

Certified Standing Orders
for
Workmen of Establishments
under BCCL



BHARAT COKING COAL LIMITED
(A Subsidiary of Coal India Limited)
KOYLA BHAWAN, KOYLA NAGAR
DHANBAD-826005.

CERTIFIED STANDING ORDERS FOR WORKMEN OF ESTABLISHMENTS
UNDER BHARAT COKING COAL LIMITED, DHANBAD.

1. ***Application & Scope**

These Standing Orders will come into force from a date to be determined in accordance with the provisions of the Industrial Employment (Standing Orders) Act, 1946 and shall apply to all workmen employed in all units of M/s. Bharat Coking Coal Limited situated in different places in the Country which come within the definition of 'Industrial Establishment' as defined in the Industrial Employment (Standing Orders) Act, 1946 and include all the workmen governed by National Coal Wage Agreement.

2. **Rules, Regulations & Notice:**

The Company may formulate such rules & regulations and post such notices as it may from time to time consider necessary for the running of its Industrial Establishments in conformity with these Standing Orders. These rules, regulations or notices may apply to the whole or to any Section or Sections of the Industrial Establishments and every workmen shall obey the rules & regulations applying to his section.

3. **Method of Posting:**

Notices required to be displayed under these Standing Orders shall be posted in English and in the language understood by the majority of workman on the Notice Board maintained for such purpose.

4. **Amendments:**

These orders may be amended or modified from time to time in accordance with the provisions of the Industrial Employment (Standing Orders) Act, 1946.

5. **Interpretation of Standing Orders:**

If there is any conflict between the Standing Orders in English and those in any other language or languages, the English version shall prevail and be followed.

6. **Definitions:**

6.1 'Attendance' means the presence of the workmen concerned at the place or places where by the terms of his employment, he is required to report for work and to get his attendance marked.

6.2 'Company' means Bharat Coking Coal Limited.

6.3 'Employee' means any person employed by the Company.

*Amended vide Appellate Authority Order No. IE:5(13)83 LS-1 dated 12.10.1990.

- 6.4 'Workman' means a workman as defined in the Industrial Employment (Standing Orders) Act, 1946
- 6.5 'Manager' means the manager of the mine and includes an acting manager for the time being appointed in accordance with the provisions of the mines Act, 1952.
- 6.6 'Management' means the Chairman and/or Managing Director of the Company or any other Officer duly authorized to act in his place or to whom any of his power is delegate.
- 6.7 'Notice' means a notice in writing required to be given or pasted on the Notice Board for the purpose of these Standing Orders.
- 6.8 'Notice Board' means the notice board specially maintained in a conspicuous place at or near each of the main entrance to the works and the time offices for the purpose of displaying notice required to be pasted or affixed under the provisions of these Standing Orders.
- 6.9 'Wages' means 'Wages' as defined in the Payment of Wages Act, 1936.
- 6.10 'Establishment' means Coal Mines or any other place under the control of the Company where any activity connected with coal industry is being carried out by the Company including Washeries, Workshops, Ropeways, Coke Plants, Water Treatment Plants, Laboratories, Power House, Stores, Printing Press, Drilling Camps and all other units, offices and projects of the Company.
- 6.11 Masculine includes the feminine and
- 6.12 Singular includes the plural where relevant and vice versa.
- 6.13 *Employer:**
The expression 'employer' shall have the meaning assigned to it in Section 2(d) of the Industrial Employment (Standing Orders) Act, 1946.
- 7.0 Classification of Workmen:**
- 7.1 For the purpose of these Standing Orders, workmen/employees shall be classified as follows:
- (a) Permanent
 - (b) Probationer
 - (c) Temporary
 - (d) Badli or substitute
 - (e) Casual
 - (f) Apprentices
- 7.2 'A permanent workman' is one who is employed on a job of permanent nature for a period of at least 6 months or who has satisfactorily put in 6 months continuous service in a permanent post as a probationer.

Added vide Appellate Authority Order No. IE:5(13) 83 -LS. 1 dated 12.Oct. 1990.

