

MMTC LIMITED

MMTC LEAVE RULES 2012

1. SHORT TITLE

These Rules shall be called '**MMTC Leave Rules**'.

2. COMMENCEMENT

These Rules shall be effective from the date of approval by the Board of Directors.

3. SCOPE OF APPLICATION

These Rules shall apply to all regular employees of the Company excepting -

- i) Casual or daily rated or part time employees.
- ii) Temporary employees.
- iii) Employees on deputation / foreign service to the Company.
- iv) Trainees/Apprentices under the Apprentices Act, 1961.
- v) Employees of erstwhile MITCO.

4. DEFINITIONS

In these Rules, unless the context indicates otherwise: -

- (a) "Board of Directors" - means the Board of Directors of the Company.
- (b) "Chairman and Managing Director" means the Chairman-and-Managing Director of the Company.
- (c) "Company" means the MMTC Limited.
- (d) "Competent Authority" - with reference to the exercise of any powers under these Rules means the Officer or authority to whom such powers are delegated either in general or in particular.
- (e) "Employee" - means a person appointed to any post in connection with the affairs of the Company on regular basis in the Company including a probationer but excluding employees defined at Clause 3 (i to v) above.
- (f) "Regular employee" - means an employee who has been engaged against a vacancy on the regular establishment of the Company and has been declared in writing to have satisfactorily completed probation period in one or the other post.

Note: - Wherever probation has not been satisfactorily completed pending receipt of police verification report from district Authorities/ Intelligence Bureau or previous employers, the employee will be allowed the benefit of leave encashment, commuted leave, special disability leave, maternity leave and paternity leave on completion of one year's service, subject to the condition that the employee is otherwise eligible for satisfactory completion of probation and a written undertaking to the effect that in case verification reports received subsequently are found to be adverse, the employee shall refund the entire amount of leave encashment and apply for another kind of leave as admissible if commuted leave/maternity leave etc. has been sanctioned earlier on completion of one year's satisfactory service.

- (g) "Probationer"- means an employee who is provisionally employed with a view to being considered for appointment on the regular establishment of the Company.
- (h) "Temporary employee" - means an employee who has been engaged on a temporary basis for a specified period or for work, which is of an essentially temporary nature likely to be completed within a stipulated period.
- (i) "Apprentices/Trainees" – An Apprentice means one who is governed under the Apprentices Act, 1961.
- (j) "Foreign Service" - when an employee of some other Company is deputed for service in the Company at its request, he is said to be on foreign service.
- (k) "Registered Medical Practitioner" and "Attending Medical officer" means any person registered as such under any Law for the time being in force and includes any practitioner in the fields of Allopathy, Homeopathy, Ayurveda and Unani System of Medicines.
- (l) "Authorized Medical Officer" - means a doctor authorized by Company to treat its employees.
- (m) "Government Hospital" - means any hospital established by any authority under the control of Central or State Government, municipal authorities, autonomous body, public sector undertakings or a hospital recognized by Company as such.
- (n) "Uniform Dates" - in these Rules would mean 1st January and 1st July of every year.

5. GENERAL CONDITIONS

- 5.1 It shall be the endeavour of the Management to grant all reasonable requests for leave which should be submitted well in time. However, leave cannot be claimed as a matter of right. The Sanctioning Authority, may at its discretion revise, curtail, refuse or revoke leave at any time according to the exigencies of service but it shall not be open to that authority to alter the kind of leave due and applied for except at the written request of the employee.
- 5.2 Except as provided in rule 20 of these rules, any claim to leave to the credit of employee, who is dismissed or removed or who resigns from Company ceases from the date of such dismissal or removal or resignation.

Where an employee applies for another post under the Govt. of India/PSU outside his parent office or department and if such application is forwarded through proper channel and the applicant is required to resign his post before taking up the new one, such resignation shall not result in the lapse of the leave to his credit.

An employee who is dismissed or removed from service and is reinstated on appeal or revision, shall be entitled to count for leave his service prior to dismissal or removal, as the case may be.

An employee, who having retired on compensation or invalid pension or gratuity is re-employed and allowed to count his past service for pension, shall be entitled to count his former service toward leave.

- 5.3 At the request of an employee, the authority, which granted him leave, may commute it retrospectively into leave of different kind which was due and admissible to him at the time the leave was granted. The request should be received within thirty days of his joining duty, on the expiry of the relevant spell of leave availed by him. However, the employee cannot claim such commutation as a matter of right.

