

कोल इंडिया लिमिटेड

(एक महारत्न कंपनी)

(भारत सरकार का उपक्रम)

कॉरपोरेट पहचान सं

L23109WB1973GOI028844

कोल भवन, प्रेमाइसेस सं - 04,

एम ए आर, प्लॉट न ए एफ - III

एकशन एरिया-1ए, न्यू टाउन राजारहाट,

कोलकाता - 700 156

e-mail rti.cilhq@coalindia.in

वैबसाइट www.coalindia.in



(A Maharatna Company)

(एक महारत्न कंपनी)

C Gupta

CM(P/R)/CPIO

Premises No. 04, MAR

Plot No. AF-III, Action Area-1A,

New Town, Rajarhat

Kolkata - 700 156

1st Appellate Authority:

Sri P.R. Prasad, GM(Min) / PAD, CIL, Kolkata.

Ref. No. CIL/C-5C/PIO/22-23/F-5607/ 149

Coal India Limited

(A Maharatna Company)

(A Govt. of India Enterprise)

Corporate ID no.

L23109WB1973GOI028844

Premises No. 04, MAR

Plot No. AF-III, Action Area-1A,

New Town, Rajarhat

Kolkata - 700 156.

e-mail rti.cilhq@coalindia.in

web site www.coalindia.in

Dated the 10th June 2022

RTI Matter/Most Urgent/By Email

13

To

Sri Arun Kumar

A/102 Ganpat Palace

Pragati Path, Bahu Bazar

Ranchi - 834001

Sub: Compliance of Directives of Appellate Authority CIL in case no. CIL/RTI/APP/1265 dated 26th May 2022.

Dear Sir,

Please refer to **item no. 1** of your RTI application no. 00335 dated 8th April 2022 and the subsequent directive of Appellate Authority in case no. CIL/RTI/APP/1265 dated 26th May 2022 received in this office on 29th May 2022, a copy which has been endorsed to you also.

In compliance, the concerned department has furnished the following information:

"Quote

Item no. 1

The rules and guidelines related to Inter-se-seniority was provided in our earlier RTI reply.

Keeping in view the directives of the First Appellate Authority, the records were again searched. As of now we have been unable to trace any other rules or policies related to fixation of Inter-se-seniority.

Keeping in view the point that the applicant is seeking information with specific reference to Excavation and E&M discipline, we are herewith enclosing and submitting.

Further, extract of minutes of 33rd meet of CMDs held on 10th July, 2009 is enclosed which is regarding allocation of cadre in respect of Management Trainees (Electrical and Mechanical)- point no. 8.

It is hoped that it will help the applicant to understand the situation better.

Unquote"

Thanking you,

Enclosed as stated

Yours faithfully,

(Signature)
10/06/22

(C Gupta)

Chief Manager (P/R)/

Central Public Information Officer

To
The GM (P/EE)
CCL, Ranchi

Sub: Regarding grievance of Seniority List 01st March 2014

Dear Sir

I, Arun Kumar, have joined Coal India on dated 13th March 2013. My EIS no is **90314279**. I am from 'Electrical Engineering' trade. In mentioned seniority list, I am on 268th position (Page No – 567) in MT (Excavation) list. I have some grievances as mentioned below –

1. EIS No – 90319898 (249th Position) to EIS No – 90319781 (267th Position) have joined Coal India on 29th May or later but they are in upper position to me. They are from second phase recruitment merit list. In this list their PDeem Dt is showing 06th March 2013 which is wrong. As per this, their probation period will be only 9 and half months.
2. EIS No – 90312729 (236th Position) to EIS No – 90312851 (248th Position) have joined Coal India on 13th March 2013 which is same to my joining date but they are also in upper position to me. They are from 'Mechanical Engineering' trade and I am from 'Electrical Engineering' trade then on what basis seniority position has been decided as different merit list has been published for Mechanical and Electrical trade at the time of recruitment

Therefore you are requested to do the needful so my seniority position can be corrected and placed in correct position.

Thanking You.

Your Faithfully

Arun Kumar
(ARUN KUMAR) 12/3/14
MT-Excavation
RRS, NK Area, CCL

*Forwarded to SO (PBA) NK
for further needful
14/3/14*

Enclosures:-

1. Page no 566 & 567 of Seniority List.
2. Ref No CIL: C5A (i):50297: MT 2012: Second Phase: 1676
Dt 18th Apr 2013 for grievance no 1.
3. Ref No ED/IICM/Release/MT's Ind/2012-13/1423
Dt 16th March 2013 for grievance no 2.

PO (RRS) NK/2014/1610 Dt. 14/03/14



COAL INDIA LIMITED
 (A Govt. of India Enterprises-A Maharatna company)
 "COAL BHAWAN"
 10, NETAJI SUBHAS ROAD, KOLKATA 700001
 PHONE NO - 033 2248 8099 / 22424641 GRAM - COAL INDIA
 FAX - 033 22100833/22310578, E-MAIL pers_recruitment@coalindia.in
 WEBSITE - www.coalindia.in

No.CIL:C5A(i):50297. MT(Elect): 12.15

Dated: 14th March, 2013

/ OFFICE ORDER /

The following Management Trainees (Electrical) who are presently under training at IICM Ranchi w.e.f. 13th March 2013 are hereby posted in subsidiary companies as indicated against each:

Sl No.	Name	Category	DOB	EIS No.	Place of posting	Cadre
1	NEERAJ KUMAR	GEN	15-Apr-88	90313560	CIL	E&M
2	ARUN KUMAR MAJHI	ST	28-May-84	90313578	MCL	E&M
3	ABHINAV KUMAR	GEN	21-Feb-88	90313586	CIL	E&M
4	POOJA SRIVASTAVA	GEN	2-Aug-85	90313594	WCL	E&M
5	NIKET KUMAR	OBC(NCL)	7-Apr-88	90313602	CMPDIL	E&M
6	AJAY KUMAR	GEN	26-Feb-89	90313610	CCL	E&M
7	MANISH KUMAR SINGH	GEN	5-Jan-84	90313628	CMPDIL	E&M
8	AMIT KUMAR	GEN	20-Feb-91	90313636	CMPDIL	E&M
9	RAJESH CHAUHAN	OBC(NCL)	15-Dec-85	90313644	SECL	E&M
10	RANJEET KUMAR SINGH	OBC(NCL)	1-Feb-88	90313651	CCL	E&M
11	PRAMOD KUMAR	GEN	4-Feb-86	90313669	BCCL	E&M
12	VIKASH KUMAR	OBC(NCL)	2-Oct-87	90313677	BCCL	E&M
13	MANISHA KUMARI	OBC(NCL)	19-Dec-91	90313685	CMPDIL	E&M
14	NIKHIL KUMAR	GEN	16-Mar-88	90313693	BCCL	E&M
15	MUKESH KUMAR	GEN	11-Feb-86	90313701	BCCL	E&M

Vinod

16	SUJIT KUMAR	OBC(NCL)	5-Nov-85	90313719	CMPDIL	E&M
17	YOGESH KUMAR SINGH	GEN	28-Jan-86	90313727	BCCL	E&M
18	ROHIT KUMAR	OBC(NCL)	2-Apr-83	90313743	WCL	E&M
19	TARUN KUMAR	OBC(NCL)	19-May-85	90313750	BCCL	E&M
20	RAJEEV RANJAN KUMAR	OBC(NCL)	17-Feb-89	90313768	CCL	E&M
21	RANJEET KUMAR	OBC(NCL)	12-Jun-87	90313776	BCCL	E&M
22	RITU RAI	GEN	9-Jul-89	90313784	CCL	E&M
23	MANOJ KUMAR RAI	GEN	15-Sep-82	90313792	CMPDIL	E&M
24	UTTAM KUMAR SINGH	ST	29-Nov-84	90313800	BCCL	E&M
25	SHOBHIT VINAYAK	GEN	4-Sep-90	90313818	SECL	E&M
26	KUMAR ABHIGYAN	OBC(NCL)	17-Feb-85	90313826	CCL	E&M
27	ABHIMANYU KUMAR	OBC(NCL)	5-Feb-86	90313834	BCCL	E&M
28	HIMANSHU KUMAR	OBC(NCL)	4-Feb-85	90313842	BCCL	E&M
29	RAKESH KUMAR	GEN	16-Sep-86	90313859	BCCL	E&M
30	MUKESH KUMAR	OBC(NCL)	5-Jan-88	90313867	CCL	E&M
31	SANDEEP SUMAN	GEN	28-Feb-88	90313875	CCL	E&M
32	ANAND PRAKASH SAHU	OBC(NCL)	4-Oct-84	90313883	SECL	E&M
33	ANUP KUMAR	GEN	21-Dec-87	90313909	ECL	E&M
34	SUDIP KUMAR	GEN	12-May-87	90313925	ECL	E&M
35	VIPUL BANSAL	GEN	11-Jul-92	90313933	CMPDIL	E&M
36	AVADHESH KUMAR	OBC(NCL)	17-Oct-85	90313941	SECL	E&M
37	SHASHI KANT	OBC(NCL)	8-Dec-87	90313958	MCL	E&M
38	KADAM VASHISHTHA	GEN	28-Dec-87	90313966	SECL	E&M
39	PRASOON PRIYADARSHI	GEN	26-May-89	90313974	CMPDIL	E&M
40	JAY NARAYAN MISHRA	GEN	15-Sep-84	90313982	CMPDIL	E&M
41	RAVINDRA RAM	OBC(NCL)	25-Oct-85	90313990	ECL	E&M

Vivek

42	PRIYENDU RANJAN	GEN	7-Jan-88	90314014	ECL	E&M
43	SANJAY KUMAR	OBC(NCL)	4-Feb-87	90314030	ECL	E&M
44	PULKIT JAIN	GEN	20-Sep-90	90314048	WCL	E&M
45	ANSHUL RAJPUT	GEN	13-Oct-86	90314063	SECL	E&M
46	DEEPAK KUMAR PANDEY	GEN	15-Jan-87	90314071	ECL	E&M
47	VIPIN KUMAR	GEN	20-Oct-84	90314105	ECL	E&M
48	DEEPAK DHYANI	GEN	11-Oct-87	90314113	ECL	E&M
49	ANUJ VERMA	OBC(NCL)	29-May-91	90314196	WCL	E&M
50	VINEET KUMAR	SC	28-Aug-86	90314238	WCL	E&M
51	AMIT PATHRIA	GEN	16-Oct-86	90314246	WCL	E&M
52	DEBASISH PAL	GEN	4-Apr-88	90314253	WCL	Excavation
53	ASHISH PAL	GEN/OH	21-Sep-89	90314261	BCCL	E&M
54	ARUN KUMAR	OBC(NCL)	5-Jan-80	90314279	CCL	Excavation
55	ARPIT VERMA	OBC(NCL)	5-Oct-90	90314287	NCL	Excavation
56	ABHISHEK KUMAR	OBC(NCL)	19-Sep-86	90314295	MCL	Excavation
57	VIJAY KUMAR ADEPU	OBC(NCL)	20-Aug-87	90314303	WCL	Excavation
58	MD SARFARAJ AHMAD	OBC(NCL)	2-Jan-88	90314311	SECL	Excavation
59	PRABHAT RANJAN KUMAR	OBC(NCL)	13-Oct-83	90314329	MCL	Excavation
60	RAHUL PRASAD	OBC(NCL)	29-Apr-87	90314337	SECL	Excavation
61	SAURABH PATEL	OBC(NCL)	25-Dec-92	90314345	MCL	Excavation
62	PANKAJ KUMAR	OBC(NCL)	24-Jul-85	90314352	ECL	Excavation

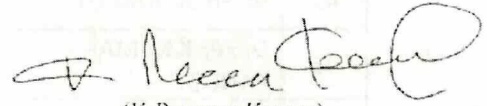
On being released from IICM, they may be advised to report to the CMD of the respective subsidiary company for further assignment, till further orders.