- 7.3 'A probationer' means a person who is provisionally employed to fill a vacancy in a permanent post for a period not exceeding 6 months and who has not completed his probationary period provided that the period or probation may be extended by the Management beyond the original period by not more than 3 months, for reasons to be recorded in writing. If a permanent workman is employed as a probationer in a new post, he may at any time during the probationary period not exceeding 6 months, be reverted to his old permanent post unless the probationary period is extended by another 3 months for reasons to be recorded in writing.
- 7.4 'Temporary workmen' means employees who are employed for work which is essentially of a temporary nature or who are employed in connection with a temporary incense in permanent work for a period not exceeding 6 months provided that in case the temporary employee is placed on probation, the period of his temporary service shall count towards the probationary period.
- 7.5 'A badli or substitute' is one who is employed in the post of a permanent workman or a probationer who is temporarily absent from duties, but he would cease to be a badli on completion of a continuous period of service of one year (190 days attendances in the case of a underground workman and 240 days attendances in the case of any other workmen) in the same posts or other post or posts in the same category.
- 7.6 'A casual workman' means a workman who has been employed for work, which is intermittent or sporadic, or of casual nature.
- 7.7 'Apprentice' is a learner who is paid an allowance during the period of his training which shall interalia be specified in his terms of contract and has no right to claim permanent employment in the Company on completion of his training or apprenticeship. Apprentices engaged under the Apprenticeship Act shall be governed however, by the provision of that Act.

8.0 Medical Examination:

Subject to the provisions of the Mines Act, and the Rules/Regulations framed thereunder, all the workmen/employees would subject to medical examination periodically by a Medical Officer of the Company free of charge, for detection and treatment of occupational diseases and leprosy, tuberculosis etc. The employees requiring treatment will be treated free of charge.

9.0 Identity Cards:

- 9.1 Every workman/employee will be issued Identity Card bearing relevant particulars concerning himself pertaining to his employment.
- 9.2 Every workman/employee who has been issued an Identity Card shall produce it on demand to any Officer/employee so authorized by the Competent Authority.
- 9.3 A workman/employee who loses his identity card shall report the loss immediately to his immediate superior.
- 9.4 The initial issue of the Identity card together with the photograph, shall be free of charge. If the identity card is lost by the employee, he shall be liable to pay to the

Company a sum of Rs.3/- for the issue of a duplicate identity card. The identity card, however, becomes indecipherable due to wear and tear, the management will replace it without any charge.

10.0 Entry, Exit & Search:

10.1 All workmen/employees working in the underground shall enter, travel and leave the mine/work place only through the authorized places/routes or roadways. Every workman/employee may also be subject to search before entering or leaving the mine/work place by an employee of the Company authorized for this purpose by the Competent Authority.

10.2 Female workmen/employees may be searched by a female employee authorized by the Competent Authority of the Company, for the purpose.

11.0 Attendance & Punctuality:

11.1 All workmen/employees shall be at work at the mine/establishment at the time fixed and notified to them.

11.2 Attendance shall be marked daily according to the method prescribed from time to time for each section or department etc. by the Competent Authority.

11.3 Workmen/employees who are required to use time cards shall punch the cards in the time clock at the time of reporting for duty and on leaving duty.

11.4 Workmen/employees who are required to use time cards shall punch the cards in the time clock at the time of reporting for duty and on leaving duty.

11.5 Absence from place of work: Any workman/employee who after going underground or after coming to his work in the department/section in which he is employed, is found absent from his proper place of work during working hours without permission from the appropriate authority or without any sufficient reason shall be liable to be treated as absent for the period of his absence.

12.0 Shift Working:

12.1 More than one shift may be worked in a department or departments or any section of a department of the establishment at the discretion of the employer. If more than one shift is worked, a workman shall be liable to be transferred from one shift to another. No extra shift working would be started or discontinued without giving notice under Section – 9A of the I.D.Act provided that no such notice shall be necessary if the extra shift working or discontinuance of a shift is under an agreement with the workmen affected or their union/unions. If, as a result of discontinuance of the shift working, any workman is to be retrenched, such retrenchment shall be effected in accordance with the provision of the Industrial Disputes Act, 1947 (14 of 1947) and the Rules framed there under. If shift working is re-started, the workmen shall be giving notice and re-employed in accordance with the provisions of the said Act and the said rules.

13.0 Payment of Wages:

13.1 Wages to all employees shall be paid in accordance with the provisions of the Payment of Wages Act, 1936, as amended from time to time.

13.2 Wages shall be paid direct to the individual workman/employee on any working day between the hours of 6 AM & 6 PM at the office of the mine. The Manager or any other person authorized by him shall witness and attest the payments and note the date of payments in the wage register. Wages may also be paid to employees through a bank on a specific authorization in writing by him.

13.3 Any wages due to a workman/employee but not paid on the usual pay day on account of their being unclaimed, shall be paid by the employer on such unclaimed wage pay day as may be notified to the workmen/employees. If the workman/employee so desires, the unpaid wages and other dues payable to him shall be remitted to his address by money order after deducting there from the money order commission. All claims for the unpaid wages shall be presented to the employer within a period of twelve months from the date of which the wages become due.

