

LEAVE RULES APPLICABLE FOR WAGE BOARD EMPLOYEES

1. EARNED LEAVE:

As per Mines Act 1952 a worker is entitled for Earned Leave with wages @ 1 day earned leave per 20 days of service rendered on Surface and 1 day of Earned Leave per 15 days of service rendered in the underground subject to the maximum of 15 days in a calendar year.

Eligibility : In order to earn eligibility for Earned Leave, a worker must have worked not less than 240 days in a calendar year in case he is employed on surface and 180 days in case of employed in the underground. However, for the purpose of computation of attendance for determining the eligibility for earned leave, all authorized paid leave would be included (such as sick leave with full pay, casual leave with pay, Maternity leave with pay, days of absence on account of injury arising out of employment or on account of occupational disease with pay as well as paid holidays). These paid leave would, however, not earn any further leave.

In case one has joined other than 1st of January and joined his services in the middle or in any section of calendar year; in such case he must have worked not less than 2/3rd of the remainder period of the calendar year in case of employed on surface and 1/2 (half) of the remainder period in the said calendar year to earn eligibility for entitlement of the earned leave.

Accumulation of Earned Leave: As per provisions laid down in NCWA-IX presently applicable to the wage board employees, accumulation of earned leave is allowed up to 140 days.

Encashment of Earned Leave: The workmen will be entitled to get encashment of earned leave @ of 50% of leave due to his account subject to the maximum of 15 days in a calendar year subject to the minimum of 7 days/per year. In the event of death or superannuation or VRS etc. the balance leave or 140 days whichever is less will be allowed for encashment.

2. SICK LEAVE & SPECIAL LEAVE:

Sick leave with full pay is granted to a workman @ 15 days in a calendar year. It is being granted to a workman to cover his/her absence from duty on account of sickness/illness.

As per provisions laid down under NCWA-IX accumulation of Sick Leave is allowed up to 110 days.

SPECIAL LEAVE:

Grant of special leave is allowed to the employees suffering from heart disease, TB, Cancer, Leprosy, Paralysis, Renal diseases, HIV and Brain disorders.

- (a) Employees suffering from Heart disease, TB, Cancer, Leprosy, Paralysis, Renal diseases, HIV and Brain disorders shall be granted special leave @ 50% of Basic pay VDA & SDA up to 6(six) months during the tenure of service period on the basis of recommendations of the Company Medical Officer or any other hospital to which the cases may be referred for treatment by the Management.**

- (b) It is also agreed that in case of relapse or otherwise continuance of aforesaid ailments, such of the employees shall be granted further special leave @ 50% basic pay, VDA & SDA up to 6(six months) during the tenure of service period on the basis of recommendations of the Company Medical Officer or any other hospital to which the cases may be referred for treatment by the Management.**

- (c) The grant of special leave to the employees suffering from Brain disorder will be guided as per provisions of I.I.No.25 dated 01.06.2001 of NCWA-VI.**

- (d) An employee suffering from Heart disease and advised rest by Specialist will further be entitled to the above leave with half pay up to the period of 6(six) month during the tenure of service period on the basis of recommendations of the Company Medical Officer.**

(3) CASUAL LEAVE WITH PAY:

A workman is entitled to casual leave @ 11 days per annum. Casual leave can not be attached with any other kind of leave meaning thereby that casual leave cannot be preceded or succeeded by any other kind of leave such as Earned Leave or Sick Leave. C.L. can be normally availed to the extent of 4 days at a time however; this may be extended up to 7 days at the discretion of the controlling officer.

Over & above the aforementioned leave, a workman is also entitled to the National festivals & holidays as per rules of the company.

(4) MATERNITY LEAVE (Covered under Maternity Benefits Act-1961):

It is applicable to every shop or establishment within the meaning of any law for the time being in force in relation to shops and establishments in a State, in which ten or more persons are employed, or were employed, on any day of the preceding twelve months:

The maximum period for which a female employee shall be entitled to maternity benefit shall be twelve weeks inclusive of the day of delivery. However, subsequent amendment to the Act specifies that “not more than six weeks shall precede the date of her expected delivery”.

Interpretation: Earlier it was six weeks maternity leave was allowed for pre-delivery period and six weeks for the post delivery period. Owing to this some technical issues emerged that if a female worker does not go on leave during the six weeks in the pre-delivery period in such case total period of 12 weeks covered under the Act used to have been jeopardized. Now, the amendment specified that during the pre-delivery period not more than 6 weeks shall be allowed meaning thereby that if a female worker feels right she may go on for maternity leave even less than 6 weeks in the pre-delivery period and may avail the rest of 12 weeks in the post delivery period.