The management trainees who fail to report to his / her respective place of Posting / Subsidiary company is liable for action as per the clause 2.9 of the Terms & Conditions of the Appointment Letter.

Vivek

Candidates are entitled for reimbursement of AC-3 Tier Railway fare by the shortest route on production of Railway tickets for the purpose of joining at IICM and they are also entitled for the salary from the date of joining CIL/IICM w.e.f. 13th March 2013 on submission of attendance certificate from IICM.

This issues with the approval of competent authority.


(K Praveen Kumar)
General Manager (Pers./Rectt.)

Distribution:-

vivek

- 1) CMD ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDI
- 2) Director (Personnel) ECL/BCCL/CCL/WCL/SECL/MCL/NCL/ Director(Operation) CMPDI
- 3) ED IICM Ranchi- with a request to kindly release the above MTs and advise them to join the respective subsidiary company
- 4) CVO CIL, Kolkata
- 5) TS to Chairman CIL/TS to Director(P&IR)CIL /Director(Finance) CIL/Director(Tech.) CIL/Director(Marketing) CIL.
- 6) GM(P) CIL /GM(Systems) CIL/GM(P/Policy Cell) CIL/GM CIL Centralized Cell CMPDI Ranchi /
- 7) GM ICT Division CMPDI
- 8) GM(P/EE) ECL/WCL/SECL/MCL/NCL/CMPDI/HOD(P/EE) BCCL/CCL- along with copy of apptt. letter, medical report, bio-data, declaration etc. in respect of above MTs (will be sent in due course) with a request to arrange verification of all certificates submitted by the candidates including caste, police verification etc. Also arrange for reimbursement of Train Fare and salary as indicated in the order.
- 9) Chief Manager(P/CR Cell)/ Manager(CC) CIL
- 10) Management Trainee concerned through ED IICM

कोल इण्डिया लिमिटेड
महारत्न कम्पनी
(भारत सरकार का एक उपक्रम),
"कोल भवन", कर्मिक विभाग, 2 तल,
प्रेमिसेस न.04 एम.ए.आर., प्लट न.ए.एफ.111,
आक्सन एरिआ-1ए, नियु टाउन, राजारहाट,
कोलकाता-700156



Coal India Limited
A Maharatna Company
(A Govt. of India Enterprise)
"COAL BHAWAN"
PERSONNEL DIVISION, 2ND FLOOR,
PREMISES NO.04 MAR, PLOT NO.AF-III,
ACTION AREA-1A, NEW TOWN,
RAJARHAT, KOLKATA - 700 156, W.B.

(An ISO 9001:2015, ISO 14001:2015 & ISO 50001:2011 Certified Company)

Ref. No. CIL/C-5A(C)/DPC/Excvt/NS/E3-E4/B-507

Dated: 21st Aug 2019

OFFICE ORDER

Pursuant to the order dated 22.12.2017 of the Hon'ble High Court of Calcutta in APO No 368 of 2017/W.P. No 1064 of 2015 (RS Wadhai & Ors Vs CIL & Ors.) and subsequent office order no. CIL:C-5A(PC)/CCC/47 dated 13.02.2019 issued by General Manager (P/PC), CIL, order no : 1765 dated 18.03.2019 issued by GM(P/Rectt) ,CIL, and on recommendations of the Departmental Promotion Committee, the following E3 grade executives of Excavation discipline are hereby promoted to the post of Dy. Manager (Excavation) / E4 grade in the pay scale of Rs 70,000- 2,00,000 with Notional Seniority & Notional Fixation in E4 grade from the date mentioned against each.

Sl. No.	EIS	NAME(S/Sri)	COMP	DOB	Promotion to E4 grade w.e.f.
1	90260944	SANJAY KUMAR SHRIVASTAVA	CCL	01-Jul-71	28.06.17
2	90260688	JITENDRA KR.SARAF	SECL	05-Jun-68	28.06.17
3	90260514	SANTOSH KR.KONAR	SECL	01-Nov-68	28.06.17
4	90282641	VINOD KR TIWARI	CCL	01-Jan-67	28.06.17
5	90282682	PRAVEEN KUMAR YADAV	NCL	06-Aug-70	28.06.17
6	90261140	NAVEEN KUMAR PANDEY	BCCL	01-Feb-66	28.06.17
7	90260803	RAKESH SHRIVASTAVA	CCL	19-Dec-70	28.06.17
8	90260886	ASHWANI KUMAR SHRIVASTAWA	CCL	01-Jul-69	28.06.17
9	90282880	ALOK SINGH	CCL	10-Jun-73	28.06.17
10	90260373	SUTANU DEY	BCCL	29-Dec-64	28.06.17
11	90254871	RAJEEV RANJAN TIWARI	BCCL	15-Jun-61	28.06.17
12	90260845	ASHOK KUMAR PANDEY	SECL	05-Jun-68	28.06.17
13	90256793	DINA NATH RAM (SC)	CCL	28-Jan-61	28.06.17
14	90256629	KAMESHWAR RAM	CCL	03-Dec-63	28.06.17
15	90264037	JAGDISH KUJUR	SECL	30-Dec-66	28.06.17
16	90264003	RAKHIN MANDAL	SECL	11-Jul-68	28.06.17
17	90261587	S.M.CHIMURKAR	WCL	25-May-65	28.06.17

The above executives will be on probation for a period of one year.

The promotion will be effective on assumption of the charge of higher post at the place of posting decided by the CMD of the respective company.

No arrears will be paid on account of such Notional Seniority & Notional Pay fixation. Actual monetary benefit shall accrue to them from the date of assumption of charge of the promoted post. The seniority in E4 grade will be fixed accordingly.

This issues with the approval of the Competent Authority.

Tripti P Shaw
21/8/19
(Tripti P Shaw)
General Manager (P/EE)
R *Shaw*

Distribution:

1. CMD, ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDIL.
2. D(T)/D(M)/D(P&IR)/D(F), CIL.
3. D(P)/D(F), ECL/BCCL/CCL/WCL/MCL/NCL/SECL.
4. D(T/ES), CMPDIL.
5. TS to Chairman, CIL.
6. GM(P/Legal), CIL / GM(P/PC/Rectt), CIL
7. GM(P/EE)/GM(P&A)/Dy. GM(P/EE),
ECL/BCCL/CCL/SECL/WCL/NCL/CMPDIL/MCL
8. TS to Director (P&IR), CIL.
9. GM(System),CIL- with a request to upload in CIL Website
10. Executive concerned- Through respective EE departments.
11. P File/Guard File.

To the Chairman
Coal India Limited
Kolkata

Sub: Representation for amendment in CIL policy for placement of Electrical and Mechanical discipline executive under excavation cadre.

Respected Sir,

In the context of the above subject, it is to be said that we have joined the excavation cadre in the company on 13th March, 2013 under the restoration of MT 2012. In this cadre, two disciplines are restored from mechanical and electrical. Since two executives were restored, so some discrepancies have been made in deciding the seniority, which is as follows:



1. Even joining together, the mechanical has considered as senior than electrical.
2. The executives selected in the 2nd list of mechanical have also been elevated from the 1st list of electrical while they have joined on or after May 29, 2013.
3. In this context, even after inserting the representation through proper channel and grievances, it was not improved.

Therefore, in this context, it is requested to you to give us proper seniority by doing the following reforms at the departmental level.

1. Cadre is excavation/E&M and not an electrical and mechanical. Therefore seniority should be determined by combining the two disciplines on the lines of UPSC or other renowned examination and not by adding any discipline up or down. Even in UPSC also the rank is decided on the basis of result of all subjects and not on the basis of giving priority to a subject.
2. The selected executives in the 2nd list who have joined after 2-3 months should not be kept above selected candidate of 1st list only on the basis of the subject matter. Candidate of 2nd list executives of both the disciplines should also have the combined seniority on the same basis as the 1st list ke combined seniority.

Sir, therefore it is request to you to resolve it at the departmental level at earliest so that the money in the legal process can be avoided from the expenditure of time and mental problems and career growth is also properly ensured.

Details for registration number : MCOAL/E/2018/00367

Name Of Complainant	Arun kumar
Date of Receipt	21/04/2018
Received By Ministry/Department	Coal
Grievance Description	
<p>I was filed a grievance no MCOAL/E/2018/00301. I got a reply that case was closed and reply was case may be forwarded to policy cell.</p> <p>This reply is not satisfactory and clear. Please provide the reason and policy details through which juniors who joined 2 months later may be senior to us.</p> <p>Please do the needful to correct the seniority list as per our grievance or provide proper reason or policy through which juniors became senior so we can take proper justice legally.</p>	
Current Status	Case closed
Date of Action	27/04/2018
Remarks	
<p>The grievance is not specific and clear. Kindly send your details and the people you are referring to who have superseded your. We are unable to redress your grievance in absence of complete details</p>	
Officer Concerns To	
Officer Name	Mrs. Tripti Parag Shaw (General Manager)
Organisation name	Coal India Limited
Contact Address	Coal India Limited, Coal Bhawan, Premise No.04 MAR, Plot No AF-III, Action Area- 1A New Town, Rajarhat, Kolkata
Email Address	gmpers.cil@coalindia.in
Contact Number	71104228
<div style="display: flex; justify-content: center; gap: 10px;"> Print Close</div>	