13.4 Overtime:

Subject to the provisions of the Law applicable to the mines/establishments, the management may require any employee to work overtime and payment of overtime wages shall be made normally along with wages for the relevant period.

13.5 Overtime work shall not be ordinarily refused by any workman without reasonable cause and wages therefore paid in accordance with Mines Act. 1952 as amended from time to time.

14.0 Display of Notices:

14.1 The notices regarding period and hours of work for all classes of workmen/employees in each shift shall be exhibited in English and/or in the language understood by the majority of workmen/employees employed in the establishment or the regional language on Notice Boards maintained at or near the main entrance of the establishment and at the Time Keeper's Office, if any.

14.2 Notice(s) specifying (i) the days observed as holidays and (ii) Pay days shall be pasted on the said Notice Board.

14.3 Notices as required under the Mines Act/Payment of wages Act and the Rules framed thereunder specifying the rates of wages payable to all classes of workmen and for all classes of work shall be displayed on the said Notice Boards.

15.0 Paid Festival Holidays:

There shall be 7 paid festival holidays. Out of these 7 days, the Republic Day, Independence day and Mahatma Gandhi's Birthday shall be allowed without option and the rest of the days shall be fixed by Agreement or local custom.

Wherever a workman is to work on any of these 7 Holidays, he shall at his option, be entitled to either thrice the wages for the day or twice the wages for the day on which he works and in addition to avail himself of a substituted holiday with wages on another day during the same calendar year.

16.0 Leave:

16.1 Subject to the provision of the Mines Act. And the Rules framed thereunder, every person employed in a mine/establishment who has completed a calendar year of service/therein shall be allowed during the subsequent year, leave with wages calculated-

- (a) in the case of a person employed below ground at the rate of 1 day for every 16 days of work performed by him and,
- (b) in other cases at the rate of 1 day for every 20 days of work performed by him.

16.2 Explanation:

16.2.1 For the purpose of this clause any days of lay-off by Agreement or contract, or as permissible under standing Orders, the maternity leave to female workmen not exceeding 12 weeks and the leave earned in the year prior to that in which the leave is enjoyed, shall be deemed to be days on which the workman has worked for the purpose of computation of the period of 240 days/190 days or more as the case may be, but he shall not earn leave for these days.

16.2.2 Weekly holidays and Public holidays shall not be deemed as days on which the workman has worked.

16.2.3 Leave admissible under this clause shall be exclusive of all weekly days of rest or holidays for festivals or other similar occasions whether occurring during or at either end of the period of leave.

16.2.4 A workman whose service commences otherwise than on the first day of January shall be entitled to leave with wages in the subsequent calendar year at the rates specified in clause 16.1 above, if –

- (a) in the case of a workman employed below ground in a mine, he has put in attendances for not less than one-half of the total number of days during the remainder of the calendar year; and
- (b) in any other case, he has put in attendances for not less than two-third of total number of days during the remainder of the calendar year.

16.2.5 If the employment of a workmen employed in a mine is terminated by the owner, Agent or Manager of the mine before he has taken the entire leave to which he is entitled up to the day of termination of his employment or if such workman having applied for and having not been granted such leave, quits his employment before he has taken the leave, the owner, Agent or Manager of the mine shall pay him the wages in respect of the leave not taken and such payment shall be made, where the employment of the workman is terminated by the owner, Agent or Manager, before the expiry of the second working day

after such termination, and where a workman himself quits his employment, on or before the next pay day.

16.2.6 In calculating leave, fraction of leave of half-a-day or more shall be treated as one full day and fraction or less than half a day shall be omitted.

16.2.7 If a workman does not in any one calendar year take the whole of the leave for which he is entitled any leave not taken by him shall be added to the leave to be allowed to him in the succeeding calendar year provided that the total number of leave that may be carried forward to a succeeding year shall not exceed 70 days and provided further that a workman, who has applied for leave but has not been given such leave, shall be entitled to carry forward the unavailed leave without any limit.

16.2.8 Any workman may apply in writing to the Competent Authority not less than 15 days before the day on which he wishes his leave to begin, for all leave or any portion there of and it shall not be refused unless the Controlling Officer is of the opinion that owing to the exigencies of the situation; the leave should be refused, provided that number of times in which leave may be taken in any one calendar year, shall not exceed three times.

16.3 Sick Leave:

Sick leave shall be granted to a workman to the extent of 15 days full pay in a calendar year with the benefit of accumulation with pay up to 45 days.

16.4 Casual Leave:

16.4.1 Provisions regarding grant of Casual Leave shall be regulated as indicated below.

16.4.2 Seven day Casual leave per annum i.e. per Calendar year will be allowed to employees with effect from 01.01.1979 who do not have benefit of casual leave at present.

