



ALL INDIA ASSOCIATION OF COAL EXECUTIVES (AIACE)

(Regd. Under the Trade Union Act, 1926; Regd. No. 546 / 2016)

302, Block No. 304, Ram Krishna Enclave, Nutan Chowk, Sarkanda; Bilaspur (CG)

Website: www.aiace.co.in; E-mail : centralaiace@gmail.com ; Ph. 9907434051

AIACE/CENTRAL/2022 / 060

Dated 24.6.2022

To

The Chairman,
Coal India Limited,
Coal Bhawan,
Premise No-04 MAR, Plot No-AF-III, Action Area-1A,
Newtown, Rajarhat, Kolkata-700156

Sub: Delayed vacation of Company accommodation and Need to issue an executive office order for Implementation of Amended provisions approved by FDs

Dear Sir,

Your kind attention is drawn to the copy of letter Ref. no. CIL/D(P&R)/Sectt/005/144/133 dated 11-11-2021 issued by Director (P&IR). Through this order, all CMDs have been advised to implement an amended decision approved in FDs 265th meeting to penalise executives and non-executives for delayed vacation of Company accommodation. (Annexure-I)

Accordingly, it is observed that some subsidiaries have started implementing this revised penal action, and that too arbitrarily. This penal action includes withholding Gratuity and asking for submission of an Affidavit, part of which is reproduced in Annexure-II.

Imposing such penal actions by any coal company looks quite unjustified and imposing enhanced penal rent and withholding Gratuity need proper executive order. We feel that any decision arrived in FDs meeting must be followed up by issue of executive orders. There are several instances in the past when this procedure has been adopted.

We wish to represent that unless and until needful issuance of office orders are made, the prevailing existing provisions of (i) 3 months relaxation for retired/retiring executives (ii) double the normal rent for next three months followed by (iii) realisation of market rent from executives should continue.

Under the circumstances it is requested for issuing and circulating an appropriate office order so that the changes in rules are brought to knowledge of all employees and all subsidiaries are able to implement the new provisions uniformly.

Thanking you,

With Regards,

P. K. Singh Rathor
Principal General Secretary, AIACE

Cc:

1. D(P)/D(F)/D(T)/D(M),CIL, Kolkata
2. CMD/D(P)/D(F), All subsidiary companies of CIL

শীল ইন্ডিয়া লিমিটেড

Coal India Limited
Group No. 04, MAR Plot No. AF III
Action Area-1A, New Town, Rajarhat
Kolkata-700156 (West Bengal)
Phone: 033 2324 6666 / 2324 8888
Fax: 033 2324 8000
Website: www.cilindia.in



Coal India Limited
Group No. 04, MAR Plot No. AF III
Action Area-1A, New Town, Rajarhat
Kolkata-700156 (West Bengal)
Phone: 033 2324 6666 / 2324 8888
Fax: 033 2324 8000
Website: www.cilindia.in

Ref. No.: CIL:D(P&IR): 2021: 006:144:133

Dt.: 11th November '21

To,
The Chairman-cum-Managing Director
BCCL/CCL/CMPDI/ECL/MCL/NCL/SECL/WCL

Subject: Recovering dues from retiring/retired employees who don't vacate quarters and initiating action for getting the quarters vacated by unauthorized occupants.

Dear Sir,

CIL and its Subsidiaries are dealing with the issue of unauthorized occupation as well as non-vacation of Company's quarters by retired employees. To address the issue, a committee consisting of two Directors (Personnel) and Director (Finance) was constituted to suggest measures for recovering of dues from retiring/retired employees who don't vacate quarters and suggesting action for getting the quarters vacated by unauthorized occupants. The committee report was deliberated in 265th meeting of Committee of Functional Directors of CIL.

CFDs has approved the following actions for vacation of Company Quarters:

- a. Affidavit from Employees – Affidavit from employees is to be obtained to withhold gratuity amount till vacation of quarter. Relevant content of the affidavit is enclosed for reference.
- b. Leave encashment – An affidavit is to be obtained from employees to withhold Leave encashment amount till vacation of company quarter.
- c. Settling in Allowance – Forfeiture of Settling in Allowance if quarter is not vacated within 3 months
- d. Penal Rent – Charging of Penal Rent from the employees for non-vacation of quarter based on the location and market rate. Subsidiaries to decide the penal rent.
- e. Certified Standing Orders – Amendment in Certified Standing Orders by Subsidiaries for Non-Executives and amendment in CDA rules by CIL for Executives for non-vacation of quarters.
- f. Measures to be taken – Action for getting the quarters vacated by Unauthorized occupants.

I am confident that with your intervention and support, we would certainly be in a position to handle this persevering issue.

In view of the above, you are requested to implement the decision of Committee of Functional Directors of CIL in letter and spirit.

Yours sincerely,

(Vinay Ranjan)
Director (P&IR), CIL

End: As stated

Copy to:

1. ED (Coordination)/TS to Chairman, CIL
2. Company Secretary, CIL
3. GM, NEC, Assam
4. GM (MP & IR), CIL
5. GM (Admin), CIL – The penal rent for quarters at CIL HQ was decided in the 247th meeting of CFDs of CIL held on 30.12.2020.
6. GM (Civil), CIL
7. GM, CIL, New Delhi

Relevant portion of the Affidavit

"I understand that the Company is ready to disburse the payment of Gratuity, admissible to me, within the timeline prescribed in the Payment of Gratuity Act, 1972.

In case of retention of company's quarter beyond 30 days of my separation from the company, I hereby, authorize the company to withhold the entire amount of Gratuity admissible to me, till I vacate company's quarter.

To this effect, I shall not demand interest on the amount of Gratuity since I have authorized the Company to withhold Gratuity due to my non-vacation of company's quarter.

I hereby authorize the Company to adjust/deduct the penal rent for the period of my unauthorized occupation of company's quarter or for any damage caused by me on any property of the company which was under my possession from my retirement dues including Gratuity."