The commutation of one kind of leave into another shall be subject to adjustment of leave salary on the basis of leave finally granted to the employee, that is to say, any amount paid to him in excess shall be recovered or any arrears due to him shall be paid.

- 5.4 Except casual leave, which is not recognized as leave under

these rules, any kind of leave may be granted in combination with or in continuation of any other kind of leave.

- 5.5 No employee shall be granted leave of any kind for a continuous period exceeding five years.
- 5.6 In case where an employee on leave is recalled to duty in the interest of the Company's work, single railway/air fare of the entitled class will be paid from the station of leave to station of duty. The leave in such cases shall end on the day the return journey commences.
- 5.7 An employee can avail Earned Leave for maximum two number of times in a year however, in exceptional circumstances Competent Authority may sanction Earned Leave for more than two number of times.
- 5.8 The limit as to how many employees may be granted leave at one time in each section/division/department shall be fixed or decided by the competent authority from time to time.
- 5.9 An employee returning from leave shall ordinarily report back to the post where from he/she proceeded on leave, unless otherwise intimated by the competent authority.
- 5.10 All applications for leave for three days or less shall be made at least 24 hours before the time from which leave is required. Applications for leave for more than three days shall be made at least 7 days before the date from the day the leave is required, except in special cases.
- 5.11 Request for extension of leave in all cases may be considered only if the same has been received from an employee giving reason for such extension sufficiently in advance of the expiry of the leave granted to him. Extension of leave so requested by an employee shall not be considered as sanctioned unless a communication to that effect is received by that employee from the Competent Authority.
- 5.12 If the request for extension of leave is on grounds of illness of the employee, it shall be accompanied by a Medical Certificate from a Registered Medical Practitioner specifying the nature of illness. In case of repeated extensions on medical ground, leave sanctioning authority may, if so desire, secure the opinion of Medical Board or District Civil Surgeon of the State Government before sanction of such extension of leave.
- 5.13 Where the extension of leave has been granted once, on the grounds of illness, second or subsequent requests for further

extension on grounds of illness shall be accompanied by a certificate from a medical officer of Government Hospital/empanelled hospital.

- 5.14 The sanctioning authority on receiving the application for extension of leave may at its discretion, grant the extension asked for, or grant it for a lesser period or refuse the extension. Decision so arrived at, shall be communicated to the employee as soon as possible.
- 5.15 Where an employee has been sanctioned leave or an extension of leave on medical grounds, the employee will be required to produce FITNESS CERTIFICATE from the Attending Medical Officer at the time of resuming duty.

6. CASUAL LEAVE

- 6.1 The maximum period of Casual Leave, which an employee is allowed to avail himself/herself, is 12 days besides two restricted holidays in a calendar year
- 6.2 Casual Leave can be granted for half day also. If half day's leave is taken, the lunch interval will be taken as the dividing line.
- 6.3 The employees joining the service of the Company during the first quarter of the calendar year shall be entitled for full quantum of casual leave. In all other cases casual leave entitlement would be calculated on pro rata basis.
- 6.4 Un-availed casual leave would lapse at the end of each calendar year.
- 6.5 Intervening Weekend and holidays will not be debited to the casual leave account. While Weekend and holidays can be prefixed/suffixed to casual leave, the total absence excluding intervening Weekend(s) and holidays should not exceed 5 days on any one occasion.
- 6.6 In case of retirement / voluntary retirement / superannuation and resignation, casual leave entitlement shall be proportionate to the period of service in the calendar year.
- 6.7 Casual leave not exceeding 4 days can be availed while on tour; but no daily allowance will be admissible for that period of causal leave.
- 6.8 Casual leave can be combined with Special Casual Leave but not with any other kind of leave or joining time.
- 6.9 Half a day's casual leave (subject to availability) shall be debited on each occasion in case an employee exceeds the prescribed

relaxation limit of attending office after 9:45 AM upto 10:00 AM on 6 occasions in a month by compensating the late period suitably, and availing short leave of one hour upto 10.30 A.M. or alternatively leave office early at 4.30 P.M. on 2 occasions (total of 8 occasions) in a month.

6.10 Unauthorized absence for more than four consecutive days will apart from debiting of leave, render the employee liable to disciplinary action.