16.4.3 In addition, the employee referred to in Clause above will be allowed four days casual leave per calendar year subject to the condition that this would be off-set against the additional annual leave that may become due under the Mines Act.

16.4.4 The casual leave is intended to meet special circumstances, which cannot be foreseen. Ordinarily, the previous permission of the Officer specified by the Management in each unit/department shall be obtained before such leave is taken. But when this is not possible, the said Officer as far as possible/practicable should be informed in writing of the absence and of the probable duration of such absence.

16.4.5 Employees who are already entitled to Casual leave under the existing conditions of service will continue to enjoy the same.

16.4.6 Quarantine Leave:

Quarantine leave shall be granted to a workman, who is prevented from attending to his duty because of his coming into contact, through no fault of his own, with a person suffering from a contagious disease. The leave shall be granted for such period as is covered by a certificate from the Medical Officer of the mine. Payment for the period of quarantine leave shall be at the rate of 50 percent of the wages (basic plus dearness allowance) payable to workman. Quarantine leave cannot be claimed, if a workman has refused to accept during the previous three months prophylactic treatment for the disease in question.

17.0 Application for Earned Leave:

- 17.1 A workman who desires to obtain leave of absence shall apply in writing to his controlling officer/sanctioning authority.
- 17.2 Excepting in emergency, applications for leave for 3 days or less should be made at least 24 hours before the time from which leave is required.
- 17.3 Application for leave for more than 3 days should be made at least 7 working days before the date from which leave is required.
- 17.4 Where leave is applied for to meet an emergency, such as personal sickness or any other cause, the application will be disposed of on the same day.
- 17.5 Application for leave or extension of leave on medical grounds shall be supported by a certificate from a Medical Officer of the Company or where there is no such officer a Government Medical officer or failing the same a Registered Medical Practitioner stating the period for which leave is recommended. On receipt of such application the Controlling officer shall immediately inform the workman in writing whether the leave or extension of leave on medical grounds for a period exceeding 14 days at a time shall not be allowed to resume duty unless he produces a certificate of fitness.
- 17.6 Leave already granted to the workman may be revoked or modified in the interest of the work by the Sanctioning Authority.
- 17.7 All applications for leave must bear the leave address.
- 17.8 If an employee remains absent un-authorizedly or remains absent beyond the period of leave originally granted or subsequently extended he will lose his lien on his appointment unless he returns within 10 days from the date of such absence and explains to the satisfaction of the Manager his inability to return on the expiry of his leave. In case the employee loses his lien on the appointment, he shall be entitled to be kept on the 'badli' list.
- 17.9 Authorities competent to sanction leave to the workmen shall be notified by the Management.
- 17.10 Wages for the leave period:**

For the leave allowed to a workman under Clauses 16.1, 16.3 and 16.4 which provide for sanction of earned leave, sick leave and casual leave, the workman

shall be paid at a rate equal to daily average of his total full time earning for the days on which he was employed during the month immediately preceding his leave, exclusive of any overtime wages and bonus, but inclusive of any dearness allowance for the time being he is entitled to, provided that if no such average earnings are available, then the average shall be computed on the basis of the daily average of the total full time earning of all persons similarly employed for the same month.

18.0 Leave Travel Facilities:

18.1 Return Railway Fare: Subject to the regulations framed by the Management from time to time and subject to the conditions the eligibility and class of entitlement shall be determined in accordance with the National Coal Wage Agreement. When a workman proceeds on leave and is qualified for free railway fare, the Management shall either buy his ticket or give him an equivalent amount towards fare to purchase his ticket to his home by the shortest route.

18.2 If on the expiry of the leave, the workman returns to his job, he shall be paid by the Company return fare at the earliest, but in any case at this 3 days of his return.

18.3 If the journey to home is by bus or partly by bus or partly by train the cost of the journey shall be accordingly adjusted.

18.4 Leave Travel Concession – One in 4 years:

The workmen will be allowed to avail return railway fare facility to their home town only for 3 years in a block of 4 years as at present and LTC will be allowed to workmen and their family members once in a block of 4 years in lieu of return railway fare benefit to enable them to go any where in India on such terms and conditions as laid down under National Coal Wage Agreement.

18.5 Every workman shall declare at the time of employment the place of his home, which will be record in his service file to be maintained b the Company. The change in the place of home by the workman will be allowed by the Management once only in the entire length of his service after proper verification.

19.0 Hours of work

Subject to the provisions of the Law applicable to the Mine/Establishment, the hours of work of the workmen shall be notified by the Management from time to time.

