up the application to the competent authority.

The competent authority will either approve or reject the leave applied for or curtail it in the interest of Company's work according to his discretion.

After the leave is sanctioned the Personnel/Administrative Deptt. will make necessary entries in the leave record and tear the bottom portion of the application containing the communication of the sanction and send it to the applicant. The upper portion will be retained by the department concerned.

A detailed monthly summary of all leave sanctioned in the area/department/division should be made out and sent to the respective pay office and to the Apex and Divisional Head Quarters before 20th of each month. The pay office, while preparing the salary bills, will take into account the leave statements received from the respective Personnel/Administrative Deptt.

Note :

The endorsement to Apex Office is on the basis of present thinking that service summary will be maintained by the Apex Office. If this is modified, further modification in this orders will be made.

3. RELINQUISHMENT/ASSUMPTION OF CHARGE

No officer will proceed on leave unless :

- (a) he has been conveyed the approval of leave by the competent authority;
- (b) he has handed over charge to another officer in compliance to specific order, if any; and
- (c) the relinquishment/assumption of charge as per form an Annexure-II has been signed by the relieved as well as the relieving officer and counter-signed by the Controlling Officer, Copies of the relinquishment/assumption charge report mentioned above should be sent to the Personnel/Administrative Deptt. in the office of the competent Authority to the Controlling Officer and to the Pay & Accounts Officer concerned as early as possible.

4. EXTENSION/CURTAILMENT OF LEAVE

In case the leave is extended a fresh application for the extended period must be submitted to the concerned officer. If the leave is curtailed the assumption charge report should contain a note about

it counter-signed by the Controlling Officer. In case an employee does not proceed on leave he will apply for cancellation of leave applied for.

5. LEAVE ON MEDICAL GROUNDS

Application for leave on medical grounds must be supported by a medical certificate from a Registered Medical Practitioner or Company Doctor of CMAL. In all cases of leave on medical grounds, it will be necessary to produce a medical certificate of fitness issued by a Registered Medical Practitioner or Company Doctor at the time of joining duties. The Company may also require a similar certificate in the case an employee who has been granted leave for reasons of health even though such leave was not actually granted on a medical certificate.

6. COMPETENT AUTHORITY

It has been decided that the following will be the competent authority for sanctioning various types of leave excluding study leave to the Executive Cadre employees of the Coal Mines Authority Limited.

- (a) Managing Directors of the Division and other Directors for AGMs/Heads of the Department and the other officers working directly under them.
- (b) Area General Managers - for all officers working under the administrative control of AGM.
- (c) Head of departments for all officers working under their administrative control.

Note :

This is in modification of delegation orders sent to MDs under letter No. CA/APX/CCA/45, dated 18.9.1973. If the MD of any Division desires a change in the delegation they may do so and advise all concerned including the Apex Office.

7. THE MANAGING DIRECTORS MAY SUB-DELEGATE THIS POWER TO THE CHIEF OF ADMINISTRATION/CHIEF PERSONNEL OFFICER OF THE DIVISION UPTO CERTAIN PAY RANGE AS THEY DEEM FIT.

Study leave to an employee in the Executive Cadre Scales of pay can be granted only by the respective Managing Director/Functional Directors.

8. MAINTENANCE OF LEAVE RECORD

(This stands substituted by the Revised form of Leave A/c, Circulated vide CIL's OM No. C-5A/50784, dtd. 17.3.77 **(Annexure-VII)**).

The leave record is to be maintained in the proforma given at Annexure-III either by means of a loose leaf ledger or register or in the Kardex form by the leave sanctioning authority unless this is given to a level below the SAM in which case the leave record in respect of field officers, would be maintained by SAM's office. Whenever an officer is transferred out of the Area/Department/Division, the original or attested copy of the leave record must be sent to the receiving end along with the L.P.C.

Sd/-
(D. Venkataraman)
Chief of Administration

COAL MINES AUTHORITY LIMITED

(A Government of India Enterprise)

Regd. Office : 10-Camac Street

10th Floor, Calcutta-700 017

Ref : CMA/APEX/AD(P)/Leave/21

Dated 8th Aug. 74

OFFICE ORDER

According to Rule 6.2.1 of the Leave Rules, as applicable to the Executive Cadre Employees of Coal Mines Authority Limited earned leave will accrue at the rate of one day for every eleven days of the period spent on duty. A question has been raised whether casual leave and various other types of leave, admissible under Rule 6 ibid and declared 'Company Holidays' admissible under 5.1 of the Leave Rules shall be excluded while assessing the period spent on duty for under 5.1 of the Leave Rules shall be excluded while assessing the period spent on duty for computing eligibility for earned leave. After careful consideration of the question raised the Chairman has been pleased to decide that casual leave and all declared company holiday shall be treated as periods spent on duty for all purposes, including computing eligibility for earned leave.

Sd/-

(D. Venkataraman)

Chief of Administration

Annexure - III**COAL MINES AUTHORITY LIMITED**

(A Government of India Enterprise)

Regd. Office : 15, Park Street

3rd Floor, Calcutta-700 016

Ref : Apex/Admn./92.A/O.M. 309/2332

Dated 27th Dec., 1974

OFFICE MEMORANDUM

Sub : Carry Forward of Leave of taken over Employees Re-fixed in the Executive Cadre subsequent to 1.8.1973.

A doubt has been raised as to whether the credit of 23 days earned leave admissible to the taken over officers in terms of this Office Circular No. Apex/Admn/Leave, dtd. 14th August, 1973 as on 1.5.73 would be allowed to the taken over employee were re-fixed in the Executive Cadre Subsequent to 1.8.73. Though some of taken over employee were re-fixed in Executive Cadre with prospective effect i.e. from the date or issue of such orders. It has been decided that, for the purpose of entitlement of the leave, they should be deemed to have been re-fixed with effect from 1.8.73 allowing them same leave benefits as are applicable to the taken over officers fitted in CMAL scales of pay with effect from 1.8.73. Such employees who were re-fixed in the Executive Cadre subsequent to 1.8.73 should, therefore, be allowed to carry forward 23 days earned leave as on 1.5.73. Where such officers have taken leave between the period 1.5.73 and the date of their re-fitment in the executive cadre, that leave should be debited against their leave account granting usual accruals according to the executive cadre leave rule.