Details for registration number : MCOAL/E/2018/00508

Name Of Complainant	Arun kumar
Date of Receipt	17/05/2018
Received By Ministry/Department	Coal
Grievance Description	
<p>Dear Sir I was filed two grievances vide ref no MCOAL/E/2018/00301 and MCOAL/E/2018/00367. In both replies were not satisfactory. As I had clearly mentioned that my EIS no is 90314279 and some executives are superseded me while they have joined Coal India Ltd more than 2 months later than me. Details of Executives supersede me are</p> <ol style="list-style-type: none">1. Hemant Kumar Morya - 903198982. Rama Shankar Tripathi - 903199063. Anand Mohan Yadav - 903199144. Ajit Kumar - 903199225. Piyush Nayak - 903216546. Ajit Anand - 903129277. Birendra Kumar - 903131158. Avinash Singh Yadav - 903131729. Abhishek Sharma - 9031982310. Santosh Kumar Yadav - 9031984911. Rajeev Kumar Sah - 9031985612. Manoj Kumar Sharma - 9031986413. Sourav Kumar K hande - 9031971614. Praval Pratap Singh - 9031973215. Prem Sanjit Sanga - 90319781 <p>Above-mentioned all executives were joined on the basis on 2nd list of appointment on 29 may 2013 or later while I have joined through 1st merit list on 13 march 2013, more than 2 months earlier. I had added 2nd phase list in my previous grievances which is also adding this time for ready reference.</p> <p>Now you are requested to either rectify the problem and put me on correct seniority position or provide detailed proper reason and policy though which more than two months juniors become senior to me. One more thing should be noticed that they are from 2nd list of appointment not from 1st list. So there is no chance for delayed joining of 1st list candidate on the basis of health or other issues.</p> <p>Waiting for earliest proper rectification.</p> <p>Thanking You. Regards Arun Kumar EIS - 90314279</p>	
Current Status	Case closed
Date of Action	09/06/2018
Remarks	
<p>The joining date of the first batch of MT (Electrical) was 11-Jan-12, whereas joining date of the first batch of MT(Mechanical) was 18-Jan-12. As per common coal cadre "The JETs/M(T) who join the organization within a period of four months of the date of issue of appointment letter will get their seniority on the basis of the panel position, the JETs who join after four months will not get this benefit." It further states that "A common deemed date of entry into a grade shall be determined for new recruits appointed in a batch on a particular date, in a company. This deemed date may be fixed in reference to the date of joining of the first person from the same batch. The said deemed date will be applicable only in respect of direct recruits whose training period is not extended for any reason." Therefore, all the candidates of the same batch who joined in further/next batches were given their deemed date of joining of the first batch so that they don't lose their sen</p>	
Officer Concerns To	
Officer Name	Mrs. Tripti Parag Shaw (General Manager)
Organisation name	Coal India Limited
Contact Address	Coal India Limited, Coal Bhawan, Premise No.04 MAR, Plot No AF-III, Action Area- 1ANew Town, Rajarhat, Kolkata
Email Address	gmpers.cil@coalindia.in
Contact Number	71104228

 Print

 Close

Details for registration number : MCOAL/E/2018/00301

Name Of Complainant	Arun kumar
Date of Receipt	05/04/2018
Received By Ministry/Department	Coal
Grievance Description	
Respected Sir Myself Arun Kumar (EIS - 90314279) have joined coal india on dated 13/03/2013 in Excavation discipline as a MT. i am from Electrical discipline. In Seniority list I am in 83 position in Asst Manager (Excavation) list (Page no 261) in seniority list of 1st april 2018. But position no 68 (EIS - 90319898) to position no 82 (EIS - 90319781) have joined Coal India on dated 29/05/2013 or later but in this list their joining date is showing 06/03/2013. They are from 2nd list of recruitment but they are in senior position to me. I am attaching list of their result in which their joining date is mentioned. I had submitted my grievance so many times through proper channel but still i havent received any information. So therefore you are requested to do the needful for correction in list	
Current Status	Case closed
Date of Action	11/04/2018
Remarks	
May be fwd to Policy Division	
Rating	<input type="text" value="1"/>
Rating Remarks	Case reply is not clear and provided proper solution. Please provide proper detailed action taken report so we can take proper solution of our grievance legally.
Officer Concerns To	
Officer Name	Smt. Ratna Tripathy (Sr. Manager Personnel)
Organisation name	CIL EE
Contact Address	PERSONNEL EECOAL INDIA LIMITED
Email Address	rtripathy1514@coalindia.in
Contact Number	03371104070
<input type="button" value="Print"/> <input type="button" value="Close"/>	

1.9.2. Recommendations of the Committee to remove anomalies and for regulating future career growth of Mining Executives ^[5]

1. Henceforth, the benefit of promotion on passing 1st Class should be given to those 2nd Class Managers only who pass 1st Class while working in E2 grade as was prevalent before 01.04.1993 and provided in the Common Coal Cadre from the effective date of passing as indicated in the 1st Class Certificate provided it is submitted within one month from the date of issue otherwise from the date of issue otherwise from the date of submission.
2. The Executives who pass 1st Class MMCC in E3, E4 & E5 grade will be horizontally placed in the same grade in 1st Class channel from the effective date of 1st Class.

The above recommendation shall come into force with effect from 08.05.2006. Accordingly, the old cases shall be disposed as per existing norms and guidelines and new pass out cases shall be dealt as per recommendation mentioned above.

1.10. Norms for determining Inter-disciplinary Inter-se Seniority of Executives ^[6]

The following norms to be followed for determining Inter-disciplinary Inter-se seniority of Executives for forwarding applications of eligible applicants for PESB selection and other purposes wherever required:

⁵ Amended vide OM No. CIL/C-5A(CC)/MIN/093/81 dated 12.06.2006.

⁶ Incorporated vide OM No. CIL/C5A(PC)/Interse Seniority/2236 dated 08.08.2017.



- i) Present Deemed Date of Entry in the Current Grade,
- ii) Back Deemed Date of Entry into the Past Grade,
- iii) Initial Appointment Date of Entering into Executive Cadre,
- iv) Date of Birth (Seniors to be placed above the Junior)
- v) Name of the Executive (Alphabetical Order)

with respect to the same. It was observed that CMDs were agreed with the suggestion except CMDs, ECL/ MCL/ SECL.

The broad guidelines were suggested by CMDs are as below:

1. Implementation of transfers/ rotations of officials of coal companies who have been working in sensitive posts for more than their prescribed tenure should be effected by way of transfer. Officers whose names figure in the 'agreed list' (the list of executives against whom cases have been registered and under investigation) or in the 'ODI'(Officers of doubtful Integrity) list should be transferred to non-sensitive post.
2. List of sensitive Departments/ Branches/ Posts should be reviewed to include those posts, which are sensitive in nature but not so designated at present.
3. The proposals in respect of above issues initiated/ recommended by CVO, CIL would be examined by D (P&IR), CIL.
4. Executives would be transferred intra-company in every promotion.
5. There would be Inter-company transfers at the time of promotion from E-3 to E-4 (Revised Scale) as well as again on promotion from E-6 to E-7 (Revised Scale).
6. As a result of implementing proposal at para (4) & (5), the situation of officers continuing at a place for long time and thus developing roots - perceived to be a cause of corruption - is virtually eliminated.
7. There would be three distinct Zones like Financially weak (e.g. ECL & BCCL), moderate (CCL & WCL) and Financially strong (NCL, SECL, MCL and CIL). These transfers shall be made effective from one Zone to other Zone.
8. By implementing the proposal at para (7), it would be ensured that differential earning on account of Performance Related Pay (PRP) due to difference in financial strength of Subsidiary Companies is evened out during the entire tenure of service of every officer.
9. It was decided that D (P&IR), CIL shall prepare a comprehensive proposal incorporating the above guidelines for placing before ensuing CIL Board for approval.

Action: D(P&IR), CIL

8.0 Allocation of Cadre in respect of Management Trainees (Electrical & Mechanical):

D(P&IR), CIL informed that Engineers having degree in Mechanical and Electrical Branch of Engineering have been selected as Management Trainee(Mechanical) and Management Trainee(Electrical) requires to undergo training for posting in Excavation/ E&M cadre. Till such time the policy is firmed up as well as the requirement is finalized, both the categories of Management Trainee (Mechanical) and Management Trainee (Electrical) will have to undergo training in Underground Mines for UG Equipments as well as in Opencast Mines for Opencast Equipments so that deployment in any of the cadre would remain flexible. It was also

decided that from the present batch of MTs onwards, they would be put in Mechanical and Electrical Cadres only and shall be posted for such jobs in surface and Undergrounds mines including that of present Excavation Cadre.

D(P&IR), CIL informed that selection for recruitment of Security Officers out of 25 applicants from the Ex-Army personnel retired from the rank of Lt. Col and Major would be held on 5th August 2009 at Kolkata. After prolonged discussion CMDs opined from the past experience that the security Officers so selected and posted at the subsidiary, generally have a feeling of being at par with the rank of Area CGM. Hence, it was decided that in future, one Area CGM would be included in the selection committee so that the new incumbent would be able to recognize the rank of Area CGM as his controlling officer.

Action: D(P&IR), CIL.

9.0 Redressal of Complaints:

Some high value contracts are being sanctioned at the Board Level or CMD's Level and Lol is issued. In order to redress the complaint, if any, the following steps have been decided:

- (1) If any complaint is received between decision and issue of Lol, then issue of Lol should be kept on hold and the complaint be referred to IEM.
- (2) If any complaint is received after issue of Lol and before finalisation of contract then (a) the complaint should be referred to IEM and (b) the finalisation process should remain withheld till a clearance from IEM is received.
- (3) It should be highlighted that all complaints would be dealt by IEM. CMDs requested Chairman, CIL for setting up a mechanism for dealing with any complaints and settling the same through IEMs.
- (4) All complaints received during a month should be placed before all IEMs for threadbare discussion during the monthly meeting of IEMs.
- (5) Subsidiary Companies may indicate two names of IEM in rotation for referring to any Tender and those names of IEM would remain fixed till the finalisation/ completion of the contract period.
- (6) In the event the investigation of IEMs and CVOs are found to be different then the same should be consulted with CVC.

However, D (T), CIL has observed that the decisions as mentioned in points (4) & (5) may have contradictory impacts and opined that these points need to be discussed again.

Action: All CMDs/ All FDs, CIL

10.0 Presentation by CMD, CMPDIL on Major Decisions between MoS(C) & MoS(Env):

CMD, CMPDIL made a presentation on Satellite Surveillance carried out in different Mines of NCL/ CCL. CMDs noted the information provided in the



COAL INDIA LIMITED
 (A Govt. of India Enterprises-A Maharatna company)
 "COAL BHAWAN"
 10, NETAJI SUBHAS ROAD, KOLKATA 700001
 PHONE NO - 033 2248 8099 / 22424641 GRAM - COAL INDIA
 FAX - 033 22100833/22310578, E-MAIL:mtrecruitment@coalindia.in
 WEBSITE - www.coalindia.in

Dated: 6 March 2013

No.CIL:C5A(i):50297:MT(Mechanical):1162

(OFFICE ORDER)

Further to the appointment letters No.CIL/C5A(i)/50297/MT(Mechanical)/3932-3981 dated 31st Jan.2013 and on being found medically fit, following candidates are hereby allowed to join as **Management Trainee (Mechanical/)** w.e.f. 6th March 2013 in the pay scale of Rs.20600-46500 in E2 Grade and directed to report for training to Executive Director, IICM w.e.f. 6th March 2013.