20.0 Stoppage of Work & Re-opening:

20.1 Subject to the provisions of the Industrial Disputes Act, the management may at any time, in the event of underground trouble, fire catastrophe inundation, breakdown of machines, stoppage of power supply, epidemics, civil commotion, natural calamity or any other cause beyond its control stop any section or sections of the mine/establishment wholly or partly for any period or periods.

- 20.2 In the event of any such stoppage during the working hours, the workmen affected shall be notified by notice put up on the notice board in the Mine/Department concerned and at the office as soon as practicable as to when work will be resumed and whether they are to remain or leave their place of work.
- 20.3 The workmen will not ordinarily be required to remain at workplace or work spot for more than two hours after the commencement of the stoppage.
- 20.4 Whenever workmen are laid off on account of failure of plant equipment or a temporary curtailment of production or other causes, they shall be paid compensation in accordance with the provisions of the Industrial Dispute Act, 1947. Where no such compensation is admissible, they shall be granted leave with or without wage as the case may be at the option of the workmen concerned, leave with wages are to be laid off for an indefinitely long period, their services may be retrenched on payment of compensation and subject to compliance of the provisions of the Industrial Dispute Act, 1947. If normal work is resumed, two week's notices thereof shall be given by pasting of notice at or near the mine/department and the workmen discharged earlier by the management shall, if they present themselves for work, will have preference for re-employment.
- 20.5 Subject to compliance of the provisions laid down in the Industrial Disputes Act, the management may in the event of a strike affecting either wholly or partly and section of the mine, close down either wholly or partly such section of the mine/establishment and any other sections affected by such closures. The fact of such closure shall be notified by the notices put up on notice board at the mine/establishment. Prior to resumption of work, the workmen concerned will be notified by a general notification as and when this work will be resumed. A copy of such notice shall be sent to the registered/recognized Trade Union or Unions functioning in the establishment.

21.0 Secrecy:

No workmen shall taken any papers, books, drawings photographs, instruments, apparatus, documents or any other property of an industrial establishment out of the work premises except with written permission of his immediate superior, nor shall be in any way pass or cause to be passed or disclose or cause to be disclosed any information or matter concerning the manufacturing process, trade secrets and confidential documents of the establishment to any unauthorized person, company or corporation without the written permission of the employer.

- 22.0 In the matter of filling up permanent vacancies. Badli and temporary workmen and probationer would be given preference in the order of their seniority.

23.0 Transfer:

- 23.1 Employees may be transferred due to the exigencies of work from one station to another, from one coal mine to another or from one unit/department/section to another within the Company provided that the pay, grade and other conditions of service including continuity of service of the employer are not adversely affected by such transfer and provided further that, if an employee is transferred

from one job to another, the job should be of similar nature and such as he is capable of doing and provided further that (i) except in case of emergency minimum notice of two weeks is given of such transfer and (ii) reasonable joining time is allowed in case of transfer from one station to another.

23.2 The workman concerned shall be paid the actual charge for transporting his personal effects (by rail and/or by bus or truck) as well as one fare of the appropriate class in terms of the National Coal Wage Agreement in relation to leave travel concession for himself and for each of his dependent parents, wife & children if they do not avail of the conveyance of the management. The workman shall also be paid one extra fare towards the incidental charges even if he has used the Management's transport.

24.1 Termination of Service:

For terminating the services of permanent workmen, notice of one month in writing with reasons or wages in lieu thereof shall be given by the employer. Provided that no such notice shall be required to be given when the services of the workmen are terminated on account of misconduct established in accordance with the standing order.

24.2 Subject to the provisions of the Industrial Disputes Act, 1947, no notice of termination of employment shall be necessary in the case of probationers, temporary badli and casual workman. Provided that a temporary workman who has completed three months continuous service, shall be given two weeks notice of the intention to terminate his employment if such termination is not in accordance with the terms of the contract of his employment.

24.3 No workman shall leave the services of the Company unless he has given a notice in writing as indicated below:

- i) Monthly paid workman: One months notice.
- ii) Weekly paid workman: Two week notice.

Provided that the employer may relax the above conditions and allow the workman to pay cash in lieu of such notice.

24.4 Notwithstanding the above and subject to the provisions of the Industrial Disputes Act, 1947, no notice shall be necessary if the termination of service of the workman is in pursuance of an agreement, which provides a specific date for such termination.

24.0 Medical Aid in case of accidents:

Where a workman meets with an accident in the course of or arising out of his employment, the employer shall at his expenses, make satisfactory arrangements for immediate and necessary medical aid to the injured workman and shall arrange for his further treatment if considered necessary by the Doctor attending on him. Whenever the workman is entitled for treatment and benefits under the Employee's State Insurance Act, 1925, the employer shall arrange for the treatment and compensation accordingly.

