

GMDC EMPLOEES SERVICE RULES, 1969 [Under Revision]

**GUJARAT MINERAL DEVELOPMENT CORPORATION LIMITED,
AHMEDABAD-9.**

PREAMBLE :

Whereas it is necessary to define the terms and conditions of appointment and service of the staff of the Gujarat Mineral Development Corporation Limited the said Corporation to do hereby frame and adopt the following rules :-

CHAPTER I PRELIMINARY

1. Short Title

These rules shall be called the Gujarat Mineral Development Corporation Limited (Staff) Service Rules, 1969.

2. Application

- (a) These rules shall come in force with effect from
- (b) These rules shall apply to every whole time employee of the Corporation ;
Provided that employees under specific agreement or arrangement shall not be governed by these rules or shall be governed by them only subject to such special terms, conditions or stipulations as may be provided for by such agreement or arrangement.

3. **DEFINITIONS :**

In these rules unless there is anything repugnant in the subject or context :-

- (a) "Board means the Board of Directors of the Corporation and in relation to any powers exercise able by it, includes the sub-committee.
- (b) "Corporation" means the Gujarat Mineral Development Corporation Limited.
- * (c) "Sub-Committee" means the Committee appointed by the Board of Directors to which the functions, powers and duties regarding creation and abolition of posts, recruitment, appointment, fixation of grades and salaries, removal, suspension, punishment and other service conditions of the employees are assigned and delegated from time to time.

* Sub-Committee is substituted by words "Personnel Committee" vide Board Resolution No. 487 dt. 28/05/74.

- (d) "Chairman" means the Chairman for the time being of the Corporation and in relation to any powers exercisable by him includes any officer authorized by him to exercise his powers and functions.
- (e) "Duty" includes service as a probationer and period spent on Casual Leave duly authorized.
- (f) "Emoluments" means Basic Pay, Personal Pay, Special Pay, Leave Salary, Dearness Allowance and House Rent Allowance, Local Compensatory Allowance, Project Allowance and other allowances declared from time to time.
- (g) "Pay" means and includes the amount drawn by an employee as :-
- (I) Basic Pay which has been sanctioned for the post held by him substantively or in an officiating capacity :
 - (ii) Special Pay and Personal Pay,
 - (iii) Any other emoluments which may be specially classed as Pay by the Board and
 - * (iv) Deputation allowance, provided that deputation allowance will not be included in "Pay" for the purpose of H.R.A., C.L.A. or Allowance/Daily Allowance.
- (h) "Average Pay" means the average monthly pay earned during the 12 complete months and immediately preceding the month in which the event necessitating the calculation of average pay occurs.
- (i) "Personal Pay" means an additional Pay granted to an employee on personal considerations.
- * Added vide Board Resolution No. 841 dt. 12/8/1976 Clause effective from 15th August, 1978.
- (j) "Special Pay" means an addition in the nature of Pay to the emoluments of a post or of an employee granted in consideration of :
- (I) Specially arduous nature of his duties or
 - (II) Specific addition to the work or responsibility.

- (k) "Employee" means any person who holds a post under The Corporation, other than a casual employee, a member of the workcharged establishment, a person paid from contingencies or a person whose conditions of service are governed by the Standing Orders framed under the Industrial Employment (Standing Orders) Act, 1946, and includes any person whose services are temporarily placed at the disposal of the Central Government, a State Government, A Government Industrial undertaking or a local or other authority.
 - (l) "Family" means and includes an employee's wife husband and legitimate children ordinarily residing with him and wholly dependent on him or her
 - (m) "Rules" means the Gujarat Mineral Development Corporation Limited (Staff) Service Rules, 1969, all modifications thereof and substitutions therefore; and references in these rules to the provisions of the then non-existing rules shall be read as referring to the provisions substituted therefore.
 - (n) "General Manager" means the General Manager for the time being of the Corporation and in relation to any power exercise able by him, includes any officer authorized by the Chairman to exercise the powers of the General Manager during his temporary absence.
 - (o) "Year" means the financial year of the Corporation beginning with the first day of April of a calendar year and ending with the Thirty first day of March of the following calendar year.
 - (p) The words importing masculine gender shall also include the feminine gender and vice-versa.
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- (q) The words importing singular number shall also include plural number and vice-versa.
 - (r) "Month" means a calendar month.
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* May be read as "Managing Director" instead of "General Manager", from 1973.

4. Amendments in the Rules :

Any amendment by way of addition, alteration or commission in these rules shall be made only under the authority of a resolution of the Board and shall be notified to the employees either by publishing it on the Notice Board of the Corporation or

by circulation Provided that any irregularity or incidental omission in notifying shall not invalidate such amendments.

// 4 //

Provided further that no amendment in the rules shall operate to reduce the scale of pay of an employees on which he is entitled to draw pay in substantive capacity on the day such amendment comes into force.

5. Interpretation and implementation of rules :

The Power to interpret the rules vests in the Chairman who may issue such administrative instructions as may be necessary to give effect to, and to carry out the purpose of the provisions of these rules, provided that, if as a result of any decision of the Chairman as regards the Construction, interpretation or implementation of any of these rules, an employee feels aggrieved, he shall have a right to appeal against such decision of the Chairman to the Board, whose decision shall be final and binding to all concerned.

6. Delegation of Powers :

The Board, the Sub-Committee, the Chairman and the General Manager may, subject to such restrictions and for so long as they may deem fit, delegate any of their powers to any committee or officer of the Corporation.

7. Controlling Authority :

For the purpose of implementing these rules, exercising all administrative and financial control and making all payments, the General Manager shall be the Controlling Authority for all the employees of the Corporation and he may declare any Head of Department under him or any Officer of Class-I as a Controlling Authority. The Chairman shall be the controlling authority for the General Manager.

