

# COAL INDIA EXECUTIVES LEAVE RULES 2010

(Including all amendments / clarification issued upto 30.08.2012)



COAL INDIA LIMITED  
(A Government of India Enterprise)  
(A Maharatna Company)  
"COAL BHAWAN"  
10, NETAJI SUBHAS ROAD, KOLKATA-700001

## COAL INDIA EXECUTIVES LEAVE RULES 2010

### 1.0 TITLE

These Rules will be called the Coal India Executive Leave Rules 2010 and will supersede all the earlier Leave Rules & subsequent amendments.

### 2.0 SCOPE & APPLICATION

These Rules will apply to all whole time regular executives of Coal India Limited and its Subsidiaries. The provisions of leave rules as specifically provided also apply to Management Trainees.

### 3.0 DEFINITION

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

- 3.1 "Executive" means the whole time regular executive cadre.
- 3.2 "Deputationist" means an executive who is on deputation from other Public Sector, State/Central Government.
- 3.3 "Management Trainee" means newly recruited executive and appointed in regular pay scale in E1 grade.
- 3.4 "Pay" for the purposes of these rules will be the amount drawn monthly by an executive as basic pay in the grade, dearness allowance, deputation pay, personal pay, special pay, non-practicing allowance as applicable to the post held by him.
- 3.5 "Company" means the Coal India Limited.
- 3.6 "Competent Authority" means the Board of Directors or any authority to which the power is delegated.
- 3.7 "Sanctioning Authority" means the authority to whom the power to grant leave/leave encashment is delegated.

The following will be the sanctioning authority for various types of leave excluding the study leave:

- a) CMDs of the subsidiaries and other Directors for AGMs/Heads of the department and other officers working directly under them.
- b) Area General Managers or Heads of Departments or any other executive, to whom the power may be specially delegated -- for all officers working under their administrative control.

#### **4.0 COMMENCEMENT**

These Rules shall come into force with effect from 1<sup>st</sup> July'2010.

#### **5.0 GENERAL TERMS & CONDITIONS APPLICABLE FOR LEAVE**

5.1 An executive in the service of the Company will earn leave in accordance with the provisions of these Rules.

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

5.3 An executive who absents himself without sanctioned leave for more than 8 calendar days, 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 executive 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 executive may be reinstated with or without break in service.

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

5.5 Grant/refusal/cancellation of leave to an executive shall depend on the exigencies of work of the Company and shall be at the sole discretion of the leave sanctioning authority.

5.6 In case of deputationist, he is entitled for Casual leave as per this rule and for other leaves, he is governed by the terms and conditions of the deputation.

#### **6.0 PROCEDURE FOR SANCTION OF VARIOUS TYPES OF LEAVES OTHER THAN CASUAL LEAVE**

##### **6.1 Application for leave**

An application for leave must be made to the competent authority in advance in the prescribed form, if the leave is available at his credit.

##### **6.2 Sanctioning of leave and notification thereof**

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 and forward the same to the personnel department for necessary updation of leave records and informing the pay office for preparing the salary bills accordingly.

### 6.3 **Relinquishment/ Assumption of the charge**

No officer will proceed on leave unless:

- a) He has been conveyed the approval of the leave by the competent authority;
- b) He has handed over charge to another officer in compliance to specific order, if any; and
- c) The report of Relinquishment/Assumption of charge should be 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 send to the Personnel/Administrative department in the office of the competent authority, to the controlling officer and to the Pay & Accounts officer concerned as early as possible.

### 6.4 **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 the executive does not proceed on leave he will apply for the cancellation of leave applied for.

### 6.5 **Leave on medical grounds**

Application for leave on medical ground must be supported by a medical certificate from a Registered Medical Practitioner/Company doctor. 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/Company doctor at the time of joining duties.

### 6.6 **Maintenance of leave records**

The leave records is to be maintained in the proforma given in Annexure I either by means of a loose leaf ledger or register or in the Kardex form in the office of the leave sanctioning authority unless this is given to a level below the S.A.M/Agent office in which case the leave record in respect of field officers, would be maintained by S.A.M's/Agent's office. Whenever an officer is transferred out of the area/department/division, the original or attested copy of the leave records must be send to the receiving end along with the L.P.C.