Sd/-

(D. Venkataraman)

Chief of Administration

COAL MINES AUTHORITY LIMITED

(A Government of India Enterprise)

Regd. Office : 15, Park Street

3rd Floor, Calcutta-700 016

Ref : CMA/APEX/AD(P)/Service Rules/8

Dated 17th July, 1975

OFFICE MEMORANDUM**Sub : Procedure for the Grant of Advance in Lieu of Leave Salary.****1. POWERS OF SANCTION**

A Head of Department or any other Executive Cadre Officer to whom power may be specially delegated, may sanction an advance in lieu of leave salary due to an employee working under him and who proceeds on leave for a period of not less than one month/30 days.

2. AMOUNT OF ADVANCE

The amount of advance in lieu of leave salary shall not exceed the net amount of leave salary for the first month/30 days of leave with full or half pay, i.e. clearly admissible to him after usual deductions. The amount shall be fixed in whole rupees.

2.1 To determine the amount of advance in lieu of leave salary admissible, the details of deductions to be effected from the leave salary may be ascertained from the previous month's salary bill. In addition to this, deductions in respect of advances, if any, the recovery of which has not commenced before the employee proceeds on leave but falls due during its currency or deductions to be made in respect of any other event which comes to notice like Court attachment etc. may also be taken into account to the extent the information is readily available.

2.2 When an employee proceeds on leave for more than a month/30 days from about the middle of a month, the advance in lieu of leave salary may be made on the basis of leave salary payable for one month/30 days leave from the date of commencement of leave.

2.3 The usual deductions on account of income tax, provident fund, house rent, repayment of advance, etc. may be effected from the duty pay which the employee will draw for the portion of the month in which the leave commences if the period of duty is for the major part of a month. otherwise such deductions may be from the leave salary.

3. ADJUSTMENT OF ADVANCE

The amount of advance in lieu of leave salary shall be adjusted in full in the leave salary bill in respect of the leave availed of by the employee concerned. If the amount of advance cannot be so adjusted, the balance shall be recovered from the next payment of pay or/and leave salary.

3.1 In the event of resignation within one month/30 days of the leave sanctioned, the balance of the advance shall be refunded immediately and for this purpose an employee with less than 5 years of service shall be required to give a written undertaking before the drawal of the advance that he would refund the amount of advance that cannot be adjusted.

3.2 In the event of death within one month/30 days of the leave the unadjusted advance will be set off against the gratuity due to the employee.

Sd/-

(D. Venkataraman)

Chief of Administration

COAL INDIA LIMITED
(A Government of India Enterprise)
COAL BHAWAN
10, Netaji Subhas Road,
Calcutta-700 001

Ref : CIL/C-61(A)/Leave/21

28th January '76
3rd February '76**OFFICE MEMORANDUM****Sub : Carry Forward of Leave Earned by Employees while on Wage Board Scale of pay on their Promotion to Executive Cadre Scales of Pay.**

Clarification has been sought for as to whether non-executive employees in Wage Board/National Wage Agreement scales of pay may be allowed to carry forward their accumulated leave on promotion to the executives cadre scales of pay. The following clarifications are made in this regard :

1. The leave standing to the credit of an employee on the day of assumption of charge in the executive position may be allowed to be carried forward on his promotion to the executive position in full subject to the ceilings prescribed in the Executive Cadre Leave Rules. This applies to all types of leave admissible to the Executive Cadre Leave Rules.
2. An employee will be earning the leave at the rates applicable to the executive cadre employees on and from the date he assumes the charge in the executive position in addition to the leave accumulation as mentioned in item 1 above.

Sd/-
(D. Venkataraman)
Chief of Administration Personnel
& Industrial Relation

Annexure - VI

COAL INDIA LIMITED
(A Government of India Enterprise)

Ref : C-5(A)/50709

9/13th April '76

OFFICE MEMORANDUM**Sub : Payment of Cash Equivalent of leave Salary in case of Death while in Service.**

Payment of cash equivalent of leave salary to the executives of CIL and its subsidiaries, who die while in service has been engaging attention for some time past. Taking into account the government's decision in this regard, it has been decided that in case an executive dies while in service the cash equivalent of leave salary (that is, Pay plus Dearness Allowance only) that the deceased executive would have got had he gone on earned leave that would have been due and admissible to him but for the death on the date immediately following the death and in any case, not exceeding leave salary for 120 days, shall be paid to his family.

2. The above decision will apply to :
 - (i) retired re-employed pensioners for the leave earned during re-employment. The leave salary in such cases has to be calculated on the basis of pay drawn by them during the period of re-employment (exclusive of pension and pension equivalent of other retirement benefits).

- (ii) the executives, who retired and re-employed in the CIL and its subsidiaries or on extension of service therein the family of such an executive will be paid the cash equivalent in respect of leave earned before retirement, which was refused in public interest and could not be availed of due to re-employment/extension of service just after retirement, to the extent of the limit prescribed in Para 1 above.
3. These orders will not apply to the executives governed by the 3rd CPC recommendations as accepted by the Govt. of India. In their case the extant orders issued by the Govt. of India will apply.
4. These orders will come into force with immediate effect. Past cases need not be reopened.

Sd/-
(O. Maheepathi)
Chief of Personnel Division

Annexure - VII

COAL INDIA LIMITED
COAL BHAWAN
10, Netaji Subhas Road
Calcutta - 700001 Post Box : 871

Ref : C-5(A)/50784

17th March, 1977

OFFICE MEMORANDUM

Sub : Simplification of the Procedure for Calculating Entitlement to Earned Leave in Respect of Executive Cadre Employees.