7. SPECIAL CASUAL LEAVE

Special Casual Leave falls outside the normal leave and can be granted to meet special situations but not for domestic or personal reasons as in the case of casual leave. Cases in which Special Casual Leave can be granted are: -

7.1 For Sports Activities

- (i) Up to a maximum of 10 days in a calendar year for attending coaching/training camps/administration of sports events in national/international sporting events;
- (ii) To employees selected to represent the Company in tournaments recognized by the State/National Association for the game concerned;
- (iii) To employees selected to represent the State or All India in a recognized tournament;
- (iv) To employees selected to participate in training/coaching camps by State Association;
- (v) Required to act as Umpires or commentators in tournaments of National/International importance;
- (vi) Employees participating in inter-Regional tournaments can also be granted special casual leave not exceeding 10 days in a calendar year, which can also be permitted by competent authority to be combined with earned leave.

7.2 For Family Planning

Employee with less than 2 surviving children, who undergo sterilization operation under the family welfare scheme may be granted special casual leave not exceeding 6 working days in case of male employees and 14 days in respect of female employees.

7.3 Employees' Union/Association Activities

Up to maximum 20 days in a calendar year to all the office-bearers of

recognized Federation/Associations/Unions collectively for participation in the activities of Federation/Associations/Unions.

7.4 **Treatment of absence on account of Bandh, etc**

Where the Competent Authority is satisfied that the absence of individual concerned was entirely due to reasons beyond his control, special casual leave may be granted to regularize the absence as under-

- (A) if the absence was due to failure of transport facilities, special casual leave may be granted to those who had to come from a distance of more than 5 kms to their place of duty.
- (B) if the absence was due to picketing or disturbances or curfew, special casual leave may be granted without insisting on the condition about the distance between residence and place of duty.

However, if an employee had applied or applies for leave for the day or the days of the Bandh for genuine reasons e.g. medical grounds, of which the competent authority is satisfied, leave of the kind due may be granted.

7.5 **During Elections**

During General Elections/By-Elections to Lok Sabha/State Assembly, employees enrolled as bona fide voters in a constituency but having offices in another constituency, are entitled to a day's special casual leave on the day of Election in their home constituency to enable them to exercise their franchise.

7.6 **Other Purposes:**

- i) Employees who donate blood on working days may be granted special casual leave for that day on production of the proof for donating blood.
- ii) Employees who are ex-servicemen when called by Ministry of Defence to participate in the Republic Day Parade can be granted special casual leave for the period of their stay in Delhi and minimum period spent on Journey to and from Delhi by direct route.
- iii) To regularize the absence on account of natural calamities and civil/political disturbances and infectious diseases. Each case will be considered on merits by Competent Authority.
- iv) For giving running commentaries over AIR/Doordarshan for National/International Meets to officials selected or sponsored by the National Sports Federation/Association recognized by the All India Council of Sports and approved by the Ministry of Education / Youth / Sports, Government of India.

v) Combination of Casual Leave with Special Casual Leave is permissible. However, where Special Casual Leave is combined with other regular leave, in such cases, prefixing or suffixing with Casual Leave is not permissible. Effectively, an employee is allowed to combine Special Casual Leave with only one type of regular leave or Casual Leave at a time.

8. EARNED LEAVE

- 8.1 The leave account of every employee shall be credited with earned leave, in advance, at a uniform rate of 15 days each on the first day of January and July of every calendar year.
- 8.2 When an employee joins a new post without availing full joining time if either (a) he/she is ordered to, or (b) he/she proceeds (alone) to the new place of posting without availing full joining time admissible (and takes his family later within the permissible time for claiming T.A.), the un-availed joining time i.e. total joining time admissible up to maximum of 15 days (8 days in case performs journey by air) less the number of days actually availed, will be credited to his earned leave account.
- 8.3 The leave at the credit of an employee at the close of the previous half-year shall be carried forward to the next half year, subject to the condition that the leave so carried forward does not exceed the maximum limit of 300 days. However, earned leave exceeding 300 days upto 315 days will be shown as 300 + 15 days.
- 8.4 Where the earned leave at credit on 31st December/30th June is 300 days or less but more than 285 days and an advance credit of 15 days is made on 1st January/ 1st July, the resultant total will be shown as 300 + the number of days exceeding the ceiling of 300 days. Leave taken during the current half year will first be adjusted against the figure shown separately. Balance EL on return from leave will be shown as 300 days + the number of days exceeding 300 days, if any, after adjusting the leave taken. However if EL at credit of the employee still exceeds ceiling of 300 days and is not availed or encashed during the current half year, the exceeded EL at credit will lapse while carry forwarding to the subsequent half year. i.e. at no point of time EL to the credit of an employee shall exceed 300+15 days.
- 8.5 The maximum earned leave that may be granted at a time to any employee shall be 180 days. However, under exceptional circumstances, Competent Authority may grant Earned Leave for a period exceeding 180 days to an employee.