(a) Provided that where a woman dies during this period, the maternity benefit shall be payable only for the days up to and including the day of her death. The employer shall pay such benefit or amount to the person nominated by the woman in the notice given under section 6 and in case there is no such nominee, to her legal representative.

(b) Provided further that where a woman, having been delivered of a child, dies during her delivery or during the period immediately following the date of her delivery for which she is entitled for the maternity benefit, leaving behind in either case the child, the employer shall be liable for the maternity benefit for that entire period but if the child also dies during the said period, then, for the days up to and including the date of the death of the child.

Payment of medical bonus:

Every woman entitled to maternity benefit under this Act shall also be entitled to receive from her employer a medical bonus of Rs.250.00 (two hundred and fifty rupees) if no pre-natal confinement and post-natal care is provided for by the employer free of charge. In our organization this is not applicable since we provide hospital/dispensary facilities to our female employees.

Leave for miscarriage:

(a) In case of miscarriage, a woman shall, on production of such proof as may be prescribed, be entitled to leave with wages at the rate of maternity benefit, for a period of six weeks immediately following the day of her miscarriage.

(b) Leave for illness arising out of pregnancy, delivery, premature birth of child, or miscarriage.

A woman suffering from illness arising out of pregnancy, delivery, premature birth of child or miscarriage shall, on production of such proof as may be prescribed, be entitled, in addition to the period of absence allowed to her under section 6, or, as the case may be, under section 9, to leave with wages at the rate of maternity benefit for a maximum period of one month.

Nursing breaks:

Every woman delivered of a child who returns to duty after such delivery shall, in addition to the interval for rest allowed to her, be allowed in the course of her daily work two breaks of 15 minutes duration for nursing the child until the child attains the age of fifteen months. An extra sufficient period, depending upon the distance to be covered, shall be allowed for the purpose of journey to and from the crèche or the place where the children are left by women while on duty, provided that such extra period shall not be of less than 5 minutes and more than 15 minutes' duration.

Prohibition of Employment of pregnant women worker during certain period.

- (1) No employer shall knowingly employ a woman in any establishment during the six weeks immediately following the day of her delivery or her miscarriage.
- (2) No woman shall work in any establishment during the six weeks immediately following the day of her delivery or her miscarriage.
- (3) any work which is of an arduous nature or which involves long hours of standing, or which in any way is likely to interfere with her pregnancy or the normal development of the foetus, or is likely to cause her miscarriage or otherwise to adversely affect her health.

MEDICAL ATTENDANCE RULES.

Medical Attendance:

Medical Attendance means medical treatment by an Authorized Medical Attendant including such pathological bacteriological, radiological or other methods of examination and investigation for the purpose of diagnosis and treatment (curative and/or preventive) as are considered necessary by the Authorized Medical Attendant, subject to entitlement being confined with the limitations(s) laid down in these Rules.

Family:

Family means an employee's wife, legitimate children, step children, parents residing with and wholly dependent on him.

- (a) The husband of a female employee residing with and wholly dependant on her may also be allowed this concession.**
- (b) The terms legitimate children does not included adopted children except those adopted legally.**
- (c) Children would mean unmarried son aged up to 25 years, student but unmarried son and unmarried and unemployed daughters.**

However, now an amendment has been incorporated in the definition of family vide Office Memorandum No.CIL/C-5C/55123(A)/457 dated 26.02.2014 issued under signature of Shri Bhagwan Pandey, GM(Welfare) CIL Kolkata wherein it is intimated that the Board of Director's of cil in their 304th meeting held on 12 Feb. 2014 has accorded approval for amendment of the MAT Rules as under:

“Children would mean unmarried son aged up to 25 years or till he starts earning whichever is earlier, student but unmarried son and unmarried and unemployed daughter. The handicapped children above 25 years of age suffering from not less than 40% of any disability as certified by a recognized medical authority and who are fully dependent economically on parents and unmarried would be included. It will be effective from the date of issue of the Office Memorandum.”

(d) The wholly/mainly dependent parents who normally reside with the company's employee concerned and whose total monthly income does not exceed the pay of the company employee, subject to the maximum income of the parents being 1500.00 per month.