According to the Leave Rules of erstwhile Coal Mines Authority Limited as followed by Coal India and the Leave Rules of Bharat Coking Coal Limited and erstwhile NCDCL Limited the entitlement to earned leave of an employee in the executive cadre is calculated at the rate of one day for every 11 days of the period spent on duty. It has been decided that the following simplified procedure for calculating entitlement to earned leave for all executive cadre employees shall be adopted with effect from 1st of March, 1977 :

- (a) The leave account of each executive cadre employee shall be credited with 30 days and 31 days earned leave in alternate calendar years. This shall be done in two instalments - 15 days on the 1st of January and July of every year except that on the 1st of July of an even year (ending with 2, 4, 6, 8 or 0) the credit shall be 16 days. Thus, the credit on the 1st January, 1978 will be 15 days and on 1st of July, 1978-16 days while both on 1st January and 1st July, 1979 it will be 15 days respectively and so on.
- The credit to be afforded on the 1st of March '77 shall be for 10 days and the credit to be afforded on the 1st of July, 1977 shall be 15 days.
- (b) The leave at the credit of an executive cadre employee at the close of the previous half-year shall be carried forward to the next half-year, subject to the leave so carried forward plus the credit for that half-year not exceeding the maximum limit of 180 days.
- (c) When an executive cadre employee is appointed on or after the 1st March, 1977, earned leave shall be credited to his leave account at the rate of $2\frac{1}{2}$ days for each completed month of service which he is likely to render in the calendar half-year in which he is appointed, e.g. (if he is appointed on the 2nd of March the number of complete months of his service in that half-year will be three and the credit will be $3 \times \frac{5}{2} = 7\frac{1}{2}$ days rounded to 8 days. If he is appointed on 29th of April, the number of complete months will be only two and the credit will be $2 \times \frac{5}{2} = 5$ days.
- (d) The credit for the half-year in which an executive cadre employee is due to retire or resigns from the service shall be afforded only at the rate of $2\frac{1}{2}$ days per completed month in that

half-year upto the date of retirement/resignation. If in the case of an executive cadre employee who resigns from the service, the leave already availed of is more than the credit so due to him, necessary adjustment shall be made in respect of leave salary overdrawn, if any.

- (e) While affording credit under the methods mentioned at (c) and (d) above, fractions of a day will be rounded off to the nearest day.
2. If an executive cadre employee has taken, in any half-year leave on half pay, the commuted leave or extra-ordinary leave the credit to be afforded to his leave account at the commencement of the next half-year shall be reduced by 1/11 of such leave. For example, if he has taken 11 days half-pay leave or 11 days commuted leave or 11 days extra-ordinary leave without pay, the credit to be afforded to his earned leave account at the commencement of the next half year shall be reduced by one day, i.e. 1/11 of the 11 days leave on half pay or commuted leave or extra-ordinary leave without pay.
3. From 1.3.77 the leave account shall be maintained in the enclosed form. While the earned leave shall be credited in advance in the manner stated above, there will be no change in respect of other kind of leave. The entries in respect of such leave shall be made as and when occasion for doing so arises. In the case of existing executive cadre employees the old leave account has to be closed and the credit of leave as on 28.2.1977 will have to be carried forward to the new leave account. While doing so the fractions of a day will be rounded off to the nearest day.
4. These orders shall not apply to employees who have been taken over from the Govt. of India and are governed by Civil/Railway Services Leave Rules. In their case the orders issued in this regard by the Govt. of India shall apply.

Sd/-
(D. Venkataraman)
Chief of Administration

Annexure - VIII

COAL MINES AUTHORITY LIMITED
(A Government of India Enterprise)
Regd. Office : 10-Camac Street
10th Floor, Calcutta-700 0017

Ref : C-5(A)/50784

25th May, 1977

Sub : Simplification of the Procedure for Calculating Entitlement to Earned Leave in Respect of Executive Cadre Employees.

Ref : Your letter No. D-3 (6)/77/PR/1049, dated 17/18.5.1977

In Sub-para (a) of Para 1 of this Office Memorandum No. C-5(A)/50784, dated 17.3.77, it has been stated that the credit for earned leave shall be done in two instalments of 15 days on the 1st of January & July every year except that on the 1st of July of an even year the credit shall be 16 days. As the year 1977 is an odd year the credit on the 1st of July shall be for 15 days.

Sd/-
(B. Kanungo)
Dy. Controller of Accounts (P)

COAL INDIA LIMITED
 COAL BHAWAN
 10, Netaji Subhas Road
 Calcutta - 700001

No. : C-5(A)/50784

2nd June, 1977

OFFICE MEMORANDUM

Sub : Admissibility of Earned Leave during Leave Preparatory to Retirement and Payment of Dearness Allowance during L. P. R. in respect of Executive Cadre Employees.

1. According to the existing Leave Rules as applicable to the executive cadre employees the maximum earned leave that may be granted as Leave Preparatory to Retirement shall be 120 days within India and 180 days Ex-India (vide Rules 6.11 and 6.2.3), subject to availability of credit to that extent in their leave accounts. It has been decided that the maximum amount of earned leave that can be taken as leave preparatory to retirement shall be enhanced from 120 days to 180 days in India also. However, if such leave is refused the leave that can be allowed after retirement as refused leave shall continue to be restricted to a maximum of 120 days as at present.
2. It has also been decided that in the case of leave preparatory to retirement, the dearness allowance will be admissible only during the first 180 days of such leave spent in India.
3. These orders will have effect from the 1st of June, 1977.

Sd/-
(O. Maheepathi)
 Chief of Personnel Division

Annexure - X

COAL INDIA LIMITED
 COAL BHAWAN
 10, Netaji Subhas Road
 Calcutta - 700001

No. : C-5(A)/50784/156

4th July, 1977

OFFICE MEMORANDUM

Sub : Simplification of Rules and Procedures Relating to Leave in Respect of Executive Cadre Employees.

EARNED LEAVE

The procedure for simplification of calculation of entitlement to earned leave in respect of executive cadre employees has been laid down in this office memorandum No. C-5(A)/50784, dated 17th March, 1977, it has been decided that the following partial modification in the above cited Office memorandum be made with effect from the 1st March, 1977 :

- (i) The credit to be afforded in the leave account of each executive cadre employee in respect of earned leave at the commencement of each calendar half year commencing from the 1st of July, 1977 shall be at a uniform rate of 15 days i.e. it shall be 15 days for the second calendar half-year of an even year also, instead of 16 days as stated in Clause (a) of Para 1 of this office memorandum of 17.3.77 cited above.