- 8.6 Earned leave shall be credited to the leave account of employee at the rate of 2-1/2 days for each completed calendar month of service, which he is likely to render in a half year of the calendar year in which he is appointed.
- 8.7 The credit for the half-year in which an employee is due to retire or resigns from the service shall be afforded only at the rate of 2-1/2 days per completed calendar month up to the date of retirement or resignation.
- 8.8 When an employee is removed or dismissed from service or dies while in service, credit of earned leave shall be allowed at the rate of 2-1/2 days per completed calendar month proceeding the calendar month in which he/she is removed or dismissed from service or dies in service.
- 8.9 If an employee has availed of extraordinary leave and/or some period of absence has been treated as dies non in a half year, the credit to be afforded to his leave account at the commencement of the next half year shall be reduced by 1/10th of the period of such leave and/or dies non subject to a maximum of 15 days, and further subject to the extent of credit to be afforded.
- 8.10 While affording credit, fraction of days shall be rounded off to the nearest day.
- 8.11 Earned Leave up to 300 days at a time can be availed by an employee as Leave Preparatory to Retirement.

9. HALF-PAY LEAVE

- 9.1 The leave account of every employee shall be credited with half pay leave at a uniform rate of ten days in advance, on the first day of January and July of every calendar year.
- 9.2 (a) The credit for the half year in which an employee is appointed will be at the rate of 5/3 days of each completed calendar month of service which he is likely to render in that half year.
- (b) The credit for half year in which an employee is due to retire or resigns from the service shall be allowed at the rate of 5/3 days per completed calendar month up to the date of retirement or resignation.

- (c) When an employee is removed or dismissed from service or dies while in service, credit of half pay leave shall be allowed at the rate of 5/3 days per completed calendar month up to the end of the calendar month preceding the calendar month in which he is removed or dismissed from service or dies in service.
- (d) Where a period of absence or suspension has been treated as dies non in a half year, the credit to be afforded in the next half year shall be reduced by one eighteenth of the dies non period subject to a maximum of ten days.
- (e) While giving credit, fraction of a day shall be rounded off to the nearest day.

9.3 Half pay leave may be granted on medical certificate or on private affairs.

10. COMMUTED LEAVE

- 10.1 Half pay leave due may be granted as Commuted Leave, on medical certificate issued by a medical practitioner not less than MBBS or equivalent qualification, to an employee if the authority competent to grant leave is satisfied that there is reasonable prospect of the employee returning to duty on its expiry. When commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave at credit.
- 10.2 Deleted. *1
- 10.3 Half pay leave up to a maximum of 180 days may be allowed to be commuted during the entire service without production of medical certificate where such leave is utilized for an approved course of study certified to be in the company's interest by the leave sanctioning authority subject to other conditions as specified in clause 13.5 under the Head "Study Leave".
- 10.4 If an employee who has been granted commuted leave resigns from service, the commuted leave shall be treated as half pay leave and the difference between the leave salary in respect of commuted leave and half pay leave shall be recovered. However, no such recovery shall be made if the retirement is by reason of ill health incapacitating the employee for further service or in the event of his death.
- 10.5 Commuted leave may be granted at the request of an employee even when earned leave is due to him.
- 10.6 Commuted leave up to a maximum of 60 days may be allowed without production of medical certificate in continuation of maternity leave on

sanction by Division/Regional Head.

- 10.7 Commuted leave up to 60 days may be granted without production of medical certificate, to an adoptive mother also subject to the condition that the employee is with less than two living children and she adopts a child of less than one year old.