## **7.0 TYPES OF LEAVE**

### **7.1 Casual Leave**

- 7.1.1 Casual leave is intended to cover casual absence of the executive for personal reasons.
- 7.1.2 Casual leave will be allowed to all executives 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.
- 7.1.3 Public holidays and weekly offs occurring during the spell of the leave will not be treated as part of the leave.
- 7.1.4 Casual leave can be granted for half day also. If half-day leave is taken, the lunch interval will be taken as the dividing line.
- 7.1.5 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.
- 7.1.6 An executive who joins service on any day in a calendar year upto 30<sup>th</sup> June is entitled to the full credit of 12 days Casual leave for that calendar year and those who join duty on or after 1<sup>st</sup> July are entitled to 6 days Casual leave.

Executives separating from the Company in between the calendar year will be credited with full casual leave and will be allowed to avail full entitled casual leave at their credit. (Authority : CIL/C5A(vi)/Leave/1564 dated 01.03.2011)

### **7.2 Special Casual Leave**

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

- a) Periods spent in camp by executives permitted to join the Territorial Army, not exceeding 14 days which can be combined with regular leave, wherever necessary.
- b) Executives 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 executive can be permitted by competent authority to combine special casual leave with earned leave as a special case but not with other leaves.

- c) Executives 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) Executives who donate blood on working days may be granted special casual leave for that day.
- e) Executives who undergo sterilization operation under the Family Planning Scheme may be granted special casual leave not exceeding six working days.
- f) Two principal office bearers of recognized Associations who are also executives, attending annual general meetings or conferences of the central organizations to which they are affiliated may be granted special casual leave to a maximum of 10 days in a calendar year.
- g) In case of the executives appearing in the examination conducted by the CIL or approved by the Management e.g. 2<sup>nd</sup> class and 1<sup>st</sup> class Mine Manager Certificate of Competency Examination etc., Special Casual leave for actual no. of days of examination can be granted.
- h) The executives 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 and minimum period spent on journey to and from 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 executive if he is called as witness by the Court towards the days of his absence, i.e., attendance day and minimum traveling 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 executives 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 executive is called in for evidence by the Company the said executive 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.

### **7.3 Earned Leave on full Pay**

- 7.3.1 Every executive shall be credited with earned leave in advance in two installments of 15 days each on the first day of January and July of every calendar year.

- 7.3.2 When an executive is appointed in the middle of the year, earned leave should be credited in his leave account at the rate of 2 ½ days for each completed month of service which is likely to render in the calendar half year in which he is appointed.
- 7.3.3 The credit afforded under the above shall be reduced by 1/10th of the period of extra ordinary leave availed of during the previous half year, subject to a maximum of 15 days.
- 7.3.4 a) The credit for the half year in which an executive is due to retire or resigns from the service, shall be afforded only at the rate of 2 ½ days per completed calendar month in that half year up to date of retirement/resignation.
- b) The credit for the half year in which an executive is removed/dismissed from service or dies in service, will be afforded at the rate of 2 ½ days per completed calendar month up to the end of calendar month preceding the calendar month in which the executive is removed/dismissed/dies.
- c) If in the case of an executive, the leave already availed of is more than the credit so due to him, necessary adjustment is to be made in respect of leave salary overdrawn.

- 7.3.5 Earned leave can be accumulated upto 300 days.

While limiting the maximum of 300 days, where the balance at credit is 286-300 days, further advance credit of 15 days i.e. 300 + 15 on 1<sup>st</sup> January/1<sup>st</sup> July will be kept separately and set of against the EL availed of during that half year ending 30<sup>th</sup> June/31<sup>st</sup> December. However, if the leave availed is less than 15 days, the remainder will be credited to leave account subject to the ceiling of 300 days at the close of that half year.

- 7.3.6 The maximum earned leave that may be granted at a time to an executive shall be 180 days except in case of illness.
- 7.3.7 While affording credit under the clause 7.3.2, 7.3.3 and 7.3.4 above, fraction of a day will be rounded of to the nearest day.