25.1 Where a workman meets with accident in the course of and arising out of his employment, he shall immediately report the accident to his Controlling Officer who will make satisfactory arrangements for his immediate necessary medical aid free of cost.

25.2 It shall be the duty of injured workman to avail of the medical treatment arranged by the Management and any willful default or failure to do so, without any reasonable cause, will make him disentitled to get benefits such as Workmen's Compensation or injury leave with pay from the Company.

25.0 Act of Misconduct:

26.1 Without prejudice, to the general meaning of the term, 'misconduct', it shall be deemed to include the following:

26.1.1 Habitual late attendance or willful or habitual absence from duty without sufficient cause.

26.1.2 Habitual Negligence of neglect or duty, malingering slowing down of work or inciting other to do so.

26.1.3 Leaving Headquarters/place of work, if residing in the Company's quarters, by the clerical and other essential categories, of staff without informing the Controlling Officer.

26.1.4 Gambling, drunkenness, intoxication, riotous, or disorderly behaviour, threatening, or coercing other workmen or interference with the work of other workmen.

26.1.5 Collection of, or canvassing for, moneys within the precincts of the Company without permission of the management.

26.1.6 Acceptance of gifts from subordinates and engaging in money lending.

26.1.7 Canvassing for business of Insurance agency, commission agency, etc. amongst the employees of the Company.

26.1.8 Deliberately spreading false information or rumours with a view to bringing about disruption in the normal work of the Company.

26.1.9 Unauthorized use or occupation of the Company's quarters.

26.1.10 Habitual indiscipline, or willful insubordination or disobedience of any lawful or reasonable order of higher authority.

26.1.11 Theft, fraud or dishonesty in connection with Company's business or property.

26.1.12 Giving false information regarding one's particulars for the purpose of employment or concealing any facts about previous employment, age or any other particulars required by the Company.

26.1.13 Taking or giving, offering or asking for bribes or any illegal gratification whatsoever or indulging in corrupt practices.

- 26.1.14 Assaulting or intimidating workman/employee of the Company in the Company's work premises or estates.
- 26.1.15 Causing willful damage to work in progress or to the property of the employer.
- 26.1.16 Bringing or attempting to bring any political or other outside influence to bear upon any superior authority in respect of matters pertaining to services under the Company.
- 26.1.17 Participating in radio-broadcast, or contributing any article or writing any letter to any newspaper, periodical on a subject having a bearing on the affairs of the Company without prior permission of the Management.
- 26.1.18 Going on illegal strike either singly or with other workers without giving 14 days notice.
- 26.1.19 Conviction by a Court of law for any criminal offence involving moral turpitude.
- 26.1.20 Any breach of the Mines Act. 1952 or any other Act. Or any Rules, Regulations or byelaws thereunder or of any Standing Orders.
- 26.1.21 Contracting another marriage while wife is still alive, or marrying a person who has a wife without first obtaining the permission of the management.
- 26.1.22 Engaging in any other employment whilst still in the service of the Company without permission of the management.
- 26.1.23 Canvassing for union or party membership or the collection of union or party, dues or contributions etc. in the Company's work premises.
- 26.1.24 Distribution or exhibiting in the Company's work premises or estates, handbills, pamphlets, posters or causing them to be displayed by means of signs or writing or other visible representation any matter prejudicial to the Company without prior sanction of the management.
- 26.1.25 Organizing, holding, attending or taking part in any meeting within the Company's work permission of the management.
- 26.1.26 Organizing, holding, attending or taking part in any meeting within the Company's work premises or estates in contravention of the provisions of the Law or regulations of the Company.
- 26.1.27 Conduct within the mine's premises or its precincts which endanger, life or safety of any person.
- 26.1.28 Refusal to accept any charge-sheet or order or notice communicate in writing.
- 26.1.29 Willful falsification, defacement or destruction of personal records or any record of the Company.

- 26.1.30 Allowing an unauthorized person to operate Company's vehicles or machinery without permission of the Competent Authority.
- 26.1.31 Wrongfully confining forcibly detaining any workmen/employee of the Company.
- 26.1.32 Possession of unlicensed arm or lethal weapons within the Company's work premises or its estate without prior permission of the Management.
- 26.1.33 Sleeping while on duty.

