

THE SINGARENI COLLIERIES COMPANY LIMITED.
(A Government Company)

Ref. No. P. 49 / 4120 / IR / 1540

PO : Kothagudem Collieries,
Date : 06-08-1994,

CIRCULAR

All Pits & Departments.
All Collieries,

SUB : IMPLEMENTATION OF NEW STANDING ORDERS-REG.

In accordance with Clause 3.1 of NCWA-III and decision of JBCCI, SCCL submitted the proposed Standing Orders to the certifying Officer for certification in the month of March, 1988. After giving due consideration to the objections raised by the Management and the Unions, the Certifying Officer, certified the Standing Orders vide Order dated 30.08.1991 with modification of some clauses / sub-clauses of the proposed Standing Orders submitted by the Management of SCCL.

On the objections / appeals filed by the Unions against the certified Standing Orders, hearings were held on different dates before the Appellate Authority and finally the Standing Orders were duly amended and certified vide Order No. 51 / 3 / 93 - DY. CLC, dt. 22.07.1994 of Dy. Chief Labour Commissioner (C) & Appellate Authority, Bangalore. The new Standing Orders shall come into force from 01.08.1994 (copy enclosed).

As required under Sec. 7 of the Industrial Employment (Standing Orders) Act, 1946, copies of English and Telugu version of the certified Standing Orders are required to be displayed on Notice Boards at prominent places. It may take some time to supply the Telugu version of the certified Standing Orders and the job is under progress. In the meanwhile, a copy of the English version may please be displayed.

Action may please be taken accordingly.

Sd/-

Encl : A / a

GENERAL MANAGER (PERSONNEL)

- c. c. All Directors.
All Chief-GMs / GMs / Chiefs.
SO to C&MD,
All Dy. CPMs / PMs / Dy. PMs / Sr. POs / POs / WOs.
All Chiefs-F&A / Dy. Chief-F&A / Dy. CAs / CAs.

STANDING ORDERS IN RESPECT OF M/S. SINGARENI COLLIERIES COMPANY LIMITED.

1 - COMMENCEMENT AND APPLICATION:

These Standing Orders shall come into force from a date to be determined in accordance with the provisions of The Industrial Employment (Standing Orders) Act, 1946 and shall apply to all workmen employed in all units of the Singareni Collieries Co. Ltd., which come within the definition of Industrial Establishment as defined in the Industrial Employment (Standing Orders) Act, 1946 and include all the workmen governed by the National Coal Wage Agreement.

Provided that the workmen exempted under Section 13 B of the Act shall be excluded from the scope of these Standing Orders.

2 - DEFINITION :

- 2.1 'Attendance' means the presence of the workman concerned at the place or places where by the terms of his employment he is required to report for the work and to get his attendance marked.
- 2.2 'Company' means the SINGARENI COLLIERIES COMPANY LIMITED.
- 2.3 'Competent Authority' means an officer specially nominated by the Chairman / Managing Director concerned by an order in writing for the purpose of these Standing Orders. Such orders shall be put on Notice Board and copies sent to the concerned registered trade Unions.
- 2.4 'Employer' shall have the same meaning as assigned to the terms under The Industrial Employment (Standing Orders) Act, 1946.
- 2.5 'Establishment' means industrial establishment under the Company.
- 2.6 'Masculine' includes the feminine.

- 2.7 'Mine' means a mine as defined in the Mines Act, 1952.
- 2.8 'Medical Officer' means the Chief Medical Officer or any other Medical Officer of the company.
- 2.9 'Notice Board' means the Notice Board specially maintained for the purpose of Standing Orders at each mine / establishment.
- 2.10 'Workman' means a workman as defined in the Industrial Employment (Standing Orders) Act, 1946.
- 2.11 'Wages' means 'Wages' as defined in the Payment of Wages Act, 1936.
- 2.12 Words in a singular shall include the plural and vice-versa.