#### **7.4 Half Pay Leave**

- 7.4.1 Every executive shall be credited with half pay leave in advance in two installments of 10 days each on the first day of January and July of every calendar year.

- 7.4.2 When an executive is appointed in the middle of the year, 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.

The credit for the half year in which an executive 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.

When an executive 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.

If in the case of an executive, the leave already availed of is more than the credit so due to him, necessary adjustment is to be made in respect of leave salary overdrawn.

- 7.4.3 The leave under this rule may be granted on medical certificate or on private affairs.

- 7.4.4 There is no limit for accumulation of half pay leave. However, the encashment limit as clause 12.5.1 will be 300 days only.

## **7.5 Commuted Leave**

Half pay leave can be commuted into full pay leave, at his option. When commuted leave is granted, twice the number of such leave will be debited to the half pay leave account of the executive.

For commuted leave exceeding 6 days, it will be necessary to produce a medical certificate.

Holidays, if any, succeeding the day of fitness can be allowed to be suffixed with commuted leave. Holidays, if any preceding the day of fitness shall be treated as part of leave

## **7.6 Extra-ordinary Leave Without Pay**

When no other leave is by Rule admissible, Extra-ordinary leave without pay, may be granted to any executive in special circumstances upto following extent:



Upto 3 months, on any one occasion other than on ground of illness;

Upto 6 months, on any one occasion on ground of illness, other than TB, Cancer, Leprosy, Paralysis, Severe Heart Attack, By-pass/ Open Heart Surgery;

Upto 18 months, on any one occasion in cases of treatment for TB, Cancer, Leprosy, Paralysis .

## **7.7 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 executive is suffering from the following diseases on production of medical certificate from an authorized medical officer:

T.B.  
Cancer  
Leprosy  
Severe Heart Attack  
Paralysis  
By-pass/Open Heart Surgery.  
Renal disease  
AIDS  
Brain dis-order  
Cirrhosis/Liver Transplantation  
Hepatitis 'B' or 'C'

Any other disease with recommendation of Director (Personnel) and approved by the Chairman may add to this list.

## **7.8 Study Leave**

7.8.1 Study leave in half pay may be granted to an executive 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.

7.8.2 It is not to be granted to an executive who has not completed at least five year's service or to the executives within five years of the date of retirement.

7.8.3 It is not debited against the leave account and it counts as service for promotion but not for leave.

7.8.4 The grant of study leave is at the discretion of the Chairman/Managing Director or any authority to whom this power is delegated and will be regulated as below :-

Grant of "Study Leave" subject to a maximum period of 2 years during the entire service;

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;

Sponsorship with financial support from the Company shall be for a period of 2 years only.

Note I: Before grant of Study Leave, concerned executive is required to execute a Bond.

During study leave the concerned executive will be entitled to half of basic pay and full DA. HRA at full rate will also be admissible subject to production of HR receipt and submission of 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 allowances what so ever will be admissible.

Note II: Newly recruited Executives/Management Trainees, who join the company during the course of their acquiring higher qualification and on joining want to complete their course, immediately after training period, may be granted extra ordinary leave without pay for the purpose. No Management Trainee on joining shall be granted leave for completing any course during the training period.

## **7.9 Maternity Leave**

7.9.1 Maternity leave may be granted to the female executives (with less than 2 surviving children) of the Company for a period of 180 days from the date of its commencement. The leave is granted on full pay and is not debited against the leave account.

7.9.2 Maternity leave may be combined with earned leave on medical certificate.

7.9.3 Maternity leave not exceeding 45 days may also be granted to a female executive of the company (irrespective of the number of surviving children) during the entire service of that female executive in case of miscarriage including abortion on production of medical certificate from the authorized medical attendant.

7.9.4 While sanctioning such maternity leave to a female executive no restriction regarding qualifying service is necessary.

## **7.10 Quarantine Leave**

This leave may be granted with pay to an executive 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.

