



# ALL INDIA ASSOCIATION OF COAL EXECUTIVES (AIACE)

(Regd. under The Trade Union Act 1926; Regd. No. 546 / 2016)

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**AIACE/CENTRAL/2019/ 117**

**Dated 3/9 /2019**

To

The Chairman  
Coal India Limited  
Kolkata.

SUB:-- Review of PRIDE rating of previous years of executives who could not complete PRIDE at the time of superannuation and also working executives who could not set target /complete PRIDE due to change of role or other reasons for payment of PRP and promotion.

Dear Sir,

The provision of Performance Related Pay (PRP) in the 2<sup>nd</sup> and 3<sup>rd</sup> PRC of pay revision for executives in public sector enterprises has been made and various clarifications have been issued by DPE, from time to time, on the implementation part of PRP payment.

On close scrutiny of these guidelines, it is observed that DPE is quite silent on the EXCLUSION part of Executives from PRP payment who do not fulfil certain criteria. These criteria may be attendance, leave on sickness / study tour, deputation to other companies on ground of national interest/security, indiscipline, involvement in suspected unlawful practices and so on. Rather, DPE has left it on the wisdom of PSEs to frame suitable clauses for non-payment of PRP to certain category of Executives. Accordingly, we have studied practices at a wide range of PSEs to know their approach in framing rules. Some of the rules framed by a few PSEs along with Coal India Ltd. are as reproduced below.

## 1. NATIONAL SEEDS CORPORATION

The employees who have been punished with a major penalty or dismissed / removed / terminated from the services of the Corporation as a measure of disciplinary action will not be eligible for PRP for the financial year in which the penalty is imposed.

Employees placed under suspension, pending final decision of the Disciplinary Authority. However, in the event of revocation of suspension, the PRP payment for the period of suspension will be regulated in terms of the specific decision of the concerned Disciplinary Authority in this regard. In case any specified penalty higher than warning is imposed, then PRP will not be admissible for the period of suspension. Cases where no charge sheet is issued, PRP will be payable as per normal entitlement for the period of suspension also.

## 2. ONGC AND ONGC VIDESH

The employees who have been punished with a major penalty or dismissed / removed / terminated from the services of the Corporation as a measure of disciplinary action will not be eligible for PRP for the financial year in which the penalty is imposed. Employees placed under suspension, pending final decision of the Disciplinary Authority will not get PRP. However, in the event of revocation of suspension, the PRP payment for the period of suspension will be regulated in terms of the specific decision of the concerned Disciplinary Authority in this regard. In case any specified penalty higher than warning is imposed, then PRP will not be admissible for the period of suspension. Cases where no charge sheet is issued, PRP will be payable as per normal entitlement for the period of suspension also.

### 3. BALMER-LAWRIE

The payment of PRP to the executives who are suspended pending enquiry shall be withheld till conclusion of enquiry. The period of suspension shall not be counted for the calculation of PRP unless exonerated after conclusion of disciplinary proceedings. PRP shall be payable for the suspension period subject to the condition that the period of suspension is treated as on duty.

### 4. CENTRAL WAREHOUSING CORPORATION

The payment of PRP to the executives who are suspended pending enquiry shall be withheld till conclusion of enquiry. The period of suspension shall not be counted for the calculation of PRP unless exonerated after conclusion of disciplinary proceedings.

### 5. COAL INDIA(Ref : CIL/C-SA(PC)/ 1 i \$G Dated : 08.03.2016)

PRP Benefit would not be admissible for the following categories of Executives:

- a) Those who are rated "Poor/ Inadequate/ Fair" in their PMS for the relevant year.
- b) Executives who failed to submit PMS form (Self Appraisal) for the Financial year.
- c) Executives terminated from service, absconding / unauthorized absenting and awarded punishment during the Financial year.
- d) Executives remained under suspension during the entire Financial year.
- e) Other Executives who were on authorized leaves including Study leave for more than 3 months during the Financial year (PRP Benefit is limited to pro-rata basis).

Coal India has categorized 5 types of executives under sections a), b), c), d) and e). While we cannot comment on the other provisions, we want to draw your kind attention on clause (b) and (c). Let us put our contention as under.

#### b) Executives who failed to submit PMS form (Self Appraisal) for the Financial year.

On this point, our contention is that no executive, on his/her own, likes non-submission of PMS. On majority of occasion, this non-submission is due to the fact that PMS Forms were not made available to Executives at the time of his/her superannuation.

Also, in case of working executives, due to transfer from one area to another area or one company to another company, the executives either failed to set the target for new role or complete PRIDE in time as the executives were not properly informed.

As the PRIDE was not submitted in time, the rating has been done as ZERO and executives have been debarred from payment of PRP for that particular year,

Due to ZERO rating, some executives have not been promoted from E6 to E7 grade in recently promotion done for mining discipline, in spite of excellent and promotable rating.

We suggest that in the financial year of superannuation, the requirement of submission of PRIDE should be scrapped. The very purpose of submission of this form is to determine the area of improvement in an Executive. Needless to state, that an Executive on the verge of superannuation is not to be subjected for determination of an area of improvement for him/her.

#### c) Executives terminated from service, absconding / unauthorized absenting and awarded punishment during the Financial year.

On this point, our contention is that a terminated Executive must be disqualified for PRP payment. The second part of this rule, envisages non-payment of PRP for absconding / unauthorised absenting and awarded punishment during the financial year. We are of the opinion that Executives falling under this criteria be punished by non-payment of PRP only for a particular financial year where there has been substantial financial loss to the company due to the executive concerned. It has been observed that some executives have been censured(minor punishment) for other reasons

but not due to corruption and mal-practices but they have been debarred from PRP payment.

In the light of above facts, AIACE demands for review of PRIDE rating of previous years of executives who could not complete PRIDE at the time of superannuation and also working executives who could not set target / complete PRIDE due to change of role or other reasons.

It is requested to grant a chance to all working executives for filling PRIDE for which rating has been made zero for non-submission/late submission for PRP and promotion purpose.

For superannuated executives, who could not complete PRIDE in the year of superannuation, their previous year's rating should be taken into consideration for the purpose of PRP payment.

Thanking you,

With Regards,



P K SINGH RATHOR  
Principal General Secretary

cc

DP/DT/DF/DM, CIL, Kolkata  
CMD/DP/DF/DT, All subsidiary companies of CIL.

Copy to

The Secretary, Ministry of Coal, Govt of India, New Delhi.  
The Secretary, DPE, Govt of India, New Delhi.