***3 - CLASSIFICATION OF WORKMEN :**

- *3.1 For the purpose of these Standing Orders workmen shall be classified as follows :-
- (a) Apprentice.
 - (b) Badli or Substitute.
 - (c) Permanent.
 - (d) Probationer.
 - (e) Temporary.
- *3.2 'Apprentice' is a learner who is paid an allowance during the period of his training which shall inter alia be specified in terms of contract provided that the Apprentices engaged under the Apprentices Act shall be covered by the provisions of the Act only.
- *3.3 'Badli' or 'Substitute' is one who is appointed in the post of a permanent workman or probationer who is temporarily absent. He becomes eligible for regularisation, on completion of continuous period of service of one year (190 attendances in the case of below ground and 240 attendances in the case of any other workman), subject to availability of sanctioned vacancies.

*As amended and certified by the Appellate Authority on 22-7-1994

*3.4 A 'Permanent workman' is one who has satisfactorily put in 6 (six) months continuous service in a permanent post as a Probationer.

*3.5 A 'Probationer' means a person who is Provisionally employed to fill a vacancy in a permanent post for a period not exceeding 6 (six) months and who has not completed his probationary period provided that the period of probation may be extended by the management beyond the original period by not more than 3 (three) months for reasons to be recorded in writing. If a permanent workman is employed as a probationer in a new post, he may be at any time during the probationary period, not exceeding 6 (six) months, be reverted to his old permanent post unless the probationary period is extended by another 3 (three) months for reasons to be recorded in writing.

*3.6 'Temporary workman' means workman who is appointed for work which is essentially of a temporary nature or who is employed in connection with a temporary increase in permanent work for a period not exceeding 6 (six) months provided that in case the temporary workman is placed on probation, the period of his temporary service shall count towards the the probationary period.

4 - MEDICAL EXAMINATION :

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

5 - IDENTITY CARD :

5.1 Every workman will be issued identity card bearing relevant particulars concerning himself pertaining to his employment.

5.2 Every workman who has been issued an identity card shall produce it on demand to any officer so authorised by the competent authority.

As amended and certified by the Appellate Authority on 22-7-1994.

5.3 A workman who loses his identity card shall report the loss immediately to his immediate superior.

5.4 The initial issue of the identity card together with the photograph, shall be free of charge. If the identity card is lost by the workman, he shall be liable to pay to the Company a sum of Rs. 3/- (Rupees three) for the issue of a duplicate identity card. If the identity card, however, becomes indecipherable due to wear and tear, the management will replace it without any charge.

6 – ENTRY, EXIT AND SEARCH :

6.1 All workmen working in the underground shall enter, travel, and leave the mine / workplace only through the authorised places / routes or roadways. Every workman may also be subjected to search before entering or leaving the mine / work place by a workman of the company authorised for this purpose by the competent authority.

6.2 Female workmen may be searched by a female workman authorised by the Competent Authority of the Company, for the purpose.

7 – ATTENDANCE AND PUNCTUALITY :

7.1 All workmen shall report for work at the mine / establishment at the time fixed and notified to them.

7.2 Attendance shall be marked daily according to the method prescribed from time to time for each section or department, etc. by the competent authority.

7.3 Workmen who are required to sign in an attendance register will mark the time of reporting on duty and of leaving duty.

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

7.5 **Absence from place of work :** Any workman who after going underground or after coming to his work in the department / Section in which he is employed, is found absent

from his proper place of work during working hours without permission from the Appropriate Authority or without any sufficient reason shall be liable to be treated as absent for the period of his absence.

8 - SHIFT WORKING :

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

9 - PAYMENT OF WAGES :

- 9.1** Wages to all workmen shall be paid in accordance with the provisions of the Payment of Wages Act, 1936, as amended from time to time.
- 9.2** Wages shall be paid direct to the individual workman on any working day between the hours of 6 A M and 6 P M. at the office of the mine / establishment. The Manager or any other person authorised by him shall witness and attest the payments and note the date of payments in the wage register. Wages may also be paid to workman through a bank on a specific authorisation in writing by him. Payment of wages to a contractor's workmen shall be made at a place to be specified by the Manager and it shall be witnessed by a nominee of the employer deputed for this purpose, in writing.
- 9.3** Any wages due to workman but not paid on the usual pay day on account of their being unclaimed shall be paid by the

employer on such unclaimed wages pay day as may be notified to the workman. If the workman so desires, the unpaid wages and other dues payable to him shall be remitted to his address by money order after deducting therefrom the money order commission. All claims for the unpaid wages shall normally be presented to the employer within a period of twelve months from the date on which the wages become due.