11. LEAVE NOT DUE

- 11.1 Leave not due may be granted on medical certificate, except in the case of leave preparatory to retirement, to an employee limited to a maximum of 360 days during the entire service subject to the following conditions:-

- (a) The authority competent to grant leave is satisfied that there is a reasonable prospect of the employee returning to duty on its expiry.
- (b) It shall be limited to half pay leave he is likely to earn thereafter;
- (c) It shall be debited against the half pay leave of the employee, which he/she may earn subsequently.

- 11.2 (a) If an employee who has been granted leave not due resigns from service or permitted to retire voluntarily without returning to duty, the leave not due shall be cancelled; his resignation or retirement will take effect from the date on which such leave had commenced, and the leave salary shall be recovered.

- (b) Where an employee who having availed himself of leave not due returns to duty but resigns or retires from service before he has earned such leave, he shall be liable to refund the leave salary to the extent the leave has not been earned subsequently.

Provided that no leave salary shall be recovered under Clause (a) or (b) above, if the retirement is by reason of ill-health incapacitating the employee for further service or in the event of his death or if he is compulsorily retired prematurely. Leave of the kind due and admissible (including commuted leave for a period not exceeding 60 days and leave not due) may be granted to female employees up to a maximum of one year in continuation of maternity leave, without production of medical certificate.

- 11.3 Leave of the kind due and admissible (including leave not due and commuted leave not exceeding 60 days without production of medical certificate) may be granted to a female employee with less than two living children on adoption of a child, for a period up to one year or till such time the child is one year old, whichever is earlier. However, this facility will not be admissible in case she is already having two surviving children at the time of adoption.

12. EXTRA ORDINARY LEAVE (EOL)

- 12.1 Extra ordinary leave may be granted without pay to an employee in special circumstances at the discretion of the management: -
- a) When no other leave is admissible;
 - b) The employee applies in writing for extraordinary leave even when other kind of leave is admissible.
- 12.2 Unless the Competent Authority, in view of the exceptional circumstances of the case otherwise determines, no employee who is not in permanent employment, shall be granted extraordinary leave on any one occasion in excess of the following limits: -
- a) Three months;
 - b) Six months, where the employee has completed one year's continuous service on the date of expiry of leave of the kind due and admissible under these rules, including three months' extraordinary leave under Clause (a) above and his request for such leave is supported by a medical certificate as required.;
 - c) Eighteen months, where the employee who has completed one year's continuous service is undergoing treatment for-
 - (i) Pulmonary tuberculosis or pleurisy of tubercular origin, in a recognized sanatorium;
 - (ii) Tuberculosis of any other part of the body by a qualified tuberculosis specialist or a Civil Surgeon or Staff Surgeon; or
 - (iii) Leprosy in a recognized leprosy institution or by a Civil Surgeon or Staff Surgeon or a Specialist in leprosy hospital recognized as such by the State Administrative Medical Officer concerned;
 - (iv) Cancer or for mental illness, in an institution recognized for the treatment of such disease or by a Civil Surgeon or Staff Surgeon or a Specialist in such disease.
 - d) Twenty four months, where the leave is required for the purpose of prosecuting studies certified to be in the company's interest, provided the employee concerned has completed five years' continuous service on the date of expiry of leave of the kind due and admissible under these including 3 months Extraordinary Leave under clause 12.2 (a) above.
- 12.3 An employee belonging to the Scheduled Caste or the Scheduled Tribes may, for the purpose of attending the Pre-Examination Training Course at the centers notified by the Government from time to time be granted extraordinary leave by the Competent Authority in relaxation of the provisions of Clause 12.2 above.

- 12.4 Two spells of extraordinary leave, intervened by any other kind of leave, shall be treated as one continuous spell of extraordinary leave for the purpose of Clause 12.2 above.
- 12.5 The Competent Authority to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.
- 12.6 The Competent Authority at its discretion may regularize unauthorized absence subject to employee satisfying the management about the bona fide reasons of his unauthorized absence. Such unauthorized absence can be regularized as extraordinary leave or any other kind of leave due to the employee.

13. SPECIAL KIND OF LEAVE

Some special kinds of leave are also admissible to employee as stated below: -

13.1 Maternity leave

- a. A female employee (including an apprentice) with less than two surviving children may be granted maternity leave for 180 days from the date of its commencement.
- b. During such period, leave salary will be equal to the pay drawn immediately before proceeding on leave. In the case of a person to whom the Employee's State Insurance Act 1948, applies, the amount of leave salary payable shall be reduced by the amount of benefit payable under the said Act for the corresponding period.
- c. Maternity Leave not exceeding 45 days in the entire service may be granted to a female employee (irrespective of number of surviving children) in case of miscarriage, including abortion, on production of medical certificate.
- d. Maternity leave so granted and availed by an employee earlier shall not be taken into account.
- e. Maternity leave shall not be debited in the leave account.
- f. Maternity leave may be granted to unmarried female employee also.