- (ii) The credit afforded under Clause (i) above shall be reduced by 1/10 of the period of **extra-ordinary leave only** availed of during the previous half-year, subject to a maximum of 15 days.
- (iii) Column 5 and 6 of the Form of Leave Account - Part I enclosed with this office memorandum of 17.3.77, cited above, shall be substituted by the following :

Column 5 Number of days of extra ordinary leave (Column 17 of Part-II) availed of during the previous calendar half-year.

Column 6 E. L. to be deducted (1/10 of the period in Column 5 subject to a maximum of 15 days).

2. **ADVANCE OF LEAVE SALARY**

The advance in lieu of leave salary admissible as per erstwhile CMAL Office Memorandum No. CMA/ Apex/AD(P)/Service Rules/8, dated 17.7.75 (copy enclosed) to an executive proceeding on leave of not less than 30 days shall include allowances, as admissible under the rules as well, subject to deduction on account of Income Tax, Provident Fund, House Rent, Recovery of Advance, etc.

3. **LEAVE SALARY FOR REFUSED LEAVE**

An executive employee who is granted refused leave under Rule 6.12 of erstwhile CMAL Leave Rules shall be paid in **lump sum** the amount equivalent to leave salary and allowances, if any, admissible during such leave, for the entire period of such leave as one time settlement instead of monthly payments as at present.

4. **MATERNITY LEAVE**

Maternity Leave granted to a female employee in the executive cadre under rule 6.8 of erstwhile CMAL Executive Cadre Leave Rules shall be for a period of 90 days from the date of its commencement in all cases i.e. it shall be restricted to six weeks from the date of confinement as at present.

5. **INTIMATION OF LEAVE AT CREDIT**

The order sanctioning earned leave/half pay leave to an executive cadre employee shall here-after indicate the balance of such leave at his/her credit.

Sd/-
for Chief of Personnel Division

Annexure - XI

COAL MINES AUTHORITY LIMITED
(A Government of India Enterprise)
Regd. Office : 10-Camac Street
10th Floor, Calcutta-700 007

No. CMA/APEX/AD(P)/Service Rules/8

Dated : 6th Nov. '74

OFFICE ORDER

Sub : Joining Time.

1. An employee of Coal Mines Authority Ltd. transferred from one office establishment to another, situated at a different place shall be entitled to joining time to join the new post on relinquishing charge of the old post. No joining time is admissible unless the transfer is in the interest of the Company.
2. If a transfer does not necessarily involve a change of residence from one station to another, the employee will not be entitled to more than one day's joining time. A holiday counts as a day in such a case.
3. In case involving transfer from one station to another, joining time shall be allowed as under :

- (i) 6 days for preparation.
 - (ii) 1 day for each 500 kms of journey by rail, or 150 kms by motor/motor cycle/scooter, or 25 kms in any other way, or in case of air journey, actual time occupied in the journey, actual time occupied in the journey in each case the part of a day in the case of air journey should be treated as one day, a day shall also be allowed for fractional portion of any distance prescribed above in the case of journey by rail/motor vehicle or any other way.
4. A Sunday shall not count as a day for the purpose of calculations of joining time. When holidays follow(s) joining time the normal joining time shall be deemed to have been extended to cover such holiday(s).
5. Joining time shall be calculated by the route which is ordinarily used by the travellers. Travel by road not exceeding eight kilometres to or from a railway station at the beginning or end of a journey shall not count for joining time.
6. If an employee is transferred to a new post while on leave of not more than 180 days duration, his joining time will be calculated from his old station, or from the place in which he received the order of transfer whichever calculation will entitle him to lesser joining time. If, however, he performs the journey to his old station for winding up his personal affairs, his joining time will be calculated from the old head-quarters to new headquarters. In other cases joining time shall be calculated from the place at which he makes over charge.
7. The authority sanctioning the transfer may, in special circumstances, reduce the period of joining time as admissible under para three above. The authority sanctioning the transfer may also grant a longer period of joining time than is admissible under Para three in the following circumstances :
- (a) when the employee has been unable to use the mode of travelling or not with standing due diligence on his part, has spent more time on the journey than is normally allowed or
 - (b) when the employee has though no fault on his part missed a train, or fallen sick on the journey.

8. JOINING TIME PAY

An employee on joining time shall be regarded as on duty and shall be entitled to be paid as follows :

- (a) if he joins a new post without availing himself of any leave on relinquishing charge of his old post, he shall draw the lower pay and allowance between the post to which he has been transferred or from which he has been transferred.
- (b) if he joins a new post after availing leave with full pay, he shall draw the leave salary which he last draw. But if the joining time is in continuation of leave which did not include a period of leave on full pay, he shall draw the joining time salary as if he had been on leave with full pay.

9. **An employee who does not join his post within his joining time is entitled to no pay or leave salary after the end of the joining time. Wilful absence from duty after the expiry of joining time may be treated as mis-conduct for the purpose of conduct rules.**

Sd/-
(D. Venkataraman)
Chief of Administration

COAL INDIA LIMITED
COAL BHAWAN
10, Netaji Subhas Road
Calcutta - 700 001

CIL/C-5A(vi)/507557/31

April 18, 1984

Sub : Availing of Joining Time - TA/DA

In the recent orders for inter-company transfers of executives, it was mentioned that concerned officer should be released immediately and the joining time may be availed later on.

A clarification has been sought as to whether in such cases officer will be treated as on duty to go back to previous headquarters wherefrom he was transferred for the purpose of permanent shifting of his establishment to new Headquarters.

It is hereby clarified that :

- (a) Journey from new headquarters to old headquarters for the purpose of permanent shifting to new headquarters will be treated as journey on duty and the concerned officer shall be entitled to TA/DA as per Rules.
- (b) The joining time shall commence immediately on arrival at the old Headquarters. of course, the concerned officer shall be entitled to transfer TA as per Rules for permanent shifting for self and family.