Treatment:

All eligible employees and their eligible dependants will get free medical treatment in company's hospital/dispensaries.

Treatment means medical, surgical and nursing facilities etc, as are considered necessary by the authorized Medical Attendant and will include; employment of pathological, bacteriological and other methods for diagnostic or therapeutic or preventive purpose and supply of medicines, vaccines or other therapeutic substance.

Treatment of Employees outside the Station while on LTC/Leave/Tour:

If any entitled employee or his entitled dependant falls ill out of station while on LTC Leave/Tour and obtains treatment in a Govt. Hospital, the company will allow reimbursement of the actual cost of treatment. In case of treatment by a private practitioner, or in a private nursing home or a private hospital, the reimbursement will be limited to the ceiling as provided under the rules (Ch-V).

Temporary Separation:

If any eligible dependant of the family of an entitled employee goes out of stations temporarily and falls sick, he can avail treatment outside the place of employment of the entitled employee but reimbursement will be admissible for treatment up to maximum period of two months during a calendar year. And reimbursement will be limited to the ceiling laid down under the rules(Ch-V).

- (a) If the dependant of an entitled employee permanently resides away from the place of posting of the employee, no medical reimbursement will be admissible excepting in case of children living away from their parents for the purpose of study and or training.
- (b) If the wife of an entitled employee stays away temporarily from the place of posting of the employee for the purpose of confinement, reimbursement for delivery including ante-natal, natal and post natal treatment will be admissible which will be limited in a total period of 3 months.

Treatment of entitled employee's eligible dependants on Transfer:

On transfer of an entitled employee, his eligible dependants will be entitled to medical treatment at the declared home town of the employee or in place of last posting or in such other place as may be approved by the controlling Officer, up to six months from the date he hands over charge at the previous station. Medical reimbursement will be limited to the ceiling laid down under the rules (Ch-V).

Referral:

Under special circumstances, when suitable treatment is not available in the hospital of the company an Authorized Medical Attendance may refer a case to a private specialist/clinic/nursing home/hospital provided he certifies the non-availability of the treatment and obtains prior permission of the Chief Medical Officer concerned. If it is not possible to obtain prior permission due to urgency, it should be reported to CMO with 48 hours for his post facto approval.

If there is an arrangement of the company with any private specialist/clinic etc. for treatment, the AMA should refer the case to such specialists/clinic etc. Possibility of such reference to nearby Govt. hospital should also be explored.

Diseases which requires special continued treatment for a longer time, like heart disease, TB, cancer, leprosy etc. special arrangement for treatment may be made with approval of the CMO concerned.

Reimbursement:

Where an employee is authorized by the Medical Attendant to purchase medicines/vaccines from outside and pay for investigation, he will be reimbursed such expenses to the extent specified in the schedule.

Outside treatment/outside sickness:

Continuation of treatment by a registered private practitioner or specialist shall be limited to a period of 30 days and total 8 consultations (inclusive of consultation with general practitioner and specialist) for a single spell of illness, after which period the patient is to be examined by a Company's Doctor who will advise further course of action. In case further consultations or visits are required approval of the CMO for such continuation will be required.

Physiotherapy:

Cost of physiotherapy is reimbursable as per rates in the schedule subject to the limit of 20 sittings. In special cases, the prior approval of CMO should be obtained for reimbursement of physiotherapy beyond 20 sittings.

Medical Advance:

On the recommendation of the authorized medical attendant grant of an advance for medical treatment will be admissible which shall not exceed 2 months pay of the entitled employee or Rs.2000/- whichever is less. Where medical advance is required more than Rs2000.00 sanction of CMO & functional director will be required.

The advance shall be adjusted against the medical reimbursement bill submitted by the claimant to the extent of his entitlement as per MAT RULES.

Travelling Allowance:

Actual expenditure incurred by the patient in travelling subject to maximum of a single rail fare by the class to which the employee is entitled from HQ(place of posting) of the employee to the place of treatment and back to HQ(place of posting). No DA is admissible.

Where an attendant accompanies a patient on the authority of the Chief Medical Officer, Actual Rail fare by II class for such an attendance may be reimbursed. However, in case an attendant travels by higher class and in the circumstances of the case the CMO considers travelling by attendant in a higher class is justified, actual fare of such higher class may be reimbursed subject to entitlement of the patient. No DA will be admissible.