10 - DISPLAY OF NOTICES :

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

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

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

***11 - PAID FESTIVAL HOLIDAYS :**

There shall be (eight) paid festival holidays out of these 8 days, the Republic Day, May day, Independence day and Mahatma Gandhi's birthday shall be allowed without option and the remaining 4 paid holidays shall be fixed by agreement on local customs.

Provided whenever a daily / piece rated workman is required to work on any of the festival holidays he shall be allowed thrice his wages including his normal wages.

Provided further that whenever monthly grade employee is required to work on any of the paid festival holidays, he shall be allowed twice the wages in addition to his normal wages.

* As amended and certified by the Appellate Authority on 22-7-1994

12 - LEAVE :

- 12.1** Every workman shall be entitled to annual leave with wages in accordance with the provisions of the Mines Act / NCWA in force from time to time. Where, however, any workman is already enjoying a larger quantum of leave in terms of his contract of service, he shall continue to enjoy the same.
- 12.2** **Quarantine Leave :** Shall be granted to a workman, who is prevented from attending to his duty because of his coming into contact, through no fault of his own, with a person suffering from a contagious disease. The leave shall be granted for such period as is covered by a certificate from the Medical Officer of the company or the Medical Officer of the state Government where the worker is not staying in the colliery premises, to a maximum of 21 days. Wages for the period of quarantine leave shall be at the rate of 50% of the wages (basic plus dearness allowance) payable to a workman. Quarantine leave cannot be claimed if a workman has refused to accept during the previous three months prophylactic treatment for the disease in question or segregation, if advised by the Medical officer.
- 12.3** Cholera, small-pox, plague and diphtheria may be considered as infectious diseases for the purpose of this S. O. Any other disease as may have been declared by the State Government concerned as infectious diseases for the purpose of their quarantine leave rules may also be considered as infectious disease for the purpose of this S. O.
- 12.4** Sick leave shall be granted to a workman to the extent of 15 days on full pay in a calendar year with the benefit of accumulation upto 60 days as per NCWA in force from time to time.
- 12.5** Applications for leave or extension of leave on medical grounds shall be supported by a certificate from a Medical Officer of the Company or where there is no such officer, a Government Medical Officer from a registered medical practitioner, stating the period for which leave is recommended. On receipt of such application the sanctioning authority shall immediately inform the workman in writing whether the leave or extension of leave has been granted and if so, for what period. A workman who has been sanctioned leave or an extension of

leave on medical ground for a period exceeding fourteen days at a time shall not be allowed to resume duty unless he produces a certificate of fitness.

13 - APPLICATION FOR LEAVE :

13.1 A workman, who desires to obtain leave of absence, shall apply in writing to the competent authority, not less than fifteen days before the commencement of the leave, except where leave is required in unforeseen circumstances, and the competent authority shall issue orders on the application within a week of its submission or two days prior to the commencement of the leave applied for whichever is earlier, provided that if the leave applied for is to commence on the date of the application or within three days thereof orders shall be given on the same day. If the leave is refused or postponed, the fact of such refusal or postponement and the reasons therefor shall be recorded in writing in a register to be maintained for the purpose and if the workman so desires, a copy of the entry in the register shall be supplied to him. If the workman after proceeding on leave desires an extension thereof, he shall apply to the competent authority who shall send a written reply either granting or refusing extension of leave to the workman, sanction / refusal of leave shall be communicated to the workman in writing.

13.2 All applications for leave must bear the leave address.

13.3 Competent authority to sanction leave to the workmen shall be notified by the Management.

14 - LEAVE TRAVEL FACILITIES (R R F / L T C / L L T C) :

Leave travel facilities shall be admissible to the workmen in accordance with the provisions of the recommendations of Central Wage Board for the Coal Industry to the extent accepted by the Central Government and as modified by the National Coal Wage Agreements.

15 - MEDICAL AID IN CASE OF ACCIDENTS :

When a workman meets with an accident in the course of and arising out of employment, the management shall make satisfactory arrangements for immediate necessary medical aid to the

injured workman free of charge and shall arrange for prompt payment of compensation in accordance with the Workman's Compensation Act, 1923. NCWA covering also the first three days of absence on account of injury.