Sd/-
(G. R. Bhandari)
General Manager (EE)

Annexure - XII

COAL INDIA LIMITED
COAL BHAWAN
10, Netaji Subhas Road
Calcutta - 700 001

No. C-5(A)/50709/121

9th July, 1977

OFFICE MEMORANDUM

Sub : Payment of Cash Equivalent of Leave Salary in Case of Death of an Executive while in Service.

In partial modification of this Office Memorandum No. C-5(A)/50709, dated 9/13.4.1976 on the above subject it has been decided that in case an executive dies while in service, the cash equivalent of Leave Salary (that is Pay plus Dearness Allowance only) in respect of earned leave at his credit to be paid to his family shall be subject to a maximum of 180 days instead of 120 days as at present.

Sd/-
(O. Mahepathi)
Chief of Personnel Division

COAL INDIA LIMITED
COAL BHAWAN
10, Netaji Subhas Road
Calcutta - 700 001

No. C-5(B)/50784/958

16th January '79

OFFICE MEMORANDUM

Sub : Clarification to sub-rule 3.0(a) of the Existing Leave Rules of Cadre Employees.

A question has arisen as to whether the provisions of sub-rule 3.0(a) of the Leave Rules of executive cadre employees include "the employees on tenure appointment, contract service or on re-employment" within the purview of "whole time regular employees of the Company" as provided for in the Rules.

Since in the exceptions provided for in Sub-rule 2.1 do not include employee on tenure appointment, contract service or on re-appointment, in terms of sub-rule 3.0(a) these employees would seem as included in the definition of "whole time regular employees" and the Leave Rules are applicable to them.

This clarification is issued in consultation of the Finance Division of Coal India and is circulated for guidance of all concerned.

This issues with the approval of the competent authority.

Sd/-
(B. K. Pal)
Finance Manager

Annexure - XVII

COAL INDIA LIMITED
COAL BHAWAN
10, Netaji Subhas Road
Calcutta - 700 001

Ref. No. : CIL/C-5A(vi)/50784/38

Dated 24.5.1994

OFFICE MEMORANDUM

Sub : Amendment of duration of Study Leave Rules for the Post Graduate Studies.

In pursuance of the decision of the Board of Directors, CIL in its 137th Meeting held on 16.04.1994 at Calcutta, the existing provision as contained in Rule 6.7(iv) under the caption "Study Leave" of the Leave Rules for the Executive Cadre Employees of CIL are hereby amended as under :

6.7(iv) The grant of Study Leave is at the discretion of the Chairman/Managing Director or an Authority to whom this power is delegated, and will be regulated as below :-

- (a) Grant of 'Study Leave' subject to a maximum period of 2 years during the entire service;
- (b) For such Post Graduate Degree/Diploma Studies for which the duration has been specified as 3 years, the 'Study Leave' will be granted for 3 years;
- (c) Sponsorship with financial support from the Company shall be for the period of 2 years only.

2. The other sub-clauses of Rule 6.7 will remain unaltered.

3. The Board further decided that provision for recovery of the cost of training in full should be incorporated in the Bond. Order in this regard will be issued separately.
4. This amendment will come into force with immediate effect.

Sd/-
(R. G. Singh)
Chief General Manager (Personnel)

Annexure - XXVI

GOVERNMENT OF INDIA
Ministry of Industry, Department of Public Enterprises
(Bureau of Public Enterprises)
Public Enterprises Bhawan, CGO Complex, Block No. 14
Lodi Road, New Delhi - 110003

No. 2(2)/85-BPE(WC)

Dated 25th Jan. 88

OFFICE MEMORANDUM

Sub : Carry Forward of Half-Pay/Sick Leave in the event of movement of the Employee from one Enterprise to another.

The undersigned is directed to refer to BPE's O. M. No. 2(2) 82-BPE (GM-1), dated 14.12.1982 wherein the policy regarding transfer of earned leave, gratuity and other benefits in the event of the movement of an employee from one enterprise to another enterprise with the consent of the managements of both public enterprises had been spelt out. B.P.E. had also clarified vide its O. M. dated 25.7.1985 that these instructions relate to transfer of earned leave only and do not cover sick leave or half-pay leave.

2. References have been received in the B.P.E. from public enterprises wherein it has been pointed out that their employees move from one enterprise to another enterprise with the approval of the Management/Government and they are adversely affected due to the non-transferability of sick/half pay leave.
3. This matter has been examined carefully and it has been decided that Managements of the Public enterprises may transfer the accumulated sick leave/half pay leave standing to the credit of their employees at the time of transfer to another PSE provided such transfer has taken place with the consent of managements of both the enterprises or under orders of Govt./Public Enterprises Selection Board. The procedure for transfer of sick/half-pay leave and liquidation of liabilities for such leave would be the same as for earned leave.
4. These orders would be effective from 1.1.1988.
5. Ministry of Petroleum & Natural Gas, Ministry of Civil Aviation etc. are requested to bring the foregoing to the notice of the public enterprises under their administrative control for necessary action.

Sd/-
(Krishna Chandra)
Joint Director
Bureau of Public Enterprises
Tel. No. 360841

COAL INDIA LIMITED
COAL BHAWAN
10, Netaji Subhas Road
Calcutta - 700 001

No. CIL/C-5A(vi)/50784/17

April 20, 1988

OFFICE MEMORANDUM

Sub : Carry Forward of Half-Pay/Sick Leave in the event movement of the Employee from one Enterprise to another.

Executive on their employment in Coal India Limited from other Public Sector Undertakings and vice-versa were allowed to carry forward of Earned Leave vide CIL's O. M. No. CIL/C-5A(vi)/50784/240, dated 16th September, 1985. In the aforesaid order carry forward of half pay or commuted leave or any other type of leave was excluded.

Bureau of Public Enterprises Vide its O. M., dated 25th January, 1988 has intimated that "Managements of the Public Enterprises may transfer the accumulated sick leave/half pay leave standing to the credit of their employees at the time of transfer to another Public Sector Undertakings, provided such transfer has taken place with the consent of managements of both the enterprises or under orders of Govt./Public Enterprises Selection Board. The procedure for transfer of sick/half-pay leave and liquidation of liabilities for such leave would be same as for Earned Leave. These orders would be effective from 1.1.1988".