The quarantine is applicable for the following diseases:

- (i) Small pox, cholera, diphtheria, cerebro-spinal meningitis, typhus fever and plague should be considered as infectious diseases. 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.

#### **7.11 Special Disability Leave**

- 7.11.1 Special disability leave may be granted to an executive who is disabled by injury intentionally 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.
- 7.11.2 Special disability leave may be granted to an executive who is disabled by injury accidentally incurred in or in consequence of the due performance of his official duties or in consequence of his 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) The disability, if due to disease, must be certified by medical board, to be directly due to the performance of the particular duty.
  - b) The disability is in the opinion of the company exceptional in character or that there are circumstances to justify such unusual treatments as the grant of these form of leave.
- 7.11.3 Special disability leave may be combined with leave of any other kind, and shall be counted as duty.

7.11.4 The executives 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 the last pay drawn by the executive immediately before he/she met with the accident.

## **7.12 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 executive.

The maximum amount of Earned Leave that can be taken as Leave Preparatory to Retirement shall be 180 days.

## **7.13 Lieu Leave**

### **7.13.1 Executives (Mining or any discipline engaged on regular coal production/O.B. removal)**

7.13.1.1 Regular rosters shall be maintained in respect of the officers who are called upon to work on holidays/weekly days of rest and the same should have the approval of the controlling officer in advance.

7.13.1.2 One day "Lieu Leave" will be given to executives for each full day of work done for regular coal production on rest day/holiday.

7.13.1.3 The lieu leave credited in the calendar year for work done on rest day or holiday for regular coal production will be allowed to be availed by 30<sup>th</sup> June of the following year.

7.13.1.4 Grant of lieu leave should be so planned that the concerned executive could be allowed to avail the lieu leave within the time limit mentioned in clause 7.13.1.3 above.

7.13.1.5 The un-availed lieu leave shall be considered lapsed at the end of the time limit mentioned in clause 7.13.1.3 above.

7.13.1.6 The lieu leave will be allowed to be prefixed or suffixed with any other kind of leave and it is not encashable.

### **7.13.2 Other Executives engaged on Holidays/Rest days**

7.13.2.1 Any officers posted at Units, Area head quarters, Company Head Quarter etc. who are called upon to work on holiday/weekly days of rest will be given one day compensatory holiday for each full day of work done.

7.13.2.2 Regular rosters shall be maintained in respect of the officers who are called upon to work on holidays/weekly days of rest and the same should have the approval of the controlling officer in advance.

- 7.13.2.3 The compensatory holidays so credited for work done on rest day or holiday should be availed within the next 3 months following the day the officer was called for the duty.
- 7.13.2.4 The un-availed compensatory holiday shall be considered lapsed at the end of the time limit mentioned in clause 7.13.2.3 above.
- 7.13.2.5 The compensatory holiday will be allowed to be prefixed or suffixed with any other kind of leave and it is not encashable.

#### **7.14 Child Care Leave (CCL)**

Female executives having minor children may be granted Child Care Leave by an authority competent to grant maternity leave, for a maximum period of two years (i.e. 730 days) during their entire service for taking care of up-to two eldest surviving children whether for rearing or to look after any of their needs like examination, sickness etc. Child Care Leave shall not be admissible if the child is eighteen years of age or older. During the period of such leave, the female executives shall be paid leave salary equal to the pay drawn immediately before proceeding on leave. It may be availed of in more than one spell. The leave account for Child Care Leave shall be maintained in the proforma (**Annexure-II**) and it shall be kept along with the Service Book of the female executive concerned. Child Care Leave may also be allowed for the third year as leave not due (without production of medical certificate). It may be combined with leave of the kind due and admissible.

- 7.14.1 Child Care Leave shall be granted subject to following conditions:
- Child Care Leave cannot be demanded as a matter of right. Under no circumstances can any employee proceed on Child Care Leave without prior proper approval of the leave by the leave sanctioning authority.
  - It will be treated like Earned leave and sanctioned as such.
  - Saturdays, Sundays, Gazetted Holidays etc. falling during the period of leave would also count for Child Care Leave as in the case of Earned Leave.
  - The leave will not be allowed more than three spells in a calendar year.
  - Child Care Leave may not be granted for less than 15 days in a spell.
  - LTC/LLTC cannot be availed during CCL.