16 – HOURS OF WORK :

Subject to the provisions of the law applicable to the mine / establishment, the hours of work of the workman shall be as fixed by the management from time to time.

17 – OVERTIME :

Subject to the provisions of the law applicable to the mine / establishment, the management may require any workman to work overtime and payment of overtime wages shall be made normally alongwith the wages for the relevant period.

18 – ATTENDANCE ON HOLIDAYS & WEEKLY REST DAYS :

18.1 Subject to the provisions of Industrial Dispute Act, the workman required for work on holidays or weekly rest days will be notified for work by having their names displayed in mines / Department's notice board as early as possible.

18.2 Workmen wishing to be excused from work on a holiday or recognised weekly rest day, after being notified for work should obtain prior permission from the Manager or Head of their department. If for some genuine reason the workman is not able to attend then an explanation should be given to the officer in-charge or any other officer or supervisory staff authorised in this behalf.

18.3 If any person employed in a mine or department is deprived of any of the weekly days of rest, he shall be allowed within 2 months immediately following the month in which he had worked compensatory days of rest equal in number to the days of rest of which he has been deprived as per Mines Act, 1952.

19 – STOPPAGE OF WORK AND RE-OPENING :

19.1 Subject to the provisions of Industrial Dispute Act the management may at any time, in the event of underground trouble, fire, catastrophe, inundation, breakdown of machines, stoppage of power supply, epidemics, civil commotion, natural calamity

or any other cause beyond its control stop any section or sections of the mine / establishment wholly or partly for any period or periods.

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

20 - S E C R E C Y :

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

21 - T R A N S F E R :

*21.1 Workmen may be transferred due to exigencies of work from one station to another, from one coal mine to another or from one establishment / Dept. / sec. to another within the same Co., provided that the pay, grade other conditions or service of the workmen are not adversely affected by such transfer and provided further that if a workman is transferred from one job to another, the job should be of similar nature and such as he is capable of doing and provided further that (i) except in case of emergency minimum notice of two weeks is given of such transfers and (ii) reasonable joining time is allowed in case of transfers from one station to another.

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

21.3 The personal effects of a workman shall be limited to the ceilings applicable to the Central Govt., Servants within the pay ranges laid down by the National Coal Wage Agreement for purposes of transfer travelling allowance.

* As amended and certified by the Appellate Authority on 22-7-1994.

22 - ADDRESS / CHANGE OF ADDRESS :

At the commencement of employment every workman must notify the management his local and / or permanent residential address. Any change of address local and / or permanent shall be immediately notified in writing to the management by the workman.

23 - TERMINATION OF EMPLOYMENT BY THE COMPANY :

23.1 For terminating the services of permanent workman having less than one year of continuous service, notice of one month in writing with reasons or wages in lieu thereof shall be given by the employer :

Provided that no such notice shall be required to be given when the services of the workman are terminated on account of misconduct established in accordance with the Standing Orders.

23.2 Subject to the provisions of the Industrial Disputes Act, 1947 no notice of termination of employment shall be necessary in the case of temporary and Badli workmen :

Provided that a temporary workman, who has completed three months' continuous service, shall be given two weeks notice of the intention to terminate his employment if such termination is not in accordance with the terms of the contract of his employment :

Provided further that when the services of a temporary workman, who has not completed three months' continuous service, are terminated before the completion of the term of employment given to him, he shall be informed of the reasons in writing. When the services of a Badli workman are terminated before the return to work of the permanent incumbent or the expiry of his (Badli's) term of employment, he shall be informed of the reasons for such termination in writing.

23.3 No workman shall leave the service of an employer unless notice in writing is given at the scale indicated below :

- i) For monthly paid workmen - One month
- ii) For weekly paid workmen - Two weeks;

Provided that it will be for employer to relax this condition and the workman may pay cash in lieu of such notice.

23.4 For purposes of Standing Orders 23 (1), (2) and (3) the terms 'service' and 'wages' shall have the same meaning as assigned to these in Sections 25 (B) (1) and (2 rr) respectively of the Industrial Disputes Act, 1947.