In case an escort is deputed by the Company (medical or paramedical persons) the escort will be considered as on duty and shall be entitled to TA and DA as per Company's rules.

CHAPTER-V

SCHEDULE OF CHARGES

The charges for medical reimbursement in cases treated by private practitioner and in private institutions will be subject to the ceilings as shown below. Rates indicated in Group I relate to Delhi, Dhanbad, Ranchi, Nagpur, Kanpur, Asansol and all State Capitals. Group II relates to all other places. If actuals are less than these rates, only actuals will be payable.

I. CONSULTATION CHARGES

	Group I	Group II
(a) Specialist	Rs. 40/- per visit	Rs. 20/- per visit
(b) General practitioner	Rs. 16/- per visit	Rs. 10/- per visit

Note :

- (a) A specialist should be consulted only after a primary consultation with the Authorised Medical Attendant/General practitioner.
- (b) If any subsidiary company has any arrangement with local specialists/practitioner, the rates of consultations/operations, etc., already determined by the respective company will be paid instead of the above schedule of charges.

II. ACCOMMODATION

Category of employees	Entitlement of accommodation	Group I	Group II
(a) Executives and entitled non-executives with pay upto Rs. 1950/-	Paying ward/cabin/nursing home	Rs. 50/-	Rs. 30/-
(b) Executives with pay between Rs. 1951/- to Rs. 2750/-	-do-	Rs. 75/-	Rs. 50/-
(c) Executives with pay of Rs. 2751 and above	-do-	Rs. 100/-	Rs. 75/-

III. OPERATION FEE (EXCLUDING OPERATION THEATRE CHARGES AND ANAESTHETISTS FEE)

Simple Surgery		Minor Surgery		Major Surgery	
(Requiring General Anaesthesia)					
Gr. I	Gr. II	Gr. I	Gr. II	Gr. I	Gr. II
Rs. 125	Rs. 75/-	Rs. 300/-	Rs. 250/-	Rs. 600/-	Rs. 500/-

Note : The classification of different surgeries into simple, minor and major is shown under Clause XVII below.

IV. ANAESTHETIST'S FEE	Rs. 150/-	Rs. 100/-	Rs. 250/-	Rs. 200/-
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V. DENTAL OR/AND GUM TREATMENT

	Gr. I	Gr. II
(a) Extraction or filling	Rs. 16 per tooth	Rs. 10 per tooth
(b) Scaling of teeth	Rs. 16 per sitting	Rs. 10 per sitting
	In a single course of scaling of teeth, charges upto four sittings are reimbursable.	
(c) R.C.T.	Rs. 32/- per tooth	Rs. 20/- per tooth

- (d) For any other type of dental and/or gum surgery Rs. 16/- per sitting Rs. 10/- per sitting
(Reimbursement will be limited upto four sittings).

Note : Treatment and/or extraction of impacted wisdom tooth and treatment of jaw bone disease will fall under oral surgery and reimbursement will be as per rules and according to case.

VI. DELIVERY CHARGES, ABORTION, MISCARRIAGE AND MEDICAL TERMINATION OF PREGNANCY (M.T.P.)

	Gr. I	Gr. II
(a) Normal delivery, abortion, miscarriage and MTP	Rs. 200/-	Rs. 125/-
(b) Minor operative delivery	Rs. 300/-	Rs. 250/-
(c) Major operative delivery	Rs. 600/-	Rs. 500/-

Note : Labour room charges and anaesthetists charges have been shown separately.

VII. PATHOLOGICAL, BACTERIOLOGICAL AND OTHER SIMILAR EXAMINATIONS

Type of tests	Gr. I	Gr. II
Ordinary	Rs. 20/-	Rs. 10/-
Special	Rs. 40/-	Rs. 25/-

The following tests may be regarded as ordinary

TC/DC/Hb/ESR of blood, Malarial Parasite, Microfilaria, Absolute Eosinophil Count, Platelet count, Reticulocyte count, Blood Film Morphology, Bleeding & Coagulation Time (BT, CT), Kahn's flocculation test, VDRL, Widal's test, Aldehyde test, Blood sugar, Blood urea, Total Serum Cholesterol, Serum Cholesterol (Free), Serum Cholesterol (Easter), Plasma Protein of Blood (Total), Serum Albumin, Serum Globulin, Serum N.P.N, Serum BUN (Blood Urea Nitrogen), Serum Creatine, Serum Uric Acid, Serum Bilirubin, Thymol Turbidity, Prothrombin Time, Urine (Routine), Urine (Quant, Alb/Sugar only), Urine examination for Urea, Stool examination (Routine or Conc. method), Routine examination of Sputum, any culture (Blood/Urine/Pus/Eye Swab/Urethral Swab/Vaginal Swab/nasal swab except Sputum Culture of A.F.B.), any sensitivity test after Culture, Urethral smear for microscopic examination, Skin scrapings for AFB, Blood Typing, Rh factor determination.