In partial modification of Para III of CIL's OM No. CIL/C-5A(vi)/50784/240, dated 16th September, 85 it has been decided to adopt BPE's guide lines as contained in its O. M. No. 2(2)/85-BPE(WC), dated 25th January, 1988 referred to above and allow transfer of the accumulated half-pay leave/commuted leave standing to the credit of the executives at the time of transfer to another Public Sector Enterprises provided such transfer has taken place with the consent of both the Enterprises or under orders of Govt./Public Enterprises Selection Board as admissible under the Leave Rules of Coal India Limited. The procedure for transfer of sick/half-pay leave and liquidation of liabilities for such leave would be same as for earned leave. This would be effective from 1.1.1988.

This issues with the approval of the competent authority.

Sd/-
(R. G. Singh)
Gneral Manager (Personnel)

COAL INDIA LIMITED
COAL BHAWAN
10, Netaji Subhas Road
Calcutta - 700 001

No. CIL/C-5A(vi)/50706/1/230

4th Sept., 1985

OFFICE MEMORANDUM

Sub : Special Leave.

Dear Sir,

Kindly refer to your letter No. WCL/PER/EE/MIN/V/121/2508, dated 29/30.7.85, seeking a clarification on the above subject.

I am desired to clarify that under Rule 6.6 of the Leave Rules as applicable to executive cadre employees, special leave can be granted in cases of By-pass and Open heart Surgery.

Sd/-
(K. B. Sharma)
Personnel Manager

Annexure - XV

COAL INDIA LIMITED
COAL BHAWAN
10, Netaji Subhas Road
Calcutta - 700 001

No. : C-5(B)/50784/109

9th May, 1979

OFFICE MEMORANDUM

Sub : Grant of Special Casual Leave for Appearing the 'Approved Examination by the Executive Cadre Employees.

In terms of Sub-rule (g) of Rule 6.1 of the Executive Cadre Leave Rules the executive cadre employees appear in the Examination approved by the Management (only twice for each examination) can be granted Special Casual Leave for actual number of days of the Examination.

On receipt of a representation from one of the subsidiary companies, seeking an approved list of Examination for which grant of Special Casual Leave is permissible, it is clarified, with competent approval, that 2nd Class and 1st Class Mine Managers certificate of Competency Examinations, Corporation Accountants Examination etc. as introduced by the erstwhile NCDC (now CCL) and the examination conducted by CIL Training Board shall be treated as approved Examination for grant of Special Casual Leave in terms of the aforesaid provisions of Leave Rules.

Sd/-
(B. K. Pal)
Finance Manager

COAL INDIA LIMITED
COAL BHAWAN
10, Netaji Subhas Road
Calcutta - 700 001

No. C-5A(vi)/50784/637

20th November '79

OFFICE MEMORANDUM

Sub : Amendment of Leave Rules for Executive Cadre Employees.

Since the Executive Cadre Employees are entitled to the encashment of the Earned Leave at their credit, subject to a maximum of 180 days on the date of retirement on superannuation, it has been decided that the provisions of "Refused Leave" in term of Para 6.12 of the Leave Rules for Executive Cadre Employees which has become unnecessary shall be treated as to have been deleted from the Leave Rules and with effect from the date from which the encashment of Earned Leave subject to a maximum of 180 days, had been allowed.

This issues with the competent approval.

Sd/-
(B. K. Pal)
Finance Manager

Annexure - XVII

COAL INDIA LIMITED
COAL BHAWAN
10, Netaji Subhas Road
Calcutta- 700 001

No. : C-5(BD)/50784/803

6th March, 1980

OFFICE MEMORANDUM

Sub : Special Casual Leave of the Colliery Medical Officers Appearing in the Court as State Witness.

The Leave Rules for executive cadre employees of the Coal India Limited provide that for the absence in case of witness for the company matters Special Casual Leave is admissible only after usual Casual leaves have been exhausted.

A reference has since been received from one of the subsidiary companies stating that in some cases the colliery Medical Officers are to attend the cases which are brought to the colliery Hospitals and subsequently they are required to attend the Court as a state witness. in such cases it would be harsh if the colliery Medical officers are not granted Special Casual Leave but it is granted only when the Casual leave of such officers have been exhausted.

The point has since been examined and it has been decided that in such cases the absence of the Colliery Medical Officers for appearing in the Court as State witness should be treated as if on duty.

Sd/-
(P. K. Ghosh)
Chief of Personnel Division

COAL INDIA LIMITED
COAL BHAWAN
10, Netaji Subhas Road
Calcutta - 700 001

No. : CIL/C-5A(vi)/50784/40

26th April, 1982

OFFICE ORDER

A point has arisen as to the names of diseases which can be termed as infectious diseases for the purpose of grant of Quarantine Leave to the executive of Coal India Limited as provided in Rule 6.9 of the Leave Rule of Coal India Limited. After examination it has been decided that :

- (i) Small pox and plague should be considered as an infectious disease unless the Medical officer of the Company or the Public Health Officer of the Corporation/Municipality considers that because of doubt as to the true nature of the disease (for example, small pox) there is reason for the grant of such leave.
- (ii) In the case of executives posted in an area under the administration of a state Govt. such other diseases as may have been declared by that Government as infectious for the purpose of Quarantine Leave Rules in force in that State may be considered as infectious disease for the purpose of grant of Quarantine Leave.

Sd/-
(A. C. Ray)
Chief (Executive Extb. & Admn.)

Annexure - XIX

COAL INDIA LIMITED
COAL BHAWAN
10, Netaji Subhas Road
Calcutta - 700 001

No. : CIL/C-5A(vi)/50784/116

1st June, 1982

OFFICE MEMORANDUM

Sub : Entitlement of Half Pay Leave to Re-employed Executives

A point has arisen as to whether the re-employed executives would be entitled to half pay leave during their period of re-employment. It has been decided that such of the re-employed executives will be granted 20 days half pay leave for each year of service during re-employment period. Half pay leave of 10 days in respect of the first six months period will be credited on the first day after completion of the 6 (six) months.