24 - COMPANY'S QUARTERS :

24.1 Workmen who have been allotted company's quarters shall observe all rules, regulations and conditions to be made by the company from time to time concerning the use by the workmen of such quarters.

24.2 Such workmen shall observe all instructions and orders issued by the Management for the maintenance of sanitation, cleanliness and public health.

24.3 The use of company's quarter is conditional on the workmen being in the service of the company.

25 - ACTS OF MISCONDUCT :

The following shall denote misconduct :

25.1 Theft, fraud or dishonesty in connection with the employer's business or property.

25.2 Taking or giving of bribe or illegal gratification whatsoever in connection with the employer's business or in his own interest.

25.3 Wilful insubordination or disobedience, whether alone or in conjunction with another or others of any lawful or reasonable order of a superior.

25.4 Gambling, drunkenness, fighting or riotous disorderly or indecent behaviour either at his place of work or at the colliery / establishment or company's residential settlements.

25.5 Neglect of work.

25.6 Smoking underground or within the mine or in place where it is prohibited by law.

25.7 Sleeping while on duty.

25.8 Resorting to go slow;

- 25.9 Conviction in any court of law for any criminal offence involving moral turpitude.
- 25.10 Giving of false information regarding one's name, age, father's name, qualification etc. in connection with his employment.
- 25.10 (a) Impersonation.
- 25.11 Going on illegal strike either singly or with other workmen without giving 14 days' previous notice.
- 25.12 Refusal to accept any charge-sheet or order or notice communicated in writing.
- 25.13 Preaching or inciting other workmen to resort to violence.
- 25.14 Tampering with the company's records with ulterior motives.
- 25.15 Unauthorised use or occupation of company's bungalow / quarters / buildings and / or land and any of such property in the custody of the company.
- *25.16 Any breach of the Mines Act, 1952 or any other Act or any rules, or regulations or by laws thereunder.
- 25.17 Making accusations or allegations against a superior or an officer of the company without any basis / proofs.
- 25.18 Habitual money lending on interest.
- 25.19 Assault, attempt to assault, threatening to assault, abuse, a co-worker or subordinate or superior while on duty or otherwise in connection with employment.
- 25.20 Gherao, coercion, intimidation, wrongful confinement or use of force for getting one's demand conceded by the management.
- *25.21 Contracting another marriage while wife / husband is still alive or marrying a person who has a wife / husband, not as per Law / or against the existing Law.
- 25.22 Participating in Radio / TV broadcast or contributing any article or writing any letter to any newspaper or periodical on a subject having a bearing on the affairs of the company without prior permission of the competent authority.

* As amended and certified by the Appellate Authority on 22-7-1994

- 25.23 Any wilful and deliberate act which is subversive of discipline or which may be detrimental to the interest of the company.
- 25.24 Sabotage or causing wilful damage to work in progress or to property of the company.
- 25.25 Habitual late attendance or habitual absence from duty without sufficient cause.
- 25.26 Distributing or exhibiting in the Company's work premises or estates, handbills, pamphlets, posters or causing them to be displayed by means of signs or writing or other visible representations any matter prejudicial to the company without prior permission of the management.
- 25.27 Organising, holding, attending, or taking part in any demonstration within company's work premises or estates in contravention of the provisions of the law or regulations of the company.
- 25.28 Conduct within the mine's premises or its precincts which endangers life or safety of any person.
- 25.29 Allowing an unauthorised person to operate company's vehicles or machinery without permission of the competent authority.
- 25.30 Possession of unlicensed arm or lethal weapon within the company's work premises or its estates.
- 25.31 Absence from duty without sanctioned leave or sufficient cause or overstaying beyond sanctioned leave.
- 25.32 Malingering.
- 25.33 Acceptance of gifts from subordinate workmen or contractors.
- 25.34 Leaving work without permission.
- 25.35 Disclosing to any unauthorised person of any confidential information in regard to the working of or process of the establishment / mine which may come in the possession of workman in the course of his work.