The following tests may be regarded as special tests

Complete Haemogram, i.e. Hb, and RBC and PCV, MCV, MCH, MCHC and TCDC of WBC, Serum Sodium(Na), Serum Potassium(K), Serum Chloride(Cl), Co-combining power, Serum Calcium, Serum Inorg., Phosphorous, Serum Acid Phosphatase, Serum Alkaline Phosphatase, Total Lipids, Mantoux test, R.A. Factor, Urine-Diastase, Urine examination for Porphyrinogen, Urine for Pregnancy test, Coombs test, Histopathological examination, Endometrium or any others tissue-each block. L.F. cell Phenomenon, Casoni's reaction, Cervical/vaginal throat or any other smear for Peps test, serum SGOT, and SGPT.

Note : Actual cost of tests which are super-special in nature will be reimbursed if approved by CMO/MS/Dy MS.

VIII. CHARGES FOR X-RAY EXAMINATION

	Gr. I	Gr. II
(a) Radiography (Large size each plate)	Rs. 40/-	Rs. 30/-
(b) Radiography (Medium/small size each plate)	Rs. 25/-	Rs. 18/-
(c) X-ray after Barium meal :		
(i) Oesophagus only	Rs. 80/-	Rs. 60/-
(ii) Stomach and Duodenum only	Rs. 200/-	Rs. 150/-

(iii) Enema (Large intestine and rectum)	Rs. 200/-	Rs. 150/-
(iv) Full follow through	Rs. 275/-	Rs. 200/-
(d) Pyelography intravenous/Retrograde	Rs. 250/-	Rs. 190/-
(e) Oral Cholecystography	Rs. 140/-	Rs. 105/-
(f) Intravenous Cholecystography/Cholangiography	Rs. 250/-	Rs. 190/-
(g) Bronchography/Myelography	Rs. 250/-	Rs. 190/-
	(Plus minor operation charges)	
(h) Hystero-salpingography/Vasography/Cysto-Urothrography	Rs. 150/-	Rs. 115/-
	(Plus minor operation charges)	
(i) Angiography-Angiocardiography/Pneumo-encaphalography/ Lumber air study per film	Rs. 50/-	Rs. 40/-
	(Plus major operation charges)	
(j) Cardiac Catheterisation per film	Rs. 50/-	Rs. 40/-
	(Plus major operation charges)	
(k) X-ray in operation theatre/ward (with portable machine) :		
Per film (a) Large size	Rs. 80/-	Rs. 60/-
(b) Medium/small	Rs. 64/-	Rs. 48/-
(l) Dental X-ray per plate	Rs. 20/-	Rs. 15/-

Note : If cost of Barium meal/Contrast media/dye is charged separately, it will be reimbursed.

IX. E.C.G. CHARGES (Each case)	At Doctor's chamber	Rs. 50/-	Rs. 40/-
	At residence of patient	Rs. 100/-	Rs. 80/-
X. E.E.G. CHARGES (Each case)		Rs. 150/-	Rs. 120/-
XI. E.C.T. CHARGES		Rs. 50/-	Rs. 40/-
		per sitting	per sitting
XII. PHYSIOTHERAPY		Rs. 16/-	Rs. 10/-
		per sitting	per sitting

XIII. INJECTION CHARGES		By a Regd. Medical Practitioner	By a Regd. Pharmacist/Regd. Nurse
	Intramuscular or Subcutaneous	Rs. 5/-	Rs. 3/-
	Intravenous	Rs. 10/-	
	Intra-articular	Rs. 16/-	

XIV. SPECIAL NURSING/ATTENDANTS		Gr. I	Gr. II
	(a) Special Nurse — per shift of 12 hours	Rs. 25/-	Rs. 16/-
	(b) Attendant — per shift of 12 hours	Rs. 10/-	Rs. 8/-

XV. BLOOD TRANSFUSION	(i) Blood	Rs. 120 per 250 ml.
	(ii) Blood belonging to Rh neg. group	Rs. 180 per 250 ml.
	(Charges will be the same for both Group I and Group II cities).	