13.2 Paternity leave

A male employee with less than two surviving children may be granted Paternity Leave for a period of 15 days during the confinement of his wife, with leave salary equal to pay drawn immediately before proceeding on leave. Paternity leave will not be debited to leave account and it can be combined with any other kind of leave. It may not normally be refused under any circumstance.

It can be availed up to 15 days before or up to 180 days from the date of delivery of the child. If this leave is not availed within this period, it will be treated as lapsed.

13.3 Special Disability Leave

- (1) An employee who is disabled by injury accidentally incurred in, or in consequence of due performance of his official duties or in consequence of his official position, or by illness incurred in the performance of any particular duty, which has the effect of increasing his liability to illness or injury beyond the ordinary risk attaching to the post which he holds.
- (2) The grant of special disability leave in such case shall be subject to the further conditions –
 - (i) That the disability, if due to disease, must be certified by an Authorized Medical Attendant to be directly due to the performance of the particular duty;
 - (ii) That, if the employee has contracted such disability during service, it must be, in the opinion of the authority competent to sanction leave, exception in character; and
 - (iii) That the period of absence recommended by an Authorized Medical Attendant may be covered in part by the special disability leave and in part by any other kind of leave. However, the amount of special disability leave granted on leave salary equal to that admissible on earned leave shall not exceed 120 days.

13.4 Study Leave

- (a) Study leave to an employee can be granted with due regard to the exigencies of Company's work, to undergo higher study, specialized training in a professional or a technical subject, in or out of India, having a direct and close connection with sphere of employee's duty.
- (b) The Competent Authority would permit study leave to an employee only on fulfillment of following qualifying conditions:-
 - (i) An employee who has satisfactorily completed not less than five years of regular continuous service (including period of probation), and who is not due to reach the age of superannuation within five years from the date on which he/she is expected to return to duty.
 - (ii) The appraisal ratings of the employee is not less than "Good" in last three years.
 - (iii) The employee should not be undergoing any penalty imposed by

the Disciplinary Authority for any misconduct as laid down in the MMTC ECDA Rules.

- (c) Following aspects would be considered while granting Study Leave by the Competent Authority:-
1. The course of study or training is certified to be of definite advantage from the point of view of company's interest.
 2. Study leave out of India shall not be granted for studies in subject(s) for which adequate facilities exist in India.
 3. The maximum quantum of study leave admissible is twenty-four months in all during entire service. This can be availed in more than one spell subject to the overall limit of 24 months. However, Study Leave shall not be granted with such frequency as to remove the employee from contact with his/her regular work.
 4. Study leave shall be combined with other kind of leaves, but the total of such combined leave including EOL is subject to a maximum of 28 months.
 5. Study leave shall be debited against EL/HPL/EOL at the credit of an employee.
- (d) The employee may undertake or commence the course of study during the period of other kind of leave combined with study leave.
- (e) The Study Leave period will not qualify for leave salary. Also, no Travelling Allowance is admissible to an employee for undertaking study leave.
- (f) An employee on study leave is required to meet the cost of fees by himself/herself for the study.
- (g) The study leave period will not be considered as qualifying period for promotion. However the employee will earn annual increment due to him/her in the Company subject to successful completion of the higher studies and acquiring of the related qualifications.
- The period of Study leave that qualifies for the above benefits will be restricted to two years. Financial benefits on account of increment will accrue from the date the employee has joined duty on the expiry of the Study Leave.
- (h) The study leave period will not be considered for the purposes of earning any kind of leave.
- (i) The employee is allowed to retain the Company accommodation provided to him / her for the duration of the course, subject to the conditions that his / her family physically stays in the accommodation provided. 'Family' for this purpose shall mean as defined in MMTC Residential Apartment Allotment Rules 1972 as amended from time to time.