- 25.36 Refusal / failure to wear or use any protective safety equipment given by the management.
- 25.37 Taking up employment with any other employer or carrying on any business or trade, without the permission of the Management.
- *25.38 Transfer or handing over of identity card to any other person.
- 25.39 Abetment of any act of misconduct.
- 25.40 Deliberately spreading false information / rumour with a view to bringing about disruption in company's work.
- 25.41 Holding meeting within the mines / establishment premises without the previous permission of the management.
- 25.42 Interference with the safety devices or firefighting equipment.
- 25.43 Violation of any clause of these Standing Orders.

26 - PENALTIES FOR MISCONDUCT :

The following punishment / penalties may be imposed for misconduct.

- (a) Warning, reprimand, censure.
- (b) Fine
- (c) Suspension without wages for a period not exceeding ten days.
- (d) Stoppage of increment without cumulative effect.
- (e) Stoppage of increment with cumulative increment.
- (f) Reversion to a lower stage or a lower grade in a time scale.
- (g) Removal / discharge from service.
- (h) Dismissal from service.

* As amended and certified by the Appellate Authority on 22-7-1994

27 - PROCEDURE FOR IMPOSITION OF PENALTIES :

27.1 Where a workman is charged with a misconduct he shall be informed in writing of the allegations against him by the competent authority and shall be given an opportunity to submit his explanation in writing within a period of not less than three days. On receipt of a workman's explanation when allegations are denied by him, an enquiry shall be held normally by an Officer or officers of the Company appointed by the management. At the enquiry, the workman concerned shall be afforded reasonable opportunity of defending himself. The workman concerned shall be entitled to be represented / assisted by a co-worker or office bearer of a trade union of which he is a member if so requested by him.

27.2 A workman may be suspended pending enquiry. Such suspension shall be ordered only where there is **PRIMA FACIE** serious charges such as, theft, fraud, assault, riotous conduct at the place of work, causing wilful damage to the property of the Company or sabotage or serious case of wilful insubordination etc. The order of suspension pending enquiry shall be in writing and shall be followed by a charge-sheet within three days setting out the misconduct alleged against him in case the charge-sheet cannot be issued simultaneously. He shall not leave station without the permission of the management.

27.3 Where a workman is suspended pending departmental enquiry, he shall be paid in such cases subsistence allowance equal to half of his wages as defined in the Payment of Wages Act, 1936. If, however, he is kept suspended by the Management beyond thirty days, this subsistence allowance will be at the rate of $\frac{3}{4}$ th of his wages as aforesaid but if the enquiry is delayed beyond thirty days, because of the workmen, the subsistence allowance shall be reduced $\frac{1}{2}$ th of his wages. The employer shall normally complete the enquiry within sixty days. Where the enquiry is delayed beyond sixty days, due to the Management, the suspended workman shall be paid full wages. The payment of subsistence allowance shall be subject to his not taking up any employment elsewhere during the suspension period.

- 27.4 The payment of subsistence allowance will be subject to a written declaration by the workman that he is not engaged in any other employment during the period of suspension.
- 27.5 If after enquiry or conclusion of the criminal proceedings, a workman is held guilty of the charges alleged against him or some other charges brought in the course of the enquiry or is convicted in the criminal proceedings and is consequently discharged or dismissed, he shall not be entitled to any remuneration for such period other than the subsistence allowance already paid to him. If a penalty other than dismissal discharge or removal is imposed on him or he is exonerated of charges against him or he is not convicted in the criminal proceedings, he shall be paid the difference of the subsistence allowance already paid to him and the wage which he would have got if he had not been suspended except in case where he is suspended not exceeding ten days, as a measure of punishment.
- 27.6 The approval of the competent authority (above the charge-sheeting authority) specified by the Managing Director for this purpose from time to time shall be obtained before imposing the punishment of dismissal / discharge removal from service of a workman.
- 27.7 In awarding the punishment gravity of the misconduct, previous record of the workmen and any other extenuating or aggravating circumstances that may exist shall be taken into account. A copy of the order passed by the disciplinary authority, shall be supplied to the workman concerned.
- 27.8 If any workman refuses to accept charge-sheet, order or other communication intended for and offered to him, signature of two witnesses be taken having witnessed the refusal and this may be taken as that the order / charge sheet is deemed to have been served, a copy of the same shall be sent by registered post to his address as recorded by the Management and another copy pasted on the notice board.
- 27.9 Notwithstanding the provisions contained in these Standing Orders, as above, the management reserves the right to

suspend a workman being prosecuted in a court of law for any grave criminal offence involving moral turpitude or murder until the disposal of the trial. In such cases, the workman concerned shall be entitled to 50 per cent of wages as subsistence allowance. In case the above workman is finally acquitted, he would be paid full wages for the period of suspension.