XVI. OPERATION THEATRE CHARGES/LOBOUR ROOM CHARGES
Upto a maximum of Rs. 100/- in reimbursable for both Group I and Group II cities.

- XVII. SIMPLE, MINOR AND MAJOR SURGERIES
- (A) All operations which does not require general anaesthesia may be treated as simple surgery unless concerned CMO decides otherwise.
- (B) The following operations will be regarded as minor operations :

General surgery

- (i) Inguinal Hernia-Unilateral (not strangulated).
- (ii) Hydrocele all forms, except when skin excision is involved.
- (iii) Anal fissure/fistula in Ano.
- (iv) Superficial cyst or Non-malignant tumor.
- (v) Suprapubic, Cystostomy/dilatation of urethra under general anaesthesia.
- (vi) Simple Harelip without Cleft Palate/Inperforated Anus.
- (vii) Drainage of Liver Abscess.
- (viii) Rib Resection.
- (ix) Tracheotomy.

Orthopaedic surgery

- (i) Closed Reduction and Plastering of all Fractures.
- (ii) Rib Fracture (Simple).
- (iii) A Slipped disc.

Eye surgery

- (i) Any operation except removal of eye-ball.

Oral surgery

- (i) Impacted wisdom tooth.

E. .N T.

- (i) S. M. R.
- (ii) Antrostomy.
- (iii) Peritonciller Abscess.

Gynaecological & Obstetrical operations

- (i) D & C.
- (ii) D & E.
- (iii) D & C & Coutory.
- (iv) Simple Amputation of Cervix.
- (v) Polypectomy.
- (vi) Local Valvectomy.
- (vii) Removal of Vaginal Cyst.
- (viii) Vaginal Ligation/Purpural Tubectomy.

(C) All other operations except mentioned in the above and requiring general anaesthesia may be regarded as major surgery.

Travelling Allowance

8. Travelling allowance may be paid in the following cases :

- (a) Actual expenditure incurred by the patient in travelling, subject to maximum of a single Rail fare by the class to which the employee is himself entitled as on transfer from the Headquarters of the employee to the place of medical treatment and back will be reimbursed. No daily allowance will be allowed.
- (b) Where an attendant accompanies a patient on the authority of the Chief Medical Officer, actual Rail fare by II class for such an attendant may also be reimbursed. However, in case an attendant travels by higher class and in the circumstances of the case the Chief Medical Officer considers travelling by attendant in a higher class is justified, actual fare of such higher class may be reimbursed, subject to such higher class being not higher than to which the patient is entitled. No daily allowance will be allowed.
- (c) In case an escort is deputed by the Company, (such escorts are normally medical or para-medical persons) the escort will be considered as on duty and shall be entitled to TA and DA as per Company Rule.

Procedures to be Followed While Ordering Reimbursement

9. All claims for reimbursement will be submitted in the proforma on Form No. II in Annexure II along with the supporting vouchers, cash memos, receipts, etc. to the

Employees Grievance Redressal Management System of ECL

The FDs of ECL in its meeting held on 12 January 2013 approved the Samadhan Scheme (renamed as Nidan) to deal with public grievances of Employees, Consumers / Contractors relating to the business operation of ECL and accordingly the Public Grievance Cell 'NIDAN' has been operating at ECL HQ at Room No.140, Technical Building ECL HQ, Sanctoria from the month of April 2013. Grievances are acknowledged through online system/ in writing/ through Toll free No. available with the public Grievance Cell or at e-mail address of the cell details of which are made available in the Company's website.

As per grievance redressal scheme incorporated in ECL;

- After acknowledgement, all grievances are scrutinized and forwarded within three days to the concerned unit/Area/Estb. for further examination and submission of status position & disposal of the grievances.
- NIDAN cell keeps a continuous touch / follow up action with the concerned unit / Area / Estb. for early disposal of each pending Grievance. On their redressal necessary entries are made in the grievance register with due communication to the concerned complainant in writing.
- The Areas / Units / Estb. are also visited by the officers of Public Grievance Cell – “NIDAN” to discuss and resolve the intricate issues pertaining to Grievance Redressal.