Sl. No.	Name(S/Sri)	Caste/Category	DOB	EIS No.
1	Jitesh Kumar	GEN	01-Jun-86	90312224
2	Kaushal Raj	OBC	28-Oct-91	90312232
3	Mukesh Kumar	OBC(NCL)	28-Jul-88	90312240
4	RiteshRanjan	OBC(NCL)	09-Jun-89	90312257
5	Anjaney Kumar	GEN	15-Jan-84	90312265
6	Pankaj Kumar	OBC(NCL)	05-Jan-84	90312273
7	Deepak Kumar	OBC(NCL)	01-Mar-86	90312281
8	Pritam Kumar	OBC(NCL)	23-Dec-88	90312299
9	Ayush Kumar	OBC(NCL)	04-Mar-85	90312307
10	Surya Kant Sinha	OBC(NCL)	03-Dec-85	90312315
11	Nitish Raj	GEN	25-Feb-87	90312323
12	Santosh Kumar Sah	GEN	01-Mar-83	90312331
13	Krishna Kumar	OBC(NCL)	15-Feb-84	90312349
14	Abhijeet	OBC(NCL)	18-Dec-85	90312356
15	MdArifHussain	OBC(NCL)	28-May-88	90312364
16	Shivank Kumar	SC	01-Jan-84	90312372
17	Anish Kumar	OBC(NCL)	25-Dec-84	90312380
18	Saurabh Shakti	GEN	18-Jan-86	90312398
19	AshishShukla	GEN	10-May-90	90312406

Jayashankar

20	Rajnish Kumar	OBC(NCL)	31-Dec-82	90312414
21	Vivek Singh	GEN	23-Mar-87	90312422
22	Nikhil Vikram	GEN	11-Jan-90	90312430
23	Shyam Kumar	OBC(NCL)	05-Jul-83	90312448
24	Dilip Kumar	OBC(NCL)	06-Oct-88	90312455
25	Basant Kumar	OBC(NCL)	18-Nov-86	90312463
26	Pankaj Kumar	OBC(NCL)	10-Dec-89	90312471
27	Uma Shankar Bharti	OBC(NCL)	05-Dec-87	90312489
28	Ashwini Kumar	OBC(NCL)	02-Sep-86	90312505
29	Kailash Mani	OBC(NCL)	21-Feb-87	90312513
30	Azad Singh	GEN	24-Jan-90	90312521
31	Jitendra Patel	OBC(NCL)	06-Feb-84	90312547
32	Pitamber Prasad Yadav	OBC(NCL)	05-Sep-90	90312554
33	Dinesh Pathak	GEN	22-Sep-87	90312562
34	Vaibhav Kumar Lakra	ST	19-Oct-87	90312570
35	Gourav Kumar	GEN	14-May-87	90312596
36	Jai Shankar Kumar	OBC(NCL)	25-Feb-89	90312646
37	Leeladhar Dewangan	OBC(NCL)	26-May-89	90312653
38	Dilip Kumar	OBC(NCL)	12-Sep-90	90312653
39	Ashish Agrawal	OBC(NCL)	25-Apr-86	90312687
40	Nishant Rishav	GEN	08-Oct-87	90312695
41	Nitin Kumar	GEN	17-Jun-90	90312703
42	Nikhil Kumar	GEN	30-Apr-91	90312711

The above MTs will be paid AC-3 Tier Railway fare by the shortest route for the purpose of reporting for joining duty on production of Railway Ticket. Their salary will be paid from the date of joining CIL/ IICM i.e. from 6th March 2013 on submission of attendance certificate from IICM.

They will undergo training for a period of one year. The details of training programme will be designed and communicated by IICM. On successful completion of training and after passing the test /examination to be conducted by IICM, they will be placed in next scale of pay.

Notwithstanding above, this employment will be governed by the terms and conditions already incorporated in the appointment letters duly accepted by them.

Jaspreet Kaur Kahlon
 13/3/13
 Jaspreet Kaur Kahlon
 Asstt. Manager (Pers./Rectt.)
 CIL, Camp: IICM Ranchi

कोल इण्डिया लिमिटेड
महारत्न कम्पनी
(भारत सरकार का एक उपक्रम),
"कोल भवन", कर्मिक विभाग, 2 तल,
प्रेमिसेस न.04 एम.ए.आर., प्लट न.ए.एफ.111,
आक्सन एरिआ-1ए, नियु टाउन, राजारहाट,
कोलकाता-700156



Coal India Limited
A Maharatna Company
(A Govt. of India Enterprise)
"COAL BHAWAN"

PERSONNEL DIVISION, 2ND FLOOR,
PREMISES NO.04 MAR, PLOT NO.AF-III,
ACTION AREA-1A, NEW TOWN,
RAJARHAT, KOLKATA - 700 156, W.B.

(An ISO 9001:2015, ISO 14001:2015 & ISO 50001:2011 Certified Company)

Ref. No. CIL/C-5A(C)/DPC/Excav./NS/E3-E4/B- 442

Dated: 30th July 2019

OFFICE ORDER

Pursuant to the order dated 22.12.2017 of the Hon'ble High Court of Calcutta in APO No 368 of 2017/W.P. No 1064 of 2015 (RS Wadhai & Ors Vs CIL & Ors.) and subsequent office order no. CIL:C-5A(PC)/CCC/47 dated 13.02.2019 issued by General Manager (P/PC), CIL, order no : 1765 dated 18.03.2019 issued by GM(P/Rectt) ,CIL, and on recommendations of the Departmental Promotion Committee, the following E3 grade executives of Excavation discipline are hereby promoted to the post of Dy. Manager (Excavation) / E4 grade in the pay scale of Rs 70,000- 2,00,000 with Notional Seniority & Notional Fixation in E4 grade from the date mentioned against each.

SL. NO.	EIS	NAME	COMP	DOB	Promotion to E4 grade w.e.f.
1.	90260506	P.C.RAMAWAT	WCL	21-Jun-66	28.06.17
2.	90282567	NIRAJ KUMAR SAHAY	MCL	20-Jun-72	28.06.17
3.	90260217	V.V.SUBRAHMANYAM	SECL	06-May-64	28.06.17
4.	90263997	NAVEEN GUPTA	SECL	10-Jul-69	28.06.17
5.	90261124	ANAND PRAKASH SHUKLA	MCL	03-Jun-68	28.06.17
6.	90265950	GOPAL KRISHNA SWAIN	MCL	25-Jul-70	28.06.17
7.	90282658	ARUN KR SAHU	MCL	17-Jun-71	28.06.17
8.	90260126	T.K.MUKHOPADHYAY	SECL	14-Dec-63	28.06.17
9.	90261058	PRAMOD KUMAR SHARMA	NCL	15-Jan-71	28.06.17
10.	90260928	RAJESH KU.SHRIVASTVA	SECL	14-Jun-65	28.06.17
11.	90260670	VIRENDRA SINGH CHANDEL	NCL	24-Jun-67	28.06.17
12.	90261074	KRISHNA KUMAR TIWARI	SECL	15-Jun-69	28.06.17
13.	90282740	SHAMS ALAM	SECL	25-Oct-71	28.06.17
14.	90260449	SANDEEP DAS	ECL	26-Jan-68	28.06.17
15.	90257841	T.R.SAHOO	MCL	13-Mar-65	28.06.17
16.	90282773	SANJAY KU BURMAN	SECL	30-Jun-71	28.06.17
17.	90282815	S V TOPE	WCL	15-Jun-72	28.06.17
18.	90263971	A.CHANDRA SHEKHAR	SECL	06-Apr-69	28.06.17
19.	90282849	MANOJ KUMAR JAIN	SECL	15-Jun-71	28.06.17
20.	90282856	SANJEEV BASU	SECL	09-Mar-74	28.06.17
21.	90263955	SANJAY KUMAR TIWARI	NCL	05-May-65	28.06.17
22.	90261009	VIJAY KUMAR RATHORE	NCL	25-May-70	28.06.17
23.	90258153	S.S. BISWAKARMA	SECL	19-Jan-60	28.06.17
24.	90265943	RAJESH KUMAR.MISHRA	NCL	01-Aug-65	28.06.17
25.	90260498	PARTHO SINHA	MCL	21-Aug-68	28.06.17
26.	90260860	MUKESH SINGH	NCL	31-Aug-70	28.06.17
27.	90260969	MANOJ KUMAR SARKAR	SECL	20-Jun-69	28.06.17
28.	90264045	R.C. PALIWAL	WCL	12-Aug-69	28.06.17