27.10 The proceedings of departmental enquiry shall be in writing. Where after the enquiry it is proposed to impose any punishment against a workman, a copy of the enquiry report shall be given to him. The workman shall also be given an opportunity to inspect the day to day record of enquiry proceedings.

28 - PROVISION REGARDING WORKMEN BORROWED FROM OTHER SOURCES :

In the application of these Standing Orders in relation to the workmen whose services have been borrowed by the company from another organisation and who retain a lien in their parent organisation any operation of these Standing Orders shall be subject to the terms and conditions on which their services have been loaned to the company.

29 - APPEAL :

The appellate authorities shall be notified by the management from time to time. A workman on whom any of the penalties is imposed shall have the right to appeal to the authorities notified in this behalf. The appeal shall be submitted within forty five days of receipt of the order of punishment. The appellate authority shall dispose of the appeal within forty five days of receipt of the same.

30 - REVIEW OF CASES OF PUNISHMENT :

An authority higher than the appellate authority may review the cases after imposition of punishment at any time either on his own motion or on the application of the workman concerned.

31 - RESIGNATION :

31.1 Workmen (other than those who have executed a bond to service the company for a specified period) who wish to leave the Company's service, must give the company one month's notice in the case of monthly rated workmen and two weeks' notice in the case of others. The management may, at its discretion, accept the resignation with immediate effect or from any date before the expiry of the notice period. In the case of workmen who have executed a bond to serve the company for a specified period, their cases shall be governed as per the provisions of the bond in this respect.

31.2 If a workman leaves the service of the company without giving requisite notice, then without prejudice to any other action under his control of service, if any, the management may deduct from his unpaid wages from final settlement a sum equivalent to the period of notice which he is required to give under these Standing Orders.

32 - CERTIFICATE OF SERVICE :

Every workman shall be furnished with a service certificate at the time of discharge or termination of his services, resignation or retirement.

33 - AGE OF RETIREMENT / SUPERANNUATION :

The age of superannuation / retirement shall be 60 years.

34 - COMPLAINTS :

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

35 - DISPLAY OF STANDING ORDERS :

35.1 A copy of these standing orders in English and in the regional languages of the local area in which the mine / establishment is situated shall be pasted at the Manager's office and in such other places of the mines as the employer may decide and it shall be kept in a legible condition.

A copy of the standing orders shall be supplied to a workman on application, on payment of prescribed price. A trade union in the establishment / mine will, however, be entitled to the free supply of a copy of the Standing Orders once only.

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

36 -- S A V I N G

Notwithstanding these Standing Orders coming into force as provided for in the Industrial Employment (Standing Orders) Act, 1946 any disciplinary action initiated under previous certified Standing Orders which might be pending at the time of coming into force of these standing orders, shall continue to be governed by the previous certified standing orders till it is finally disposed off.

Certified under my hand and seal on this 30th day of August, One thousand nine hundred ninety one.

Dated,
30-8-1991.

sd/
(S. K. MUKHOPADHYAY)
Regional Labour Commissioner (Central)
Bombay and Certifying Officer.

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Government of India
Ministry of Labour

OFFICE OF THE DEPUTY CHIEF LABOUR
COMMISSIONER (CENTRAL)

6/7, Crescent Road, High Grounds, Bangalore 560 001.

No. 51/3/93-DY. CLC.

Date : 22-07-1994.

To

The Chairman-cum-Managing Director,
Singareni Collieries Company Limited,
Kothagudem 507 101,
Khammam District, ANDHRA PRADESH.

Sir,

Subject : Orders on Appeals under Section 6(1) of the Industrial
Employment (Standing Orders) Act, 1946 by Unions
in respect of Certified Standing Orders of Singareni
Collieries Limited, furnishing of copies - reg.