- **Now, ONLINE grievance redressal mechanism has been launched in ECL which is accessible in the home page of ECL website wherein grievance registration facility is made available through online grievance registration form. This system facilitates the aggrieved person to lodge his/her grievance from any place & at any point of time wherein such grievances are acknowledged by an automatically generated Grievance Acknowledgement Number communicated through their e-mail/mobile number. On redressal of the each grievance, position together with attachments (if any) are provided to the individual complainant through e-mail/online grievance redressal mechanism.**

- **All Areas / Units / Estb. of ECL have also been directed to follow the stipulated guidelines of DARPG as below:**
 - **All grievances need to be acknowledged within three days.**

 - **All grievances are to be finally redressed within 60 days. If longer period is involved the complainant is to be informed through an interim reply within 60 days indicating the reason for delay and additional time required for final redress.**

 - **In case it is not feasible to accede to his / her petition, a reasoned reply may be issued to aggrieved citizen.**

- **All grievances received through PG Portal (CPGRAMS) are also dealt & disposed of online by Nidan Cell on merit and reply together with attachments as provided by the concerned Area/Unit/Workshop against each case are also uploaded in the PG Portal.**

TYPES OF GRIEVANCES RECEIVED & DEALT DURING 2014-15

Details of the Cases
Wages Arrears/Increment/Allowances
Employment claim under Death case & Land Loser Scheme.
Compensation against land acquisition
Recruitment
Leave encashment
Gratuity Payment
Pay fixation /pay anomaly
CMPF Refund claim
Settlement of Pension / Revision of Pension / Widow Pension
Date of Birth Dispute
Settlement of CPRSME
Transfer/posting
Promotion from lower grade to higher grade
Claim of H.R.A.
Reimbursement of Medical bills/Referral
Payment of LLTC / LTC
Re-instatement in Service
Payment of annual bonus
Maintenance claim from dependents
Allotment/Repairing of Quarters
Life Cover Scheme Payment
Payment of bill to the Vendor
Allegation of illegal mining
Allegation of harassment
Monetary compensation in lieu of employment
O.T.Wages
Payment to vendor
Submission of VV statement
Miscellaneous/Others

TOOLS AVAILABLE FOR REGISTRATION OF GRIEVANCE:

(1) PG PORTAL.

(2) ONLINE GRIEVANCE REGISTRATION SYSTEM OF ECL.

ADDITIONAL TOOLS MADE AVAILABLE TO REGISTER COMPLAINT AND ALSO TO CONTACT GRIEVANCE CELL:

(1) TOLL FREE NO. 1800 3453229

(2) Ph-0341 2520233

(2) MOBILE- 9434796635

(3) E MAIL-grievance.ecl@coalindia.in

PAYMENT OF GRATUITY ACT-1972

(1) **Applicability**: The Act applies to every factory, mine, oilfield, plantation, port and railway company and all such establishment where 10 or more workmen are employed or were employed on any day during the preceding twelve months (The Act does not apply in respect of Jammu & Kashmir).

(2) **Authority**: Asstt. Labour Commissioner(C) appointed by the Central Govt. under notification in the official gazette shall be the Controlling Authority under Payment of Gratuity Act-1972 and R.L.C. (C) appointed by the Central Govt. under notification in the official gazette shall be the Appellate Authority under Payment of Gratuity Act-1972.

For all practical purpose these authorities are empowered under the Act to function as are vested in a Court, while trying a suit, under the Code of Civil Procedure,1908 in respect of the following matters namely:-

- (a) Enforcing the attendance of any person or examining him on oath;
- (b) Requiring the discovery and production of documents;
- (c) Receiving evidence on affidavits;
- (d) Issuing commissions for the examination of witnesses.

(3) **Eligibility** – Gratuity shall be payable to an employee on the termination of his employment after he has rendered continuous service for not less than five years,-

- (a) on his superannuation, or
- (b) on his retirement or resignation,
- (c) on his death or disablement due to accident or disease:

Provided that the completion of continuous service of five years shall not be necessary where the termination of the employment of any employee is due to death or disablement. In case of death of the employee, gratuity payable to him shall be paid to his nominee or legal heir as the case may be.

Continuous Service: An employee must have worked in an establishment uninterruptedly for period not less than 190 days in a calendar year in case employed in underground and 240 days in other cases.