CCL should not ordinarily be granted during the probation period except in case of certain extreme situations where the leave sanctioning authority is fully satisfied about the need of Child Care Leave to the probationer. It may also be ensured that the period for which this leave is sanctioned during probation is minimal. (Authority CIL/C-5A(PC)/Leave/143 dated 30.08.2012)

## 8.0 ON PROMOTION FROM NON-EXECUTIVE TO EXECUTIVE POSITION

- 8.1 The leave standing to the credit on the day of assumption of charge in the executive position may be allowed to be carried forward on his promotion from Non-Executive position to the executive position in full subject to the ceilings prescribed in the rules.
- 8.2 As an executive, he will be earning the leave at the rates applicable as per the rules on and from the date he assumes the charge.

## 9.0 ON MOVEMENT OF AN EXECUTIVE FROM ONE PUBLIC ENTERPRISE TO ANOTHER

- 9.1 If an executive of Coal India Limited whose application was forwarded through proper channel, joins another Public Sector Organization, an amount equivalent to the leave salary for the earned leave/half pay leave/sick leave standing to his credit on the date of his leaving will be transferred to the new organization, provided the new organization agrees to give credit of such earned leave/half pay leave/sick leave to the executive concerned.
- 9.2 In the case of an executive joining Coal India Limited from another Public Sector Organization, credit of the earned leave/half pay leave/sick leave in the previous employment will be given to him, provided the previous organization transfers to Coal India Limited an amount equivalent to the leave salary for such earned leave/half pay leave/sick leave.

## 10.0 PROCEDURE FOR THE GRANT OF ADVANCE IN LIEU OF LEAVE SALARY

- 10.1 An advance in lieu of leave salary may be sanctioned to an executive who proceeds on leave for a period of not less than one month/30 days.
- 10.2 **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.

- a) 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 executive proceeds on leave but falls 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 extent the information is readily available.
- b) When an executive 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 the leave salary payable which include allowances as admissible under the rule for one month's/30 days leave from the date of commencement of leave.

- c) 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 executive 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 made from the leave salary.

### 10.3 **Adjustment of advances**

- a) 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 executive 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.
- b) 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 the executive with less than 5 years of service shall be required to give a written undertaking before the drawl of the advance that he would refund the amount of advance that cannot be adjusted.
- c) 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 executive.

### 11.0 **JOINING TIME/TRANSIT LEAVE ON TRANSFER**

- 11.1 An executive 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 if the transfer is on request basis.
- 11.2 If a transfer does not necessarily involve, a change of residence from one station to another, the executive will not be entitled to more than one day's joining time. A holiday counts as a day in such a case
- 11.3 In cases involving transfer from one station to another, joining time shall be allowed as under:
  - a) 6 days for preparation.
  - b) 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 in each case; the part of the 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 the journey by rail/motor vehicle or any other way.

- 11.4 A Sunday shall not count as a day for the purpose of calculations of joining time. When holiday(s) follow(s) joining time the normal joining time shall be deemed to have been extended to cover such holiday(s).
- 11.5 Joining time shall be calculated by the route which is ordinarily used by the travelers. Travel by road not exceeding 8 kms to or from a railway station at the beginning or end of a journey shall not count for joining time.
- 11.6 If an executive 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 headquarters to new headquarters. In other cases joining time shall be calculated from the place at which he makes over charge.
- 11.7 The authority sanctioning the transfer may, in special circumstances, reduce the period of joining as admissible under clause 11.3 above. The authority sanctioning the transfer may also grant a longer period of joining time than is admissible under clause 11.3 in the following circumstances:
- When the executive 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
  - When the executive has though no fault o his part missed the train, or fallen sick on the journey.
- 11.8 **Joining Time Pay**
- An executive on joining time shall be regarded as on duty and shall be entitled to be paid as follows:
- 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 allowances between the post to which he has been transferred or from which he has been transferred.
  - If he joins a new post after availing leave with full pay, he shall draw the leave salary which he last drew. 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.
- 11.9 An executive 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. Willful absence from duty after the



expiry of joining time may be treated as mis-conduct for the purpose of conduct rules.