27.0 Procedure For Dealing with the Cases of Misconduct:

- 27.1 MINOR PENALTY: where a workman is charged with a misconduct, which may lead to imposition of a minor penalty, he shall be informed in writing of the allegations made against him and shall be given an opportunity to explain his conduct within 48 hours. His explanation, if any, shall be considered before imposing a minor penalty by the Disciplinary Authority. Provided, however, that where a workman denies the charges alleged against him, no punishment shall be imposed upon unless a domestic enquiry has been conducted.
- 27.2 MAJOR PENALTY: Where a workman is charged with a misconduct, which may lead to the imposition of a major penalty, he shall be informed in writing of the allegations against him and shall be given an opportunity to explain his conduct within a period of 7 days. On receipt of a workman's explanation if it is decided to proceed further an enquiry shall be held. Such enquiry will be conducted by an officer other than the Officer who has either reported the alleged misconduct or issued the charge-sheet. AT the enquiry, the employee concerned shall be afforded reasonable opportunity of explaining and defending his conduct with the assistance of the fellow workmen or Office bearer of the Trade Union of which he is a member if so requested by him. Where such enquiry relates to the alleged misconduct of several workman, the enquiry may be held for all the workmen together.
- 27.2.1 Where a disciplinary proceedings against a workman is contemplated or is pending or where criminal proceedings against him in respect of any offence are under investigation or trial and the employer is satisfied that it is necessary or desirable to place workmen under suspension, he may, by an order in writing, suspend him with effect from such date as may be specified in the order. A statement setting out in detail the reason for such suspension shall be supplied to the workmen within a week from the date of suspension.
- 27.2.2 During the period of his suspension, the workman shall not enter the work premises except with the permission of the management, nor shall he leave station without the permission of the management.
- 27.2.3 If during the enquiry it is found that the workman is guilty of a misconduct other than that stated in the order of suspension and/or the charge sheet, the workman shall be liable to punishment for such misconduct but before any punishment is imposed on him, he shall be afforded opportunity of explaining and defending his action in respect of such other misconduct.

- 27.2.4 The payment of subsistence allowance will be subject to a written declaration by the workman that he is not engaged in any other employment, business, profession or vocation.
- 27.2.5 If after enquiry/or conclusion of the criminal proceedings a workman is held guilty of the charges alleged against him or some other charges brought in the course of the enquiry or is convicted in the criminal proceedings and is consequently discharged or dismissed, he shall not be entitled to any remuneration for such period other than the subsistence allowance already paid to him. If a penalty other than dismissal, discharge or removal is imposed on him or he is exonerated or charges against him are dropped or he is not convicted in the criminal proceedings, he shall be paid the difference of subsistence allowance already paid to him and, the wages which he would have got if he had not been suspended except in case where he is suspended, not exceeding ten days, as a measure of punishment.
- 27.2.6 No order of discharge or dismissal from service shall be made by an authority lower than the appointing authority of the workman.
- 27.2.7 In awarding the punishment, gravity of the misconduct, the previous record of the workman and any other extenuating or aggravating circumstance, that may exist shall be taken into account. A copy of the order passed by the Disciplinary Authority shall be supplied to the workman concerned.
- 27.2.8 If a workman refuses to accept a charge sheet order or any other communication served on him in accordance with these standing orders, a copy thereof shall be sent to him by Registered A/D post to his local as well as permanent address as recorded with the Company and another copy pasted on the Notice Board which shall constitute adequate service of such document.

28.0 Special Procedure in certain Cases:

Where a workman has been convicted for a criminal offence in a Court of Law or where the Chairman/Managing Director of the Company is satisfied, for reasons to be recorded in writing, that it is inexpedient or against the interest of security to continue to employ the workman, the workman may be removed or discharged from services without following the procedure laid down in standing order No.27.

29.0 Penalties for Misconduct:

- 29.1 The following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed on a workman for misconduct, viz -

i) Minor penalties:-

- a) Censure
- b) Fine in accordance with the PW Act, 1936.
- c) Suspension without wages as substantive punishment for not more than ten days at a time.

ii) **Major Penalties:**

- a) Stoppage of increment
- b) Reduction to a lower grade or post or a stage in a time scale.
- c) Dismissal or discharge from service.

30.0 **Appeal:**

30.1 The authorities competent to impose various penalties mentioned in standing order No.29 as well as the appellate authorities shall be as specified in **Annexure-A**.

30.2 A workman on whom any penalty is imposed for misconduct shall have the right of appeal to the authority notified in this behalf. The appeal shall be submitted within 30 days of receipt of the order of the punishing authority, and the appellate authority shall dispose of the appeal within 30 days of its receipt by him and communicate the decision to the workman concerned.

31.0 **Superannuation:**

The age of retirement of the workman shall be 60 years in the Company.

32.0 **Service Certificate:**

Every workmen shall be entitled to a service certificate, specifying the nature of work (designation) and the period of employment (indicating the days, months, years) at the time of discharge, termination, retirement or resignation from service and the management shall supply the same within 30 days of the receipt of application from the concerned ex-workman.