- (4) **Family:** “Family”, in relation to an employee, shall be deemed to consist of:-
- (i) in the case of a male employee, himself, his wife, his children, whether married or unmarried, his dependent parents and the dependent parents of his wife and the widow and children of his predeceased son, if any.
 - (ii) (ii) in the case of a female employee, herself, her husband, her children, whether married or unmarried, her dependent parents and the dependent parents of her husband and the widow and children of her predeceased son, if any: Where the personal law of an employee permits the adoption by him of a child, any child lawfully adopted by him shall be deemed to be included in his family,

(5) **Determination of Gratuity:** Every employee who fulfills the eligibility criteria as provided under the Act, shall be paid gratuity by his employer on secession of service @ 15 days wages per completed year of service.

Example: if an employee has rendered 30 years of service in an establishment then he/she will be entitled for 15 days wages for all 30 years of his/ser service i.e. $30 \times 15 = 450$ days wages.

In order to calculate one day wage; monthly wages of an employee comprising of basic pay & DA(VDA/SDA etc) (excluding HRA/Transport Subsidy/Washing allowance etc.) will be divided by 26 since wages board employees are being paid 26 days wages in a calendar month. Therefore, the total gratuity payable shall be = 1 day wages x 450 in the instant case.

In regard to payment of gratuity even a better scheme is made available to the wage board employees who have rendered service beyond period of 30 years. For service rendered by an employee beyond the period of 30 years, Gratuity in respect of wages board employees are being paid @ 26 days wages per completed year of service for the period of service render beyond 30 years.

(6) Issue of Notice to the employee for payment of Gratuity:

Although it is mentioned under Sec-7(i) of the Act that an employee has to submit application in Form-I for payment of his gratuity but subsequent subsection i.e. 7(ii) specifies that even if the employee does not turn up to receive his gratuity it shall be liability of the employer to determine his amount of gratuity and on determination of the gratuity amount, a notice in Form-L is to be issued by an employer to the concerned superannuated employee advising him to receive his gratuity amount mentioning therein the amount so calculated against his gratuity payable to him.

(7) Recovery from gratuity/Forfeiture of gratuity:

(a) The gratuity of an employee, whose services have been terminated for any act, willful omission or negligence causing any damage or loss to, or destruction of, property belonging to the employer, shall be forfeited to the extent of the damage or loss so caused;

(b) The gratuity payable to an employee shall be wholly forfeited-

(i) If the services of such employee have been terminated for his riotous or disorderly conduct or any other act of violence on his part, or

(ii) If the services of such employee have been terminated for any act which constitutes an offence involving moral turpitude.

However, in such a case a notice is required to be served to the concerned employee under Form-M as provided under the Act.

Important Forms as provided under the Act-

- A- Notice of opening is to be given in this form by an employer.**
- B- In case of any change in name & details notice to be given in this form.**
- C- Intimation of Close down of an employee is to be given in this form.**
- D- (Display of family) Now omitted and became redundant.**
- E- Withdraw notice and or issue of fresh notice.**
- F- Gratuity nomination to be made by an employee in this form.**
- G- In case an employee does not have family at the time of appointment and subsequently he acquires family by dint of marriage etc. in such cases fresh nomination is to be given.**
- H- Request for Change of nomination is to be given in this form.**
- I- On secession of service Application for payment of gratuity is to be submitted by an employee in form-I.**
- J- In the event of death of an employee, his/her Nominee shall submit claim in this form.**
- K- In case of death of an employee if there is no nominee, the Legal heir shall submit claim in this form.**
- L- Notice to be issued by an employer to the superannuated employee for payment of gratuity mentioning therein the payable amount of gratuity so calculated.**
- M- In case of forfeiture, notice to be given to an employee in this form.**
- N- In case an employee is dissatisfied with payment of Gratuity he may submit application to the Controlling Authority under PG Act-1972 for direction under this form.**
- O- Notice by Controlling authority shall be issued to the employer in this form for appearance.**
- P- Summons are issued under this form by the Controlling authority directing for submission of evidence/witness.**
- Q- Particulars of application made & amount of gratuity paid shall be maintained by Controlling Authority under this form.**
- R- Direction for payment of gratuity is issued by the Controlling Authority under this form.**
- S- In case of application submitted to the Appellate Authority; a Modified order (if any) is being issued in this form.**
- T- Application to be submitted by a legal heir for Recovery of payment of gratuity from the employer in this form.**
- U- The Act provides that an employer shall arrange for suitable Display of the abstracts & Rules of the PG Act-1972 at their premises.**