#### 11.10 **Availing of Joining Time – TA/DA**

In case the executive joins duty immediately and avail the joining time later on, the entitlement of TA/DA and joining time will be as follows:

- 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 and 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.

11.11 The Joining time/Transit leave should be availed preferably within 6 months.

In case of not availing the same, the delay may be condoned by the controlling officer on reasonable ground.

### 12.0 **LEAVE ENCASHMENT**

#### 12.1 **ELIGIBILITY**

Encashment of earned leave and half pay leave will be allowed at the option of the executives, subject to the approval of the Sanctioning Authority competent to sanction the same.

#### 12.2 **EXTENT OF LEAVE ENCASHABLE**

Only earned leave on full pay and half pay leave at the credit are encashable and not any other kind of leave, such as casual leave, study leave etc.

#### 12.3 **EXTENT OF ENCASHMENT OF EARNED LEAVE**

12.3.1 Encashment of EL will be allowed to an executive only once in a calendar year.

12.3.2 The earned leave can be encashed upto 75% of the earned leave at credit or 60 days, whichever is less.

12.3.3 Earned leave at credit will be determined as on the date of making an application for encashment of leave.

12.3.4 The rate of encashment per day will be calculated on the basis of emoluments of an executive in the month in which he applies for the leave encashment (after deducting inadmissible allowances) divided by 30.

- 12.3.5 Encashment benefits will not be reckoned as salary for the purposes of Exgratia etc.
- 12.3.6 The full portion of the earned leave encashed will be deducted from the leaves at his credit.
- 12.3.7 The application for leave encashment, wherever necessary, should specifically indicate the quantum of earned leave that the executive desires to encash which shall not be more than the limit specified as above.
- 12.3.8 The sanctioning authority should specifically indicate the period and the number of days of leave allowed for encashment.
- 12.3.9 Separate orders shall be issued in respect of the encashment sanctioned for EL.
- 12.3.10 No encashment of leave during the period under suspension will be permissible.
- 12.3.11 During study leave, encashment of EL will be permissible only in exceptional circumstances.
- 12.3.12 The encashment of earned leave of those posted to overseas CIL offices/project sites earned during their period of posting abroad will be regulated by the terms and conditions of CIL Overseas Office/Project Site Rules.
- 12.3.13 **Computing The Rate Of Earned Leave Encashment:**  
For computing the rate of encashment, basic pay including non-practicing allowance if any and dearness allowance only will be included. All other allowances, viz. HRA, Coalfield Allowance, Charge Allowance, Underground Allowance etc. will be excluded.

## **12.4 ENCASHMENT OF EARNED LEAVE ON TERMINATION OF SERVICE/RETIREMENT**

### **12.4.1 On Resignation**

Leave at credit shall not be granted for encashment if an executive resigns from the service.

However an executive who has resigned from the service can avail the benefit for the encashable portion of earned leave prior to the date of his actual quitting/release from service.

### **12.4.2 On Termination**

An executive governed under Coal India Service Rules, whose services are terminated, otherwise than on disciplinary grounds, or who retires on

superannuation, may be allowed to encash the earned leave at his credit, subject to a maximum of 300 days, in terms of this Scheme.

However, this will be applicable in the case of executives who are employed on contract, on tenure, on deputation, on re-employment etc., if it is mentioned in their Contract/Agreement.

#### **12.4.3 On Death**

In case of death of an executive in service, cash equivalent to leave salary in respect of earned leave due at his credit at the time of death will be payable to the family of deceased, subject to a maximum of 300 days.

#### **12.5 ENCASHMENT OF HALF PAY LEAVE**

12.5.1 Encashment of half pay leave subject to maximum of 300 days of HPL at the credit of the executive is permissible on the following conditions:

- a) On separation from the company on attaining the age of superannuation;
- b) Death while in service;
- c) Permanent total disablement of an executive;
- d) On voluntary retirement before the date of superannuation but after attaining the age of 55 years;
- e) In case of cessation of service after attaining the age of 50 years or more provided the executive has put in a minimum of 20 years continuous service as a regular executive in the company and the cessation is not as a result of disciplinary action or leaving the service without approval of the Management.