In accordance with Sub-Section (2) of Section 6 of I. E.
(S. Os) Act, 1946, I am to forward herewith an authenticated copy
of my Order No. 51/3/93-DY. CLC. dated 22nd July, 1994 accom-
panied by a copy of amended Standing Orders duly certified under
my hand and seal of my office.

Yours faithfully,

Sd/-

(K. RAMAKRISHNA)

Deputy Chief Labour Commissioner (Central)
and

Appellate Authority Under I. E. (S. O.) Act, 1946.

C & M D
office stamp

Certified Standing Orders after due amendment.

Sl. No.	Clause No.	Amended Clause.
1.	3.1.	For the purpose of these standing orders workmen shall be classified as follows : (a) Apprentice. (b) Badli of Substitute. (c) Permanent. (d) Probationer. (e) Temporary.
2.	3.2.	'Apprentice' is a learner who is paid an allowance during the period of his training which shall interalia be specified in terms of contract provided that the Apprentices engaged under the Apprentices Act shall be covered by the provisions of the Act only.
3.	3.3.	'Badli' or 'substitute' is one who is appointed in the post of a permanent workman or probationer who is temporarily absent. He becomes eligible for regularisation, on completion of continuous period of service of one year (190 attendances in the case of below ground and 240 attendances in the case of any other workman), subject to availability of sanctioned vacancies.
4.	3.4.	A 'Permanent workman' is one who has satisfactorily put in 6 (six) months continuous service in permanent post as a Probationer.
5.	3.5.	A 'Probationer' means a person who is provisionally employed to fill a vacancy in a permanent post for a period not exceeding 6 (six) months and who has not completed his probationary period provided that the period of probation may be extended by the management beyond the original period by not more than 3 (three) months for reasons to be recorded in writing. If a permanent workman is employed as a probationer

in a new post, he may be at any time during the probationary period, not exceeding 6 (six) months, be reverted to his old permanent post unless the probationary period is extended by another 3 (three) months for reasons to be recorded in writing.

6. 3.6. 'Temporary'.

'Temporary workman' means workman who is appointed for work which is essentially of a temporary nature or who is employed in connection with a temporary increase in permanent work for a period not exceeding 6 (six) months provided that in case the temporary workman is placed on probation, the period of his temporary service shall count towards the probationary period.

7. 11. There shall be (eight) paid festival holidays out of these 8 days, the Republic Day, May day, Independence day and Mahatma Gandhi's birthday shall be allowed without option and the remaining 4 paid holidays shall be fixed by agreement on local customs.

Provided whenever a daily/piece rated workman is required to work on any of the festival holidays he shall be allowed thrice his wages including his normal wages.

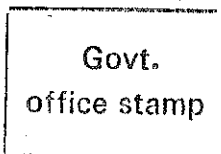
Provided further that whenever monthly grade employee is required to work on any of the paid festival holidays, he shall be allowed twice the wages in addition to his normal wages.

8. 18.1. Subject to the provisions of Industrial Dispute Act, the workman required for work on holidays or weekly rest days will be notified for work by having their names displayed in mines/Department's notice board as early as possible.
9. 21.1. Workmen may be transferred due to exigencies of work from one station to another, from one coal mine to another or from one establishment/Dept./Sec. to another within the same Co., provided that the pay, grade and other conditions of service of workmen are

not adversely affected by such transfer and provided further that if a workman is transferred from one Job to another, the job should be of similar nature and such as he is capable of doing and provided further that (i) except in case of emergency minimum notice of two weeks is given of such transfers, and (ii) reasonable joining time is allowed in case of transfers from one station to another.

10. 25.16. Any breach of the Mines Act, 1952 or any other Act or any rules or regulations or bye laws thereunder.
11. 25.21. Contracting another marriage while wife / husband is still alive or marrying a person who has a wife/husband not as per law / or against the existing Law.
12. 25.38. Transfer or handing over of identity card to any other person.

Duly amended and certified by me this 22nd day of July, 1994.



Sd/-
(K. RAMAKRISHNA)
Deputy Chief Labour Commissioner (Central) and
Appellate Authority Under I. E. (S.Os) Act. 1946.
BANGALORE.