- (j) Medical benefits will be provided to the employee including his/her family members as per company's policy while pursuing studies within India. In case the employee pursues study outside India, no such facility shall be extended to him/her. However the employee's family residing in India would continue to be covered by the medical scheme of the company.
- (k) The employee will be required to execute a Bond of Rs 2.5 Lakhs undertaking to serve the company for a minimum period of two years after return from study leave.
- (l) In case, an employee fails to rejoin after the Study or leaves the Company before the designated time of 2 years under the Bond, he/she will have to pay bond money plus all costs incurred by the Company on the employee and his/her family, if any.
- (m) Director(P) is the Competent Authority to sanction Study Leave.

13.5 Transit Leave

This is otherwise known as Joining Time available to an employee on transfer depending upon the distance between present and new place of posting. This leave would be regulated as per provisions of MMTC Joining Time Rules, 1980 as amended from time to time.

14. COMPENSATORY LEAVE

This leave will be sanctioned to all employees who have performed official duties on special occasions /events such as Gold Jewellery Exhibitions, Promotion Campaigns etc on holidays including Saturday & Sunday. Employees performing duty beyond normal duty hours can avail Compensatory Leave in lieu of OTA at their option. The leave will become due only after the same is sanctioned by the Competent Authority.

- 14.1** The Compensatory leave should be availed within three months from the date the employee earns the leave. In case the leave so earned is not utilized within the above-mentioned period, the leave standing to the credit of the employee would lapse.

15. ABSENCE AFTER EXPIRY OF LEAVE

An employee who remains absent after expiry of leave is entitled to no leave salary for the period of such absence and that period shall be debited against his / her leave account as though it were half pay leave, to the extent such leave is due, the period in excess of such leave due being treated as extraordinary leave. Besides, willful absence from duty after the expiry of leave renders an employee liable to disciplinary action in terms of MMTC ECDA Rules, 1975 as amended from time to time.

16. ACTION FOR UNAUTHORIZED ABSENCE FROM DUTY

Unauthorized absence means absence by an employee from his/her duty

or place of work without authority either without sanction of any leave or after expiry of sanctioned leave, if any.

17. LEAVING HEADQUARTERS STATION

No employee should leave the headquarter/station without the prior permission of his/her controlling officer during the period of leave/holidays/off days. When permitted the employee should furnish his/her leave address to the controlling officer. In all applications for leave, including casual leave or compensatory leave during which the applicant proposes to leave the headquarter/ station, the fact should be stated in the application with the outstation address. Any person who wishes to leave the headquarter/ station during the period of leave already granted to him / her should notify his / her intention together with his / her address to his controlling officer. Any change in that address, which may occur thereafter, should also be communicated.

However, separate permission may not be necessary where an employee has indicated his / her intention of leaving headquarters/station along with leave address while applying for leave.

18. LEAVE FOR VISITING ABROAD:-

Leave for visiting abroad shall be sanctioned by Director (P) on the recommendations of Director incharge and clearance from Chief Vigilance Officer (CVO).

19. LEAVE SALARY

- 19.1 An employee who proceeds on earned leave is entitled to leave salary equal to the pay drawn immediately before proceeding on earned leave.
- 19.2 An employee on half pay leave or leave not due is entitled to leave salary equal to half the amount specified in Para 19.1 above.
- 19.3 An employee on commuted leave is entitled to leave salary equal to the amount specified in Para 19.1 above.
- 19.4 An employee on Study Leave/Extra-Ordinary Leave is not entitled to any leave salary.

20. ENCASHMENT

20.1 ENCASHMENT OF EARNED LEAVE

- i. For the purpose of these rules "Year means "Calendar year".
- ii. An employee may be sanctioned encashment of entire period of earned leave to his / her credit subject to leaving a minimum balance of

15 days at any given time, twice in a year.