12.5.2 Computing The Rate Of Half Pay Leave Encashment:

While making payment of encashment of half pay leave, half of the basic pay, proportionate NPA if applicable with full DA upto maximum period of 300 days is to be taken into account.

#### **12.6 DEDUCTION**

No deduction other than PF/CMPF and Income Tax will be made from the amount payable to a serving executive if the encashment is for a period of less than 30 days. If the encashment is 30 days or more monthly installments of repayment of advances and other dues shall be recovered at the rate of one installment for each period of 30 days. In case of resignation/retirement/retranchment or death,

company's dues shall be recovered from the amount of encashment.

**13.0 LEAVE ENTITLEMENT/LEAVE ENCASHMENT OF MANAGEMENT TRAINEES**

Management trainees who are appointed in regular pay scale will be entitled to Casual leave, Earned leave, Half Pay Leave and Commuted leave at par with the regular executives.

During the period of training they are not entitled for any encashment benefit.

**14.0 INTERPRETATION**

The power to interpret these rules is reserved with the Director (P&IR), CIL / Chairman, CIL and their interpretation will be final.

**15.0 SAVINGS**

The Company reserves the right to alter, amend or withdraw this scheme at its discretion without assigning any reasons therefore.

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ANNEXURE I

**COAL INDIA LIMITED**

FORM OF LEAVE ACCOUNT — PART 1

Name of the Executive: \_\_\_\_\_ Staff No.: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Date of Appointment: \_\_\_\_\_

EARNED LEAVE (Total accumulation 300 days)										
Particulars of service in the calendar half year		Completed months of service in the calendar half year	E.L. credited at the beginning of half year	Earned Leave	E.L. to be deducted (1/10th of the period in Col. 5)	Total E.L. at credit in days (Col. 4 + 11 - 6)	Leave Taken			Balance E.L. on return from Leave ( Col. 7 - 10)
From	To			No. Of days of E.O.L.(Col. 17 of Part 2) availed of during the previous calendar half year			From	To	No. of Days	
1	2	3	4	5	6	7	8	9	10	11

**Notes:**

1. The earned leave due should be expressed in days.
2. When an executive is appointed during the course of a particular calendar half year, E.L. should be credited at 2 ½ days for each completed month and the fraction of a day will be rounded to the nearest day.
3. The entries in Col. 6 should be in completed days. Fraction of a day will be rounded to the nearest day.



ANNEXURE I cont...

COAL INDIA LIMITED

FORM OF LEAVE ACCOUNT — PART 2

Name of the Executive:

Staff No.:

Date of Birth:

HALF PAY LEAVE ( on private affairs and on medical certificate including commuted leave)																
(@ 20 days for each year of completed service)																
Length of service		No. of completed years	Credit of leave		LEAVE TAKEN									Extra Ordinary Leave (without pay)		
From	To		Leave earned (in days)	Leave at credit (Col. 4 + 14)	Against the earning on half pay			Commutated leave on medical certificate on full pay			Commutated leave converted into half pay leave (twice of Col. 11)	Total of half pay leave taken (Col. 8 + 12)	Balance of half pay leave on return from leave	Duration		No. of Days
					From	To	No. of Days	From	To	No. of Days				From	To	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

Notes:

1. Period of E.O.L should be noted in red ink.
2. The entries in Col. 1 and 2 should indicate only the beginning and end of completed years of service at the time half pay leave commences. Where as executive completes another year of service while on half pay leave, the extra credit should be shown in Col. 1 to 5 by making suitable additional entries and this should be taken into account while completing Col. 14.

**ANNEXURE II**

**PROFORMA FOR MAINTAINING CHILD CARE LEAVE ACCOUNT**

Period of Child Care Leave taken		Balance of Child Care Leave		Signature and designation of the certifying officer
From	To	Balance	Date	