SL. NO.	EIS	NAME	COMP	DOB	Promotion to E4 grade w.e.f.
29.	90282955	SHAIENDRA KR GUPTA	NCL	23-Jul-71	28.06.17
30.	90261173	R.J.SINGH	SECL	04-Jul-59	28.06.17
31.	90260266	DHAVALA RAJ PRASAD	WCL	12-Dec-65	28.06.17
32.	90256611	UJJWAL BHATTACHARJEE	SECL	28-May-62	28.06.17
33.	90263922	M.RAHMAN	WCL	01-Oct-65	28.06.17
34.	90264565	PARTHO CHATTOPADHYAY	ECL	08-Oct-63	28.06.17
35.	90259094	SATISH KR.	SECL	03-Mar-68	28.06.17
36.	90257858	DEBASISH MANDAL	ECL	11-Sep-65	28.06.17
37.	90260316	SUKHENDU BAGCHI	SECL	04-Aug-65	28.06.17
38.	90261025	CHANDRAKANT SHRIVASTAVA	MCL	24-Feb-66	28.06.17
39.	90283060	NARENDRA NAMDEORAO THAKRE	WCL	24-Jul-71	28.06.17
40.	90283078	R S PITHORE	WCL	01-May-73	28.06.17
41.	90263781	J.N.BHATTACHARJEE	MCL	12-Aug-59	28.06.17
42.	90258484	H S TIWARI	NCL	02-Jan-63	28.06.17
43.	90256389	BIJESHWAR SINGH	SECL	29-Nov-63	28.06.17
44.	90255662	SRI BIPENDRA KR SINHA	SECL	14-Dec-63	28.06.17
45.	90260589	SANTOSH KUMAR CHATURVEDI	SECL	12-Apr-62	28.06.17
46.	90260134	S.K.BHATTACHARYA	SECL	08-Nov-63	28.06.17
47.	90258591	S.N.SINGH	NCL	06-Jul-59	28.06.17
48.	90283169	UNMESH S ANDHARE	SECL	05-Sep-68	28.06.17
49.	90261793	Y.M. ANDRASKAR	WCL	29-Nov-67	28.06.17
50.	90283201	AKHILESH KU SINGH	NCL	13-Jan-69	28.06.17
51.	90283219	YADAV KISHOR HALDER	SECL	22-Apr-68	28.06.17
52.	90261322	S.D.CHANDRASHEKHAR	SECL	11-May-62	28.06.17
53.	90261355	S.D.PENURKAR	WCL	12-Oct-65	28.06.17
54.	90260464	RAJESH KUMAR TRIPATHI	MCL	27-Oct-67	28.06.17
55.	90259375	RAJ RAJESH SRIVASTAVA	NCL	23-Nov-63	28.06.17
56.	90283276	RAJA SRINIVAS	SECL	18-Aug-72	28.06.17
57.	90259516	SHIVA PD.	NCL	01-Oct-60	28.06.17
58.	90265026	S K SRIVASTAVA	NCL	08-Jun-63	28.06.17
59.	90283326	RABINDRA SINGH	NCL	06-Apr-71	28.06.17
60.	90260548	TARKESHWAR PRASAD SHUKLA	NCL	03-Jul-69	28.06.17
61.	90283342	PRADEEPTA KU SAHOO	MCL	18-Nov-71	28.06.17
62.	90283359	SHRIKANT G ADETWAR	SECL	19-Oct-72	28.06.17
63.	90259581	A K SINGH	NCL	22-Jan-65	28.06.17
64.	90259904	SATISH KUMAR MULIPAT	NCL	30-Jul-62	28.06.17
65.	90257940	HIMADRI CH. DAS	MCL	10-Jul-65	28.06.17
66.	90259193	A.PANDIAN	NCL	15-May-67	28.06.17
67.	90283409	JITENDRA KUMAR	SECL	29-Sep-73	28.06.17
68.	90283417	D G UMARE	SECL	01-Jul-63	28.06.17
69.	90283425	PRASHANT KHARE	WCL	14-Sep-73	28.06.17
70.	90283433	RAJENDRA BAGDE	WCL	26-Sep-69	28.06.17
71.	90283441	BHESH RAM DAHARIYA	SECL	25-Oct-71	28.06.17
72.	90259045	N K AHIRWAR	SECL	06-Feb-60	28.06.17
73.	90283466	YOGESH A DONGRE	SECL	23-Jul-75	28.06.17
74.	90283474	A K BEHERA	MCL	12-Apr-62	28.06.17
75.	90258096	BIJAY KUMAR PATUA	MCL	10-Jun-69	28.06.17
76.	90257684	B. D. HEMBROM	ECL	25-Sep-64	28.06.17
77.	90283516	CHANDRASHEKHAR S NAGRALE	SECL	01-Jun-69	28.06.17
78.	90283524	RAMESHWAR VERMA	SECL	30-Jan-70	28.06.17
79.	90261850	C.N. PATHADE	SECL	25-Jun-65	28.06.17
80.	90283581	SAMIR KUMAR DAS	MCL	10-Apr-74	28.06.17

SL. NO.	EIS	NAME	COMP	DOB	Promotion to E4 grade w.e.f.
81.	90283540	PRAMOD S BANSOD	WCL	01-Jul-70	28.06.17
82.	90258203	SANTOSH KUMAR KALLO	SECL	17-Apr-67	28.06.17

The above executives will be on probation for a period of one year.

The promotion will be effective on assumption of the charge of higher post at the place of posting decided by the CMD of the respective company.

No arrears will be paid on account of such Notional Seniority & Notional Pay fixation. Actual monetary benefit shall accrue to them from the date of assumption of charge of the promoted post.

The seniority in E4 grade will be fixed accordingly.

This issues with the approval of the Competent Authority.

T. P. Shaw
30/7/19.
(Tripti P Shaw)
General Manager (P/EE)

Distribution:

1. CMD, ECL/BCCL/CCL/WCL/SECL/MCL/NCL/CMPDIL.
2. D(T)/D(M)/D(P&IR)/D(F), CIL.
3. D(P)/D(F), ECL/BCCL/CCL/WCL/MCL/NCL/SECL.
4. D(T/ES), CMPDILI.
5. TS to Chairman, CIL.
6. GM(P/Legal), CIL / GM(P/PC/Rectt), CIL
7. GM(P/EE)/GM(P&A)/Dy.GM(P/EE), ECL/BCCL/CCL/SECL/WCL/NCL/CMPDIL/MCL
8. TS to Director (P&IR), CIL.
9. Executive concerned- Through respective EE departments.
10. P File/Guard File.
11. *GM(SYS), CIL : WITH A REQUEST TO UPLOAD IN CIL WEBSITE*

Calcutta High Court

Ravindra Shyamrao Wadhai & Ors vs Coal India Ltd. & Ors on 22 December, 2017

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
An Appeal from its
Constitutional Writ Jurisdiction
Original Side

Present :- Hon'ble Mr. Justice I.P.Mukerji
Hon'ble Mr. Justice Md. Mumtaz Khan

APO 368 of 2017
WP 1064 of 2015

Ravindra Shyamrao Wadhai & Ors.
Vs.
Coal India Ltd. & Ors.

For the Appellant :- Mr. Bikash Ranjan Bhattacharjee,
Sr. Adv.
Mr. Partha Ghosh,
Mr. Shamik Chatterjee,
Mr. Souna Subhra Roy,
Mr. Hemraj Adhikari.

For the Respondent :- Mr. Alok Banerjee, Sr. Adv.

Mr. S. M. Obaidullah, Mr. N. K. Roy, Mr. Partha Basu.

Judgement On :- 22.12.2017

I.P. MUKERJI, J. :-

The appellants are employees of Coal India Ltd, the respondent No.1. This organisation has many grades for its employees. The appellants are management trainees in (E-1) category. They were appointed on 5th June, 2012.

Now, under the Common Coal Cadre (CCC) out of the total vacancy in the personnel/welfare department in the E-1 cadre, (Executive Cadre) 50% of the jobs are reserved for fresh outside candidates and 50% for the departmental candidates. 50% of the vacancies in this E Cadre which are to be filled from department candidates is undertaken by a promotion/selection process conducted by the organisation. By a circular dated 8th March, 2016 Coal India Ltd. made an internal notification that the selection of the departmental candidates was to be through examination and interview.

The recruitment started in the month of March, 2010 and ended in June, 2012.

While this recruitment process for the departmental candidates was kept pending from March, 2010 to June, 2012, in the year 2011, Coal India Ltd. issued an advertisement for recruitment of new

candidates from the market to fill up the 50% vacancies reserved for outside candidates in the E-1 grade.

The selection list for these outside candidates was published on 10th December, 2011, whilst the recruitment process for the departmental candidates was kept pending.

Now, comes the interesting point in the case. On 22nd March, 2012 Coal India Ltd. published an "Office Order" to the following effect: "The Board of Directors of CIL in their 277th meeting held on 30.01.2012 has approved the following:

1. Recruitment of Management Trainees of all disciplines (either through open advertisement or through campus) will be in E2 Grade in 1st year and they will be placed in E3 grade after successful completion on 1 year training.
2. Management trainee's who are at present in E-1 grade or those Management Trainees who have been appointed on or after 01.01.2007 would be deemed to have been appointed in E2 grade and after successful completion of the requisite training, they would be deemed to have been placed in E# grade and their pay will be appropriately fixed.
3. All those Management Trainee's who have been placed in E2 grade on successful completion of training between 01.01.2007 to 31.12.2010 will be placed in E2 grade with appropriate pay fixation.
4. All the provisions of Common Coal Cadre regarding recruitment, regularisation/absorption/placement, closure of probation etc to be amended as per the policy mentioned above and,
5. No arrears will be paid on account of such re-gradation or national fixation.

Accordingly, (a) the service conditions of existing Management Trainees & Sr. Officers appointed on or after 01.01.2007 be regulated accordingly and

(b) necessary amendments are being made in the relevant clauses or Common Coal Cadre.

This will be effective from 1st April, 2012.

This issues with the approval of Competent Authority." It was said that the facts stated in the office order were approved at the 277th meeting of the board of directors of the company held on 30th January, 2012.

Paragraph 2 of this decision is most significant. It meant that those management trainees who had already been recruited from outside in or about December, 2011 would be deemed to have been appointed in the E-2 grade. Only they, upon successful completion of regular training could be placed in the E-3 grade after appropriate fixation of pay. The point which departmental candidates, want to drive home is they are similarly situated as the outside candidates. Their recruitment

process which was begun in March, 2010, was kept pending whereas the recruitment process for outside candidates which was begun in 2011 was completed by December of that year. Their selection pending, the management appointed the outside candidates in the E-1 cadre and went on to publish the said circular dated 22nd March, 2012 treating them in the E-2 grade and promising them promotion to E-3 grade after one year of training.

The contention of the appellant is that this circular could have been issued after June, 2012 or the departmental selection completed before 22nd March, 2012 so that the departmental employees as well as those who came from outside would be on the same plane as E-1 executives and could be treated equally by re-designating their post as E-2. Furthermore, all of them could be expected to be promoted the cadre E-3 after one year of training.

They submit that by doing this their seniority has been sacrificed. It was said by Mr. Bhattacharya, learned Senior Advocate for the appellants that the action of the said respondent was most arbitrary, unfair and unreasonable.

Mr. Alok Banerjee learned counsel appearing for the respondents showed me the promotion rules of the organisation. There is an existence a common Coal Cadre. In the E-1 grade 50% of the vacancies in the personnel department were to be filled by departmental candidates and the remaining 50% by direct recruitment. He said that the departmental promotes and the outside candidates were separate classes. They could not be compared. Not more than 50% vacancies were filled by outside candidates. The departmental candidates could not have any grievance because 50% vacancies in the E-1 grade were filled up by them by promotion. If these two categories in the E-1 grade were considered as separate classes the appellants could not compare, inter se, seniority of constituents of these two separate classes.

In Union of India and Ors v. Atul Shukla reported in AIR 2015 SC 1777 cited by Mr. Bhattacharya, Mr. Justice Thakur remarked that classification of employees based on the method of their recruitment had long been declared impermissible. There could be no difference between a employee directly recruited vis-a-vis another who was promoted so long as the two employees were part of the same cadre. They could not be treated differently either for the purposes of pay and allowance or other conditions of service including the age of superannuation. An officer may reach a particular rank by accelerated promotion. Another officer may reach the same rank over a longer period of time. Once that rank was reached they were equal and either of them could be treated unequally in the matter of pay, allowances or other benefits.