33.0 **Complaints:**

All complaints arising out of employment including those relating to unfair treatment or wrongful exaction on the part of the management or their agent shall be submitted by the aggrieved workman to the manager or other person as specified in this behalf with the right of appeal to the Chief Executive of the Company, namely, the Chairman/Managing Director.

34.0 **Savings:**

Nothing contained in these standing orders shall operate in derogation of any law or to the prejudice of any right under any written contract of service, settlement or award for the time being in force, nor shall any agreement between the management and the workman prejudicially affect the rights of the workman accruing under these Standing Orders.

35.0 **Confirmation:**

The employer shall in accordance with the terms & conditions stipulated in the letter of appointment, confirm the eligible workman and issue a letter of confirmation to him. Whenever a workman is confirmed, an entry with regard

to the confirmation shall also be made in his service card within a period of thirty days from the date of such confirmation.

36.0 Service Record, Service Card:

Every industrial establishment shall maintain a service card in respect of each workman in the form appended to Model Standing Orders where in particulars of that workman shall be recorded with the knowledge of that workman and duly attested by an officer authorized in this behalf together with date.

37.0 Record of Age:

Every workman shall indicate his exact date of birth to the employer of the Officer authorized by him in this behalf, at the time of entering service of the establishment. The employer or the Officer authorized by him in this behalf may, before the date of birth of a workman is entered in his service card, require him to supply:-

i) his matriculation on school leaving certificate granted by the Board of Secondary Education or similar educational authority: or

ii) a certified copy of his date of birth as recorded in the registers of a municipality, local authority or Panchayat or Registrar or Births:

iii) in the absence of either of the aforesaid two categories of certificates, the employer or the officer authorized by him in this behalf may require the workman to supply a certificate from a Govt. Medical Officer not below the rank of Astt. Surgeon, indicating the probable age of the workman provided the cost of obtaining such certificate is borne by the employer:

iv) whether it is not practicable to obtain a certificate from a Govt. Medical Officer, an affidavit sworn, either by the workman or his parents or by a near relatives who is in a position to know about the workman's actual or approximate date of birth before a First Class Magistrate or Oath Commissioner, as evidence in support of the date of birth given by him.

v) The date of birth of a workman, once entered in the service card of the establishment shall be the sole evidence of his age in relation to all matters pertaining to his service including fixation of the date of his retirement from the service of the establishment. All formalities regarding recording of date of birth shall be finalized within three months of the appointment of a workman.

vi) Cases where date of birth of any workman had already been decided as per the JBCCI provisions on the date of these rules come into force shall not be re-opened under these provisions.

NOTE: Where exact date of birth is not available and the year of birth is only established then the 1st JULY of the said year shall be taken as the date of birth.

38.0 Exclusive Service:

A workman shall not at any timework against the interest of the Industrial establishment in which he is employed and shall not take any employment in addition to his job in the establishment, which may adversely affect the interest of his employer.

39.0 Display of Standing Orders:

- 39.1 A copy of these standing orders, in English as well as in Hindi, shall be pasted on the Notice Board in all mines/establishments and in such other places in the Company premises as the Management may desire and shall be kept in legible condition.
- 39.2 A copy of the certified Standing Order shall be supplied free of cost on written request by the workmen in the language i.e. English or Hindi as specified in the written request. Subsequent copy will be charged at Rupee 1/- per copy.

-x-x-x-x-x-x-

Annexure-‘A’

Unit	Disciplinary Authority	Appellate Authority
Colliery/	Agent/Manager	Area General Manager
Project	Project Officer	-do-
Project	-do-	Concerned Director
Coke Plant	Suptd. (Coke Plant) Manager	Area General Manager/General Manager (CP)
Washery	Manager/Supdt.(Washery)	Area General Manager/GM Washery (Construction)
Hospital Central	Medical Supdt./Dy.MS	Area GM/CMO
Workshop	Workshop In charge	CE(Workshop)/CE(Excvn.)
BH Ovens	Manager (Coke Oven)	Area General Manager
Power Plant	Power Plant In charge	Area GM/CE(E&M)
DG Station	DG Station In charge	CE(E&M)
VTC	G.T.O	Area General Manager
Training Center	Training Center In charge	GM(Training)
Ropeways Unit	Unit In charge	GM(Ropeways)
Zonal Automobile workshop	Workshop In charge	Area GM/GM(Transport)
Regional Stores	In charge Regional Store	Area GM/CMM
Headquarters Departments	HOD	Respective Director
Central Township	Township In charge	Director (Personnel)
Independent Dispensary	Dispensary In charge	C.M.O
Central Excavation Store	Store In charge	CE (Excavation)