- iii. Employee at their option may be paid in one lump-sum as one time settlement cash equivalent of leave salary (basic pay plus admissible Dearness Allowance) of un-availed earned leave to their credit subject to a maximum of 300 days in the following cases:-
- a) Retirement on attaining the age of superannuation
 - b) Voluntary/pre-mature retirement.
 - c) Where the services of an employee is terminated by notice or by payment of pay & allowances in lieu of notice or otherwise in accordance with the terms and conditions of his appointment.
 - d) Death of employee while in service.
 - e) On completion of the tenure of Board Level Appointees.
- iii(a) In case of any shortfall in maximum admissible 300 days Earned Leave, both Earned Leave and Half Pay Leave (HPL) can be considered for encashment of leave on retirement subject to overall limit of 300 days. The cash equivalent payable for such Half Pay Leave encashment would be equal to Leave salary as admissible for Half-pay plus DA. To make up the shortfall in Earned Leave, commutation of Half Pay Leave is not permissible. *1
- iv An employee who resigns or quits service with permission, shall be entitled to cash equivalent in respect of earned leave at credit on the date of cessation of service, to the extent of half of such leave at their credit, subject to a maximum of 150 days. Earned leave encashment by an employee during preceding 3 months prior to date of submission of resignation shall be taken into account while determining the total earned leave encashable at the time of submission of Resignation from the service of the Company. Any part or whole of encashable leave can be availed of as leave and it is not compulsory that it should be encashed.
- The benefit of Earned leave encashment, however, is not available to the employee who leaves the service of the company without prior approval of the Management.
- v. The benefit of EL encashment will not be available where cessation of service is on account of disciplinary proceedings.

20.2 Deleted *1

20.3 Amount Encashable

- i. For the quantum of leave encashed an amount equivalent to the total for Encashment of EL and Half the total for Encashment of HPL, of the following elements of the emoluments admissible on the date of application will be payable:
 - a) Basic pay,
 - b) Variable Dearness Allowance &
 - c) Stagnation Pay, if any.

- ii. On receipt of an application from the employee for encashment, the Earned Leave to the extent applied for subject to the limit prescribed in the preceding Paras, will be debited to his / her leave service account upon sanction by the Competent Authority.

20.4 Treatment of the amount of encashment for other purposes

The amount payable towards encashment of leave will not be reckoned as wages/salary for purpose of overtime, Bonus etc.

20.5 Staff On Deputation

These rules will not apply to employees on deputation from Government Department and other Public Sector Undertakings.

20.6 Competent Authority

The sanctioning authorities for encashment of leave will be those competent to sanction Earned Leave/Half Pay Leave.

20.7 General

An employee shall not be eligible for encashment of leave during the suspension period.

21. SETTING OFF OF LEAVE TOWARDS NOTICE PERIOD

Where an employee resigns his / her post of his / her own volition and is required to give notice under terms and conditions of his / her appointment or deposit pay and allowances for the specified period in lieu thereof, the employee may be permitted, at the discretion of the Competent Authority to set off the earned leave at his / her credit on the date of leaving service towards the notice period.

22. TRANSFER OF LEAVE

- 22.1 "Earned Leave" transferred from other Public Undertakings / Government Department / Semi-Government / Autonomous Body by virtue of service put in by the employee in the organization shall be kept as a separate credit to be availed / encashed by him / her provided a lump sum amount equivalent of leave salary is paid to this Company by the organization concerned.
- 22.2 In case any employee of the Company joins another public Sector Undertaking/Semi-Government/Govt. Organization or Autonomous Body, where application has been routed through proper channel, Earned Leave at his / her credit along with the amount of leave salary may be transferred within the maximum ceiling of 300 days if acceptable to the new employer.
- 22.3 Accumulated Half Pay leave, standing to the credit of the employees at the time of transfer to or from another Public Sector Enterprise, may be transferred provided such transfer has taken place with the consent of the Management of both the enterprises or under the order of Government/Public Enterprises Selection Board. The procedure for transfer shall be the same as that of EL.

23. OTHER EMPLOYMENT DURING THE LEAVE:

An employee on leave shall not take up any service or accept any employment.

24. GRANT OF AND RETURN FROM LEAVE

- 24.1 **Application for leave** – Any application for leave or for extension of leave shall be made in the prescribed form to the authority competent to grant leave.
- 24.2 **Leave not to be granted** – Leave shall not be granted to (i) an employee against whom a competent disciplinary authority has decided to dismiss, remove or compulsorily retire from company, and (ii) an employee under suspension.
- 24.3 **leave account** - A leave account shall be maintained in the prescribed form by the concerned officer in Personnel Division at C.O./R.Os.

25. GENERAL:

- 25.1 In respect of matters not covered by these rules, the provisions of Supplementary Rules of the Government of India and the decisions/instructions there under shall apply to regulate the leave rules of the employees of the Company.
- 25.2 In case of doubt regarding interpretation of the Rules, the decision of the CMD shall be final.

- 26.** CMD is the Competent Authority to relax, amend, withdraw, modify or alter any of the provisions of the Rules at any point of time.