Mr. Banerjee, laid emphasis on paragraph 40 of V. T. Khazode & Ors Vs. Reserve Bank of India reported in AIR 1982 SC 917 which is set out below:-

"40. It is clear from this narration of historical events that the various Departments of the Reserve Bank were grouped and regrouped from time to time. Such adjustments in the administrative affairs of the Bank are a necessary sequel to the growing demands of new situations which are bound to arise in any developing economy. The group system has never been a closed or static chapter and it is wrong to think that the officers of the various groups were kept, as it were, in quarantine. The

group system has been a continuous process of trial and error and the impugned scheme of inter-group mobility has emerged as the best solution out of the experience of the past. Combined seniority has been recommended by two special committees, whose reports reflect the expertise and objectivity which was brought to bear on their sensitive task. It is clear that inter- group mobility and common seniority are a safe and sound solution to the conflicting demands of officers belonging to Group I on one hand and those of Groups II and III on the other. Private interest of employees of public undertakings cannot override public interest and an effort has to be made to harmonize the two considerations. No scheme governing service matters can be fool-proof and some section or the other employees is bound to feel aggrieved on the score of its expectations being falsified or remaining to be fulfilled. Arbitrariness, irrationality, perversity and mala fides will of course render any scheme unconstitutional but the fact that the scheme does not satisfy the expectations of every employee is not evidence of these. Vested interests are prone to hold on to their acquisitions and we understand the feelings of Group I officers who have to surrender a part of the benefits which had accrued to them in a water-tight system of grouping. Combined seniority is indispensable for the smooth functioning of the Bank and no organisation can function smoothly if one section of its officers has an unfair advantage over others in matters of promotional opportunities. The reports of the Cadre Review Committee and the Thareja Committee show that combined seniority has emerged as the most acceptable solution as a matter of administrative, historical and functional necessity. We see no justification for undoing what these committees have achieved after an objective and integral examination of the whole issue. We may mention that the conclusion to which these committees came were considered by the Bank when Shri M. Narasimhan, later India's Executive Director in the World Bank, was the Governor and it was after Dr. I.G. Patel, Formerly Secretary, Economic Affairs, Govt. of India and Deputy Administrator, United Nations Development Programme, took over as Governor in December 1977 that the final decision was taken by the Central Board to introduce inter-group mobility and combined seniority." The essence of the ratio in this case is that there may be groups of employees in an association. There may be a scheme governing service. Some employees may feel aggrieved by the scheme. That does not mean that the scheme suffers from arbitrariness, irrationality, perversity, mala fide etc.,

E-1 cadre is a particular cadre in the personnel department of Indian Oil Corporation. In accordance with its Common Cadre Coal, 50% of the employees in this Cadre are drawn from the organisation itself, by promotion. 50% are recruited from the market by a process of selection. In our opinion, all the employees in this cadre are similarly situated and equal. No discrimination can be made between a departmental recruit and a direct recruit. The selection test for departmental candidates was announced on 8th March, 2010 by the respondents were through a circular. In 2011, they issued a notice inviting applications from outside candidates. While the selection process for outside candidates was concluded in December, 2011, the same test for departmental candidates was concluded in June, 2012. The result was that while outside candidates got employment from or about January 2012, the departmental candidates would have to wait till or after June, 2012 for the promotion order.

To rub salt into injury on 22nd March, 2012, the said respondent issued the said notification that those management trainees who were in the E- 1 cadre on or after 1st January, 2007 were deemed to be appointed in the E-2 cadre and upon successful completion of training would be deemed to have

been placed in the E-3 Cadre. Since, the outside candidates had already been appointed in the E-1 cadre after December, 2011, they were automatically inducted into the E-2 cadre, while the departmental candidates had to wait till June, 2012 for their results. So, the moment the other candidates were taken in, on or after December, 2011 the writ petitioners lost seniority to them.

The decision of the respondent organisation would have been pragmatic and reasonable, if the decision of the Board of Directors taken on 31st January, 2012 and communicated on 22nd March, 2012 was taken or given effect to after publication of the results of the departmental candidates so that each and every employee in the E-1 cadre could get the benefit of this decision. By this decision a particular group in the E-1 cadre, recruited from the market was favoured as against the departmental candidates. Indeed this was discriminatory of them. We have no doubt in saying on the face of it this action was illegal. We do not have to repeat that any action of a government body or statutory body like the Indian Oil Corporation should not only be transparent but should be fair, just and equitable. This decision is patently unfair and inequitable.

In the circumstances, this writ application succeeds. We allow the same by granting orders in terms of prayers (a) and (b) of the petition. The benefit of the resolution of the board of directors taken on 30th January, 2012 and communicated by the office order dated 22nd March, 2012 shall be deemed to applicable to the appellants from the same date and in the same manner it has been made applicable to the direct recruits in the E-1 cadre.

For the above reasons, the order of the Hon'ble first Court dated 1st March, 2017 is set aside.

Certified photocopy of this Judgment and order, if applied for, be supplied to the parties upon compliance with all requisite formalities. I Agree.

(Md. Mumtaz Khan, J.)

(I.P. MUKERJI, J.)



Determination of Inter Se-Seniority ^[1]

- 1.1.** With the nationalization of coal mines in two spells, one in respect of coking coal mines and formation of Bharat Coking Coal Ltd. and another in respect of non-coking coal mines and formation of Coal Mines Authority Limited, three sets of executives were brought together, viz.:
 - i) Executives borne on NCDC cadre
 - ii) Executives taken over from coking coal sector
 - iii) Executives taken over from the non-coking coal sector forming bulk of officers in the CMAL.
Subsequently, Coal Board was abolished and the officers of Coal Board (forming a fourth set) came to be absorbed in CMAL and BCCL with effect from 1st April, 1975.
- 1.2.** Formation of Coal India Limited with effect from 1st November, 1975 and the constitution of common coal cadre necessitated integration of these four groups of executives into one main stream.
- 1.3.** The seniority of NCDC officers got gradually evolved on the basis of the date of entry of the individual officers in a particular grade and there was certain determined seniority of NCDC officers prior to their absorption in the CMAL. With the formation of CMAL, the question of drawing up inter-se seniority of the taken over officers and those borne on NCDC cadre came up. Two high power committees appointed by the CMAL Board went in to the matter and found it difficult to determine inter-se seniority of all the officers and recommended that all the eligible officers should be considered together for promotion.
- 1.4.** After the formation of Coal India, further efforts were made to formulate principles for fixation of seniority of all the four groups of officers referred to earlier in an integrated manner. As a result of discussions held at the CMD's co-ordination meetings certain norms for determination of seniority were drawn up but certain difficulties were experienced in implementing these norms and in integration the seniority of the four groups of officers.
- 1.5.** The matter was also examined in depth by the Apex Policy Committee for executives of Coal India, constituted for the purpose of examining the representations of executives. This committee felt that in view of the difficulties encountered in integrating the seniority of the four groups of officers, the cases of all eligible officers should be considered by the DPCs irrespective of the number of vacancies in the higher post, and recommendations for promotion would be mainly in order of merit. Once they are recommended for promotion, the DPC should determine the order of merit of those found suitable for promotion, which will form the basis for promotion to the next higher grade and for evolving inter-se seniority on the promoted grade in due course.

¹ Chapter V of Common Coal Cadre. Amendments upto 30.11.1984 was communicated in a Book form (2nd edition).



- 1.6. A large number of promotions have been made effective from the executive grade to the other after the initial absorption of taken over officers (i.e. 1-7-1972 or 1-8-1973 and 1-5-1973 in respect of NCDC officers). Seniority lists of executives in each grade and discipline should be drawn up following the general principles indicated below by the respective companies in respect of executives in the grades of E-4 and below and by Coal India for officers in the grades of E-5 and above.

(A) Seniority in Respect of Officers in the Grade of E-4 and Below

- (i) Wherever there is an established seniority in the grades of E-4 and below, this seniority position should be followed.
- (ii) In respect of officers, whose seniority position has not been determined, the following procedure shall be followed:
 - (a) The officers, who have not been promoted at least once after their initial absorption of taken over officers (i.e. 1.7.1972 or 1.8.1973 and 1.5.1973 in respect of NCDC officers), will be the senior-most in the list and they should be clubbed together. The DPCs, whenever meet, should consider the cases of these officers first before considering officers who have been promoted at least once after initial absorption (i.e. 1.7.1972 or 1.8.1973 and 1.5.1973 in respect of NCDC officers).
 - (b) The seniority inter-se in respect of Officers, who got at least one promotion after their initial absorption (i.e. 1.7.1972 or 1.8.1973 and 1.5.1973 in respect of NCDC officers) will be determined on the basis of their date of entry into the grade subject to the condition that in respect of the officers considered by a single DPC and thereafter promoted, the merit as determined by the DPC will be taken irrespective of their date of entry in the grade.
 - (c) If, in the case of officers who were considered by a single DPC and thereafter promoted, relative merit was not determined by the DPC, all the officers promoted in that batch will be clubbed together, whenever DPC meets, all such officers together will be considered, subject to their eligibility reckoned from the date of issue of orders.
- (iii) Separate seniority lists of 2nd class Under Managers promoted to E3 grade and above in terms of para 1.10.5 of Cadre Scheme & Promotion Procedures, will be maintained for each grade.

Clarification:^[2]

If any Senior Under Manager (2nd Class) in E3 grade and above after passing 1st Class Mine Managers examination wishes to opt out of the seniority list of Senior Under Managers for placement in the regular channel

² Clarification issued vide OM No. CIL/C-5A(ii)/50972/22/3497 dated 07.11.1984.



of Mining discipline (1st Class Certificate holders) the following procedure may be adopted: -

- i) The concerned Senior Under Managers should apply in writing for their horizontal movement to the regular channel of Mining discipline.
- ii) Such applications may be examined by a Committee constituted by the concerned cadre Controlling Authority and subject to suitability and availability of vacancies in the regular channel of Mining discipline in the relevant grade, the requests of Senior Under Managers for horizontal movement may be allowed.
- iii) Their seniority in the relevant grade on horizontal movement to the regular channel of Mining discipline will be reckoned from the date of issue of orders allowing such horizontal movement.

(B) Seniority in Respect of Officers in the Grade of E5

According to the existing practice the companies promote officers working in that particular company from E-4 to E-5 grade. Integration of officers in E-5 grade promoted by various subsidiary companies is essential because the promotion from E-5 to E-6 grade and above is to be handled centrally covering all executives posted in all the subsidiary companies.