This issues with the approval of competent authority.

Sd/-
(P. P. Agarwal)
Dy. Chief Personnel Manager

COAL INDIA LIMITED
 COAL BHAWAN
 10, Netaji Subhas Road
 Calcutta - 700 001

No. : C-5A(vi)/50784/346

18.11.1982

OFFICE MEMORANDUM**Sub : Entitlement of Half Pay Leave and Learned Leave to Re-employed Executives****Ref. : OM No. CIL/C-5A(vi)/50784/116, dated 1st June, 1982**

A point has arisen as to whether the earned leave and half pay leave at the credit of an executives at the end of the 1st year service should be carried forward to next year if re-employment continues for 2nd year. It has since been decided that the earned leave and half pay leave at the credit of the re-employed executives at the end of their 1st year of re-employment may be carried forward to the second year of re-employment provided the re-employment in the second year is in one spell and there is no break between first and second year of re-employment.

This issues with the approval of competent authority.

Sd/-
(P. P. Agarwal)
 Chief (Executive Establishment)

Annexure - XXI

COAL INDIA LIMITED
 COAL BHAWAN
 10, Netaji Subhas Road
 Calcutta - 700 001

No. : CIL/C-5A(vi)/50784/240/1/230

16th Sept., 1985

OFFICE MEMORANDUM**Sub : Carry forward of Earned Leave in the event of the Movement of an Employee from one Public Enterprise to another.**

Requests have received for carry forward of leave of executives from other Public Sector Undertakings on their employment in Coal India Limited and vice-versa. On consideration of the matter and in the light of BPE's guidelines contained in its O. M. No. 2(2)/85-BPE9WC, dated 25.7.1985 it has been decided as under :

- (i) If an executive of Coal India Limited whose application was forwarded through proper channel joins another Public Sector Organisation, an amount equivalent to the leave salary for the earned leave standing to his credit on the date of his leaving will be transferred to the new organisation, provided the new organisation agrees to give credit of such earned leave to the executive concerned.
- (ii) In the case of an executive joining Coal India Limited from another Public Sector Organisation, credit of the earned leave in the previous employment will be given to him provided the previous organisation transfers to COAL INDIA LIMITED an amount equivalent to the leave salary for such earned leave.
- (iii) Carry forward of half pay or commuted leave or any other type of leave will not be permissible.

Sd/-
(G. R. Bhandari)
 General Manager (Personnel)

COAL INDIA LIMITED
COAL BHAWAN
10, Netaji Subhas Road
Calcutta - 700 001

No. : CIL/C-5A(vi)/50784/61

June 4, 1986

OFFICE ORDER

Sub : Amendment to the Method of Calculation/Crediting Half Pay Leave to the Executives.

Rule 6.3 of the Coal India Limited Leave Rules as applicable to the executive cadre employees shall be substituted as under :

- (i) The half pay leave account of every employee shall be credited with half pay leave in advance, in two instalments of ten days each on the first day of January and July of every calendar year.
 - (ii)
 - (a) The leave shall be credited to the said leave account at the rate of 5/3 days for each completed calendar month of service which he is likely to render in the half year of the calendar year in which he is appointed.
 - (b) The credit for the half year in which an employee is due to retire or resigns from the service shall be allowed at the rate of 5/3 days per completed calendar month upto the date of retirement or resignation.
 - (c) When an employee is removed or dismissed from service or dies while in service, credit of half pay leave shall be allowed at the rate of 5/3 days per completed calendar month upto the end of the calendar month preceding the calendar month in which he is removed or dismissed from service or dies in service.
 - (iii) The leave under this rule may be granted on medical certificate or on private affairs.
2. The above rule shall come into force with effect from 1st July, 1986.
 3. This issues with the approval of the competent authority.

Sd/-
(A. P. Sinha)
General Manager (Personnel)

COAL INDIA LIMITED
COAL BHAWAN
10, Netaji Subhas Road
Calcutta - 700 001

No. : CIL/C-5A(vi)/50784/1/266

January 13, 1987

OFFICE MEMORANDUM

Sub : Amendments of Executive Cadre Leave rules and Leave Encashment Scheme

The Directors of CIL at its 81st Meeting held on 16th December, 1986 has approved the proposal for enhancement of limits for accumulation and encashment of leave to executives from 180 days to 240 days. Accordingly the relevant provisions of executive cadre Leave Rules and Leave Encashment Scheme are amended as under :

(i) CIL Executive Cadre Leave Rules

Rule 6.2.2 — The word '180 days' shall be substituted by '240 days'.

(ii) CIL Executive Cadre Leave Encashment Scheme

Rule 7.2 — The word '180 days' shall be substituted by '240 days'.

These amendments would be effective from 1st July, 1986.

Sd/-
(A. P. Sinha)
General Manager (Personnel)

Annexure - XXIV

COAL INDIA LIMITED
COAL BHAWAN
10, Netaji Subhas Road
Calcutta - 700 001

No. : CIL/C-5A(vi)/50784/92

July 11, 1985

OFFICE MEMORANDUM

Sub : Maternity Leave to the Executive Cadre Employees

1. The issue as to whether the Maternity Leave can be granted to a female executive cadre employee during the first year of service in line of Government of India's Leave Rules on the subject was under consideration of the Management.
2. It has now been decided that while sanctioning such Maternity Leave to a female executive no restriction regarding qualifying service is necessary.

Sd/-
(R. G. Singh)
General Manager (Personnel)

COAL INDIA LIMITED
COAL BHAWAN
10, Netaji Subhas Road
Calcutta - 700 001

No. : CIL:C-5A(vi) : 52056 (Vol.II) : 89

Dated July 28, 1995

OFFICE MEMORANDUM

Sub : Clarification on encashment of Half Pay Leave to the executives of Coal India Limited and its Subsidiary Companies.