With a view of integrating these officers, their seniority inter-se has to be determined. For this purpose the following guidelines will be adopted by Coal India Limited:

- (i) Executives, who have not got at least one promotion since their absorption (i.e. 1.7.1972 or 1.8.1973 and 1.5.1973 in respect of NCDC officers), will be the senior most in a particular grade and discipline. These executives will be bracketed together and the DPC would consider all such officers together first before considering the officers who got at least one promotion after their initial absorption (i.e. 1.7.1972 or 1.8.1973 and 1.5.1973 in respect of NCDC officers).
- (ii) In the case of officers, who were promoted at least once after their initial absorption (i.e. 1.7.1972 or 1.8.1973 and 1.5.1973 in respect of NCDC officers), seniority will be drawn on the basis of their date of entry into the grade subject to the condition that in respect of officers considered by a single DPC and thereafter promoted, the merit as determined by the DPC will be taken irrespective of their actual date of entry in the grade. If inter-se merit was not determined by the DPC such officers will be clubbed and they will all be considered together by the DPC irrespective of the number of vacancies.
- (iii) In case of officers promoted by two different subsidiary companies within a span of six months, they will be bracketed together without mentioning seniority inter-se amongst them. For the purpose of eligibility and seniority of these officers promoted by two different subsidiary companies within a



span of six months, the officers promoted late will be deemed to have been promoted to this grade and entered the grade of E5 along with the officers promoted earlier, irrespective of their actual date of entry in to the grade. Whenever DPC meets, all the officers so clubbed will be considered together in order to recommend a select list in order of merit.

As no specific date covering the said period of six months has been stipulated in the above provision, and in order to avoid any ambiguity in this regard, it has been decided that the officers promoted to E5 grade by the CIL and its subsidiaries during the under mentioned periods in a financial year will be bracketed together for the purpose of seniority according to their date of promotion:

- (i) 1st April to 30th September.
- (ii) 1st October to 31st March.

(C) Seniority in Respect of Officers in the Grade of E-6 and above

- (i) Executives, who have not got at least one promotion since their absorption (i.e. 1.1.1972 or 1.8.1973 and 1.5.1973 in respect of NCDC officers) will be the senior most in the particular grade and discipline. These officers are bracketed together and the DPCs should consider all such officers together first before considering the officers who got at least one promotion after their initial absorption (i.e. 1.7.1972 or 1.8.1973 and 1.5.1973 in respect of NCDC officers).
- (ii) Officers promoted at least once after their initial absorption (i.e. 1.7.1972 or 1.8.1973 and 1.5.1973 in respect of NCDC officers), but prior to 1.11.1975, i.e. prior to formation of Coal India, on the basis of the recommendation of two different DFCs separately by BCCL and CMAL, all will be clubbed together without mentioning the seniority inter-se amongst them. When the gap between these two promotions is not more than six months, the eligibility and the seniority of the officers promoted later will be determined as if the officers promoted later have entered the grades along with the officers promoted earlier. In other words, these officers will be clubbed together irrespective of their date of entry into the grade. While considering their cases for promotion, when they become eligible for such consideration, the DPC will consider all these officers together and recommend promotion to the next higher grade after determining their relative merit.
- (iii) The executives promoted after formation of coal India on the basis of recommendation of a single DPC, which considered all eligible officers of BCCL, CMAL, NCDC, etc. and prepared a select list drawn in order of merit, their seniority in the promoted grade will be on the basis of the panel drawn in order of merit irrespective of their actual date of joining.
- (iv) In the case of officers promoted after formation of Coal India, when the merit inter-se was not determined such officers will be clubbed together without



determining their seniority inter-se and whenever DPC considers, such people will be considered together for consideration for promotion to the next higher grade on the basis of their relative merit.

1.7. Till it becomes possible to determine inter-se seniority of the executives in various grades, the promotions from one grade to the other in the executive cadre are being done on the following basis considering all eligible departmental candidates irrespective of the number of vacancies.

(i) The eligibility for consideration for promotion to the next higher grade will determine in terms of the provision in the respective cadre schemes.

(ii) The eligibility for consideration for promotion in respect of the taken over officers who are absorbed in the nationalized coal mines on different dates would be determined as if they had all been absorbed together, i.e. with effect from 1.7.1972 in respect of officers of coking coal sector and 1.8.1973 in respect of non-coking coal sector.

(iii) Since BCCL and erstwhile CMAL promoted officers independently till the formation of Coal India Ltd., while considering such officers who were promoted in two different batches by BCCL and CMAL, officers promoted later will be deemed to have entered the grade along with the officers promoted earlier, if the gap of promotion period is not more than six months for determining their eligibility for consideration for promotion. This benefit will not be allowed if the gap of promotion is more than six months.

1.8. Extracts from the Report of the Committee constituted by Chairman, Coal India Limited to go into the Issues relating to determination of Inter-se Seniority of the executives.^[3]

1.8.1. The Committee then examined the rules for inter-se seniority of executives as incorporated in the Common Coal Cadre and found the same to be reasonable and fair in the circumstances and background of the nationalization of the coal industry and the development of different cadres as constituted today. The Committee, however, noted that there are various issues/situations which arise in practice but are not covered in the existing seniority rules. The Committee deliberated on these issues to evolve their recommendations which are included in this report.

1.8.2. The Committee hopes that the norms for determination of inter-se seniority now being recommended should go a long way in resolving many of the outstanding problems on this issue. These norms may be applied in resolving the unresolved cases of seniority and for determination of seniority in future. While making these recommendations, the Committee would like to stress that the intention of the Committee is to help in settling the unsettled issues and not to reopen the settled issues. Further, the Committee feels that any reconsideration of the seniority of an executive on the basis of the norms recommended by the Committee should be

³ Circulated vide letter No. C5A/52106(2)/538 dated 19.05.1980.



restricted to his placement/seniority within the grade and discipline in which he is currently placed.

1.8.3. The main issues as identified by the Committee and its recommendations thereon are given in the following paragraphs:

1. Determination of seniority of executives in E1 to E4 grades on inter-company transfers.

a. This issue has two aspects:

- (a) Inter-company transfer made effective on administrative ground.
- (b) Inter-company transfer made effective at the request of the executive concerned on personal grounds.

According to the existing system, the officers in E1 to E4 grades belong to the respective company cadres on 'as-in-where-is' basis. Their career growth up to E5 grade is within the company. When an executive in these grades moves from one company to the other, he gets absorbed in the appropriate cadre of that company.

b. The Committee recommends that:

- (i) When an inter company transfer is made effective on administrative grounds, the seniority of the executive shall be fixed in the company to which he is transferred taking in to account his date of entry in the grade:
- (ii) When the inter-company transfer is made effective on personal grounds at the request of the executive concerned, his seniority in the company to which he is transferred, shall be fixed as if he is entered the grade on the date of his assumption of charge in the new company. In other words, such executive will lose his past seniority in the grade.

2. Determination of seniority on horizontal inter-disciplinary movement

This issue has the following aspects:

- (a) Movement of Officers from one discipline to other temporarily;
- (b) Movement of officers from one discipline to the other on permanent basis

a. As regards inter-disciplinary movement on temporary basis, the Committee recommends that officers may be moved as may be decided by the Management from time to time and such officers should continue to be borne on their parent cadre. Such horizontal movement should not put the executive concerned in a disadvantageous position in career prospects in his parent cadre and for the purpose of computing the period of eligibility for promotion to the next grade in his present cadre, the period spent in other discipline should also be counted.



- b. If inter-disciplinary movement is envisaged on a permanent basis due to lack of adequate personnel in a particular cadre/discipline, executives may be drawn from other disciplines horizontally only on obtaining applications through internal notification within the company. In the event of such induction at levels above E-5 or when adequate numbers of persons are not available within the company in case of officers up to E-5, inter-company notification should be issued. Selection from amongst the applicants shall be made on the basis of qualifications, type of experience and aptitude for the new discipline. In such cases, the officers selected for the new discipline may be kept on probation for a period of one year before their permanent absorption in the new discipline. Permanent absorption on successful completion of the probation will be subject to suitability. If the executive is found to be unsuitable, he would be reverted to his parent discipline.
- c. During the probationary period referred to in para 1.8.3 (2)(b) above the officers will continue to be borne on their parent cadre and would be eligible for promotion in that cadre as per rules. On permanent absorption in the new discipline, the officers will be entitled to be considered for promotion only in the new discipline. Their service in the new cadre for the purpose of determination of seniority and eligibility will count from the date on which they entered their grade in the parent cadre.
- d. The Committee noted that there are many cases where officers of one discipline have been deployed in another discipline for considerable period and they are still borne on their parent cadre. The Committee recommends that all such cases should be decided within a period of six months in order to determine whether these are cases of temporary transfers or permanent transfer. The committee further recommends that the officers, who have put in more than two years' service in the new discipline, should either be permanently absorbed in that cadre or reverted to their parent cadres. While determining seniority in the new discipline the circumstances of each case and the aforesaid guidelines should be kept in view. Necessary formalities, such as severing of connection with the parent cadre, etc., should be simultaneously completed.

3. Inter-se- seniority of JETs/M(T)

- a. JETs in Non-mining Discipline: This may be divided in to the following groups:
 - (i) JETs who were recruited on the basis of recommendations of a Selection Committee which had not drawn an inter-se merit list.
 - (ii) JETs having inter-se merit list as determined by the Selection Committee.
 - (iii) JETs who joined as trainees after a lapse of a considerable period after issue of letter of appointment.



- (iv) JETs whose training period was extended because of unsatisfactory performance.
- b. The Committee's recommendations in respect of the above categories are as follows:
- c. The seniority of the JETs on regular appointment in E2 grade/post after successful completion of the training will be as per the merit list drawn at the time of recruitment, if such a list was drawn up.
- d. The Committee, however, noted that in ECL merit lists are being drawn up by a Committee constituted for consideration of the cases of JETs for appointment in the regular post. In such cases, their seniority position will be as determined by the said Committee. This committee recommends that such determination of seniority on completion of probationary/training period should be stopped forthwith.
- e. If no merit list was drawn by the Selection Committee at the time of appointment as JETs or at the time of regular appointment as stated the seniority will be determined on the basis of the date of coming into E2 grade/post on regular basis, after successful completion of training.
- f. In the case of JETs who join the organization after a lapse of a period of four months from the date of issue of appointment letter, their seniority after their regular appointment in E2 grade will not be determined according to their panel position, but will be determined on the basis of date of their appointment in the regular post in E2 grade. In other words, while the JETs, who join the organization within a period of four months of the date of issue of appointment letter will get their seniority on the basis of the panel position, the JETs who join after four months will not get this benefit.
- g. The seniority of JETs, whose training period has been extended because of unsatisfactory performance during the training period, will be determined on the basis of their date of regular appointment in E-2 grade after successful completion of training. In this case, also, seniority on the basis of their panel position will not be given.

4. Inter-se seniority of JET (Mining)

- a. Where a joint merit list is available, the seniority will be determined on the basis of panel position drawn at the time of their appointment as trainees unless their training period has been extended by six months or more due to not obtaining the 2nd Class Managership Certificate or unsatisfactory performance during their training period or bad conduct etc. If the training period is extended due to any reason the seniority will be determined on the basis of actual date of appointment on regular basis in E2 grade.
- b. In respect of JETs in Mining discipline where no joint merit list was drawn at the time of their appointment as Trainees, seniority will be determined on the



basis of date of effect of the second Class Mine Manager's Certificates of Competency or satisfactory completion of training period, whichever is later.

- c. With regard to appointment of JETs in Mining cadre on regular basis in E2 grade/post, the Committee noted that varying practices were prevalent in different companies. The Committee, therefore, recommends that the JETs in Mining discipline may be allowed to draw emoluments as applicable to regular E-2 post in Mining discipline after successful completion of training period or from the date of effect of second class Certificate [Provisional] whichever is later unless their training period has been extended for reasons other than obtaining Second Class Certificate. While recommending this, the Committee was conscious that the provisional certificate issued in this regard takes sometimes unduly long time after one becomes eligible to hold the statutory post and also the concerned executive may take some time in submitting the certificate issued by the Board of Mining Examinations. The Committee also noted that according to the Certificate, the holder is usually eligible to hold the statutory position with retrospective effect.

5. Seniority of Management Trainees

The Committee recommends adoption of the principle enumerated in paragraphs 1.8.3(3)(a) to (g) in respect of Management Trainees (MBA) other than Management Trainee (Finance).

6. Seniority of the Management Trainees (Finance)

The Committee recommends that their seniority on appointment in regular post in E2 grade be determined as under:

- a. Management Trainee (Finance), who successfully complete their training period and pass both Part-I and II of the prescribed departmental examination within the training period or in the first examination held immediately after completion of the training period will be allotted inter-se seniority according to the panel position at the time of recruitment, company-wise.
- b. Seniority of such of the MT(F)s who do not successfully complete the training period and/or who fail to pass the prescribed departmental examination [Parts I and II] within the training period or in the first examination held immediately after completion of the training period, will be fixed on the basis of actual date of their absorption in the regular grade.

7. Deemed Date of Entry into a Grade

- a. The Committee recommends that a common deemed date of entry in to a grade shall be determined for new recruits appointed in a batch on a particular date, in a company. This deemed date may be fixed in reference to the date of joining of the first person from the same batch. The said deemed date will be applicable



only in respect of direct recruits whose training period is not extended for any reason.

- b. This deemed date will help in fixing the seniority inter-se of direct recruits vis-à-vis promotees from non-executive cadre.

8. Determination of Inter-se Seniority of the Promotees from Non-executive Cadre:

- a. When there is a joint merit list drawn up by the Selection-cum-DPC seniority will be as per the merit list.
- b. If no merit list was drawn by the Selection-cum-DPC seniority may be determined on the basis of an established inter-se seniority of the candidates in the lower grade. If there is no established seniority even in the lower grade, they should all be bracketed and should be considered together by a subsequent DPC for next promotion so that their inter-se merit can be determined in the promoted post. The Committee also recommends that in future the DPC-cum-Selection Committee must determine the inter-se merit at the time of preparing the merit list.

9. Fixation of Seniority of Promotees vis-à-vis Direct Recruits

The Committee examined the issue relating to the fixation of inter-se seniority of JETs/MTs on their regular appointment in E-2 grade vis-à-vis executives who are promoted from non-executive grades. The Committee recommends that inter-se seniority in these cases should be determined on the basis of the deemed date of entry into a grade. The procedure for determining the deemed date of entry into a grade in respect of direct recruits has been recommended in Para 1.8.3(7)(a). The Committee noted that Common Coal Cadre already provides that the date of issue of promotion orders shall be the deemed date of entry into a grade of promotees.

10. Taken over officers who were getting higher pay prior to nationalization and were fixed in a particular grade after nationalization claiming seniority over others.

The question of initial fitment in a particular grade after nationalization of non-coking coal mines and coking coal mines should be taken as final and should not be re-opened even for the purpose of determination of their seniority in a particular grade.

11. Seniority - When Demoted and Later Restored

The Committee also discussed as to the method of fixing the seniority and period of eligibility for the next promotion with regard to an officer who was once demoted to a lower grade for a particular period and subsequently his position was restored. In this situation, the Committee felt that the period of eligibility



should be fixed taking the total length of service one had rendered in the promoted grade prior to the demotion and subsequent to the restoration of the position.

12. Seniority of Executives in Case of Delayed Movement

The Committee noted that in some cases of transfers on promotion, some officers unduly delay movement for their personal reasons. Such practice needs to be discouraged. The Committee recommends that in the event of failure of an officer to move as per orders within a reasonable time he may lose his panel seniority in the higher grade. In exceptional cases, this may be condoned by the appropriate cadre controlling authority either wholly or partially as may be deemed fit.

13. Determination of seniority position of executives who could not be promoted while on training abroad/foreign service

The eligible executive while on training abroad should be considered for promotion along with others by the DPCs and subject to suitability and availability of vacancies; they could be given Performa promotion depending upon their rank in the panel recommended by the DPC. Their promotion in the panel will determine the seniority in the higher posts.

1.9. Recommendations of the Committee to remove anomalies and for regulating future career growth of Mining Executives ^[4]

1.9.1. Recommendations to remove existing anomaly

(A) E4 Grade Executives

Since many of the Sr. Mining Engineers (E4 grade) who passed 1st Class in 1991, 1992, 1993 and in 1994 have already been promoted to E5 grade w.e.f. 1st March, 1999, all the left over Sr. MEs who passed 1st Class in these years should be promoted/ placed in E5 grade w.e.f. 1st March, 1999 (no. of such officers will be approximately 160).

After promoting/ placing the officers in E5 grade, seniority in E5 grade of all the officers in E5 grade is to be re-fixed in the following manner:

- i) The officers who passed 1st Class earlier to be placed higher. Effective date of Certificate to act as 1st Class Manager as indicated under the Certificate issued by DGMS should be determining the date for fixation of such seniority. To be precise, the officers having earlier effective date of 1st Class will be placed higher.
- ii) In case of tie on effective date, the next determining criteria for fixation of inter-se seniority should be the effective date as indicated under their 2nd Class Certificate of Competency issued by DGMS.

⁴ Incorporated vide letter No. CIL/C5A(CC)/MIN/041/171 dated 22.09.2000.



iii) In case of tie on (i) and (ii), the date of birth should be the deciding factor.

Note: In other words, those who have passed 1st Class earlier and/ or have more experience both in 1st or 2nd Class stream will be placed higher in seniority.

By doing so, the existing anomalies of the Sr. MEs in E4 grade who passed 1st Class earlier or in the same year but not yet promoted to E5 grade, will be sorted out once for all.

There will be no fixation benefit to any Executives whose promotions will be considered from such retrospective date i.e., w.e.f. 01.03.1999 as suggested above.

(B) E5 Grade Executives

In terms of earlier decision (Apex P&IR Committee recommendations met in Feb & Nov. '95), in case officers who were promoted/ horizontally moved from 2nd Class to 1st Class stream (E4 to E5 grade) from retrospective dates i.e., either from 01.04.1993 or from effective date of 1st Class Certificate as was the case had to wait in E5 grade strictly as per the conditions stipulated in their promotion orders. There are only 5 such Officers (all from WCL) who were promoted to E5 grade from 2nd Class to 1st Class Channel.

The seniority of all the officers in E5 grade should be fixed based on the formula suggested above.

1.9.2. Recommendations of the Committee to remove anomalies and for regulating future career growth of Mining Executives ^[5]

1. Henceforth, the benefit of promotion on passing 1st Class should be given to those 2nd Class Managers only who pass 1st Class while working in E2 grade as was prevalent before 01.04.1993 and provided in the Common Coal Cadre from the effective date of passing as indicated in the 1st Class Certificate provided it is submitted within one month from the date of issue otherwise from the date of issue otherwise from the date of submission.
2. The Executives who pass 1st Class MMCC in E3, E4 & E5 grade will be horizontally placed in the same grade in 1st Class channel from the effective date of 1st Class.

The above recommendation shall come into force with effect from 08.05.2006. Accordingly, the old cases shall be disposed as per existing norms and guidelines and new pass out cases shall be dealt as per recommendation mentioned above.

1.10. Norms for determining Inter-disciplinary Inter-se Seniority of Executives ^[6]

The following norms to be followed for determining Inter-disciplinary Inter-se seniority of Executives for forwarding applications of eligible applicants for PESB selection and other purposes wherever required:

⁵ Amended vide OM No. CIL/C-5A(CC)/MIN/093/81 dated 12.06.2006.

⁶ Incorporated vide OM No. CIL/C5A(PC)/Interse Seniority/2236 dated 08.08.2017.



- i) Present Deemed Date of Entry in the Current Grade,
- ii) Back Deemed Date of Entry into the Past Grade,
- iii) Initial Appointment Date of Entering into Executive Cadre,
- iv) Date of Birth (Seniors to be placed above the Junior)
- v) Name of the Executive (Alphabetical Order)



Online RTI Request Form Details

RTI Request Details :-

RTI Request Registration number	CILTD/R/E/22/00335
Public Authority	Coal India Limited

Personal Details of RTI Applicant:-

Name	Arun Kumar
Gender	Male
Address	A/102 Ganpat Palace , Pragati Path Bahu Bazar, Ranchi
Country	India
State	Jharkhand
Status	Urban
Educational Status	Literate
	Above Graduate
Phone Number	Details not provided
Mobile Number	+91-7992258289
Email-ID	kumar[dot]eraran[at]gmail[dot]com

Request Details :-

Citizenship	Indian
Is the Requester Below Poverty Line ?	No

(Description of Information sought (upto 500 characters))

Description of Information Sought	
1. Kindly provide me a copy of rules and guidelines for merger and seniority fixation for the candidate of same batch and same date of joining from electrical and mechanical diciplines.	
2. Under coal india Ltd, Excavation and E&M is cadre or Electrical and Mechanical?	
Concerned CPIO	BIJAY SWAROOP
Supporting document <i>(only pdf upto 1 MB)</i>	Supporting document not provided

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Online RTI Status Form

Note: Fields marked with * are Mandatory.

Enter Registration Number	CILTD/R/E/22/00335
Name	Arun Kumar
Received Date	08/04/2022
Public Authority	Coal India Limited
Status	REQUEST DISPOSED OF
Date of action	12/04/2022
Reply :- The concerned department has stated the following:	
1. PFA the guidelines regarding Fixation of seniority in CIL. 2. Excavation discipline is one cadre and Electrical and Mechanical discipline is another cadre. Within both these cadres, Electrical discipline Personnel and Mechanical discipline Personnel are engaged.	
In case you wish to prefer an appeal, you may write to Sri P.R Prasad, GM(PAD)/FAA, CIL.	
View Document	
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First Appellate Authority Details :-	PR Prasad Phone: 71104152 faacil[at]coalindia[dot]in
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Telephone Number	033-71104248
Email Id	kavitagupta[at]coalindia[dot]in

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