In continuation of CIL's Office Order No. CIL : C-5A (vi) : 52056 (Vol.ii) : 192, dated 15.12.1994, it is being clarified that while making payment of encashment of Half Pay Leave, half of the basic pay (including Special Pay, Personal Pay, N.P.A. and Interim Relief) with full D.A. upto a maximum period of 240 days are to be taken into account.

All other terms and conditions as stipulated in the Office Order, dated 15.12.1994 will remain unchanged.

This issues with the approval of the competent authority.

Sd/-
(K. P. Sinha)
Chief General Manager (Pers.)

COAL INDIA LIMITED
COAL BHAWAN
10, Netaji Subhas Road
Calcutta - 700 001

No. : CIL/C-5A(vi)/50784/38

Dated : 24-05-1994

OFFICE MEMORANDUM

Sub : Amendment of duration of Study Leave Rules for the Post Graduate Studies.

In pursuance of the decision of the Board of Directors, CIL in its 137th Meeting held on 16-04-94 at Calcutta, the existing provision as contained in Rule 6.7 (iv) under caption 'Study Leave' of the Leave Rules for Executive Cadre Employees of CIL are hereby amended as under :

- 6.7 (iv) The grant of Study Leave is at the discretion of the Chairman/Managing Director or an Authority to whom this power is delegated, and will be regulated as below :
- (a) Grant of 'Study Leave' subject to a maximum period of 2 years during the entire service;
 - (b) For such Post Graduate Degree/Diploma Studies for which the duration has been specified as 3 years, the Study Leave will be granted for 3 years.
 - (c) Sponsorship with financial support from the Company shall be for a period of 2 years only.
2. The other sub-clauses of Rule 6.7 will remain unaltered.
3. The Board further decided that provision for recovery of the cost of training in full should be incorporated in the Bond. Order in this regard will be issued separately.
4. This amendment will come into force with immediate effect.

Sd/-
(R. G. Singh)
Chief General Manager (Personnel)

OFFICE MEMORANDUM

Sub : Clarification on Pay & Allowances admissible during study leave on half pay.

1. A Clarification has been sought as to the admissibility of Pay and Allowances to an executive who is granted study leave on half pay for long term specialisation course in the interest of the company.
2. The matter has been examined and it is clarified that when an executive is granted study leave on half pay, he will be entitled to half of Basic pay, Personal Pay and full D.A. HRA at full rate will also be admissible, subject to production of House Rent receipt and furnishing a certificate stating that the said accommodation was retained by him at the same station from where he proceeded on leave and did not sub-let whole of it. No other allowance whatsoever will be admissible.
3. This supercedes all earlier orders issued in this regard.

Sd/-
(K.G. KOCHAR)
DY. CHIEF PERSONNEL MANAGER

COAL INDIA LIMITED

"Coal Bhawan"
10- Netaji Subhas Road
Calcutta - 700 001

OFFICE MEMORANDUM

Sub : Amendment of duration of Study Leave Rules for the Post Graduate Studies

1. In pursuance of the decision of the Board of Directors, CIL in its 137th Meeting held on 16-04-94 at Calcutta, the existing provision as contained in Rule 6.7 (iv) under caption "Study Leave" of the Leave Rules for Executive Cadre Employees of CIL are hereby amended as under :-
 - 6.7. (iv) The grant of Study Leave is at the discretion of the Chairman/Managing Director or an Authority to whom this power is delegated, and will be regulated as below :-
 - (a) Grant of 'Study Leave' subject to a maximum period of 2 years during the entire service.

- (b) For such Post Graduate Degree/Diploma Studies for which the duration has been specified as 3 years, the Study Leave will be granted for 3 years.
- (c) Sponsorship with financial support from the Company shall be for a period of 2 year only.
2. The other sub-clauses of Rule 6.7 will remain unaltered.
3. The Board further decided that provision for recovery of the cost of training in full should be incorporated in the Bond. Order in this regard will be issued separately.
4. This amendment will come into force with immediate effect.

Sd/-

R. G. SINGH

Chief General Manager (Personnel)

COAL INDIA LIMITED

**"Coal Bhawan"
10- Netaji Subhas Road
Calcutta - 700 001**

CIL : C/5A (vi) :52056 (Vol. ii) / 192

Dated : 15-12-1994

OFFICE ORDER

1. The Board of Directors CIL in their 142nd Meeting held on 17th October, 1994 at New Delhi accorded its approval to the encashment of Half - Pay Leave subject to a maximum of 240 days of Half - Pay Leave at the credit of the executive cadre employees w.e.f. 01-04-93 on the following conditions :—
- i) On seperation from the Company on attaining age of superannuation;
 - ii) Death while in service;
 - iii) Permanent total disablement of an executive;
 - iv) On Voluntary Retirement before the date of superannuation but after attaining the age of 55 years;
 - v) In case on cessation of service after attaining the age of 50 years or more provided the executive cadre employee; has put in a minimum of 20 years' continuous service as a regular employee in the Company and the cessation is not as a result of disciplinary action or leaveing the service without approval of the management.
2. Other conditions, governing the encashment of Half - Pay Leave, will be the same as are in the case of Earned Leave encashment.
3. Suitable amendment will be carried out in the Leave Encashment Scheme for Executive Cadre Employees separately.

R. A. P. SINGH

Director (Personnel & IR)

COAL INDIA LIMITED

"Coal Bhawan"
10- Netaji Subhas Road
Calcutta - 700 001

CIL : C/5A (vi) : 52056 (Vol. II) / 89

Dated : July 28, 1995

OFFICE MEMORANDUM

Sub : Clarification on encashment of Half Pay Leave
to the executives of Coal India Limited and its Subsidiary Companies.

In continuation of CIL's Office Order No. CIL : C-5A (vi) : 52056 (Vol. ii) : 192 dated 15.12.1994, it is being clarified that while making payment of encashment of Half Pay Leave, half of the basic pay (including Special Pay, N.P.A. and Interim Relief) with full D.A. upto a maximum period of 240 days are to be taken into account.

All other terms and conditions as stipulated in the Office Order dated 15.12.1994 will remain unchanged.

This issues with the approval of the competent authority.

K. P. SINHA

Chief General Manager (Pers.)