CHAPTER II CLASSIFICATION OF EMPLOYEES, CREATION OF POSTS, RECRUITMENT APPOINTMENT and PROBATION, CONFIRMATION, RECORD OF SERVICE, SENIORITY, PROMOTION AND REVERSION.

8. Classification of Employees :

The employees of the Corporation shall be grouped as under :-

Chief Executive	:	General Manager
Class - I		Employees falling in the Grades starting with a basic pay of Rs.800/- and above.
Class - II		Employees failing in the Grades starting with a basic pay of Rs.350/- but less than Rs. 800/-
Class - III		Employees other than Class IV falling in the grades below Rs.350.

Class - IV

Peons, Jamadars, Chawkidars.
// 5 //

The Board, the Sub-committee or the authority duly empowered in this behalf may revised this classification from time to time.

9. The Board shall, from time to time, fix the number of posts of permanent character, sanction may be necessary for all classes of employees, while the power to make recruitment to these posts shall rest with the Chairman, Sub-Committee, General Manager and other officers of the Corporation as authorized.
10. The vacancies in various cadres will be filled by the competent appointing authority either :-
 - (I) By direct recruitment ; or
 - (ii) By promotion from lower cadre.
11. The minimum age limit for direct recruitment shall be 18 years and the maximum age limits will be as under :-
 - (I) Chief Executive and
Class - I As may be fixed by the Board or the Sub-committee from time to time.
 - (ii) Class - II 45 years.
 - (iii) Class - III & IV 35 years.

Provided that the Board or the authority empowered by the Board in this behalf may revise the maximum age limits.

12. (a) No candidate will be eligible for appointment in the Corporation unless a certificate of medical practitioner authorized in this behalf by the Corporation is produced by him.
- (b) No candidate will be eligible for appointment in the Corporation's service if he has been convicted by a Court of Law for an offence involving moral turpitude.
- (c) An employee handling cash, securities or stores on behalf of the Corporation shall furnish securities or surety to the satisfaction of the General Manager.

13. Re-appointment in the Corporation's Service :

No person who has been dismissed from the Corporation services or has otherwise ceased to be in the employment of the Corporation shall be reemployed in the Corporation's service without approval in that behalf the Board, where such a person is a candidate for a post in Class I and of the Sub-Committee where such a person is a candidate for a post of any other class.

14. The first appointment to a post shall be made on probation for a period not exceeding one year Provided that the Appointment Authority may from time to time extended such period of probation as may be considered necessary, so that the total period of probation does not exceed two years.
15. Every candidate who is offered employment under the Corporation shall, before joining his duties subscribe to a declaration in the form prescribed in Appendix-I or in such other form as the Chairman may prescribe from time to time.
16. Every candidate who is offered employment under the Corporation carrying a total monthly employment of Rs.500/- or more shall before or at the time of such appointment, declare in writing in the form prescribed in Appendix II or in such other form as the Chairman may prescribe from time to time. Whether he is or is not connected with a Director of the Corporation in any of the ways referred to in Sub-Section (i) of Section 314 of the Companies Act, 1956.
17. **Temporary Appointments :**
Notwithstanding anything contained in these rules, as a temporary measure,
 - (I) The General Manager may employ suitable candidate to vacant posts in Class III and IV only and
 - (II) The Chairman or the Sub-Committee may authorize appointment or suitable candidates to vacant posts in class I & II.Provided that such appointments to vacant posts in Class I shall not be made without the prior permission of the Board.
18. **Grant of initial advance increment :**
The competent appointing authority may grant initial advance increments upto 5 to specially qualified or experienced candidate selected for appointment. However, the Board may grant any number of additional initial increments as may be deemed proper.
19. **Commencement of Service :**
Except as otherwise provided by or under these rules, "Service" of an employee shall be deemed to commence from the working day in the forenoon of which he reports for duty in an appointment covered by these Rules, at the place and time intimated to him by the competent authority or else from the next following working day.
20. **Confirmation :**
On satisfactory completion of the period of probation and extension thereof, if any, the competent appointing authority shall confirm an employee in the services of the Corporation.

21. **Record of Service :**

A Record of Service shall be maintained in respect of each employee in such form as may be prescribed by the General Manager from time to time.

22. **Seniority :**

A employee confirmed in the Corporation's service shall rank for seniority in his grade according to the length of service including his probationary period and confirmation in the grade.

*23. **Promotion :**

The Sub-Committee may give promotion from Class III to Class II and from Class II to Class I posts and the Chairman from Class IV to Class III posts with a basic salary of exceeding Rs.160/- and the General Manager may given promotion from a lower post in the grade of Pay the maximum of which does not exceed Rs.160/-.

However, confirmation in such a post will be within the limits of the posers for initial appointment. The Promote shall be on probation on the promoted post for a period of 6 months and may be reverted to his original post if he is not found fit by the promoting Authority; provided that the promoting authority may, from time to time, extended such period of probation as may be considered necessary but so that the total period of probation on the promoted post does not exceed one year.

24. **Reversion :**

An employee appointed to officiate in a higher post or promoted on probation to a higher post shall be liable to be reverted without notice at any time within one year of such appointment or promotion.

* Delegated power to Personnel Committee vide Board Resolution No. 526 dt. 12th August, 1974 as under :-

- (1) To select either by direct recruitment or by promotion personnel to Class-I posts.
- (2) To select either by direct recruitment or by promotion personnel to Class-II posts.
- (3) The Board will be the selecting authority in respect of personnel for Class-I posts, the Personnel Committee will be the recommending body and the Managing Director would be the appointing authority. As regards Class-II posts, the Personnel Committee will be the selecting body and the M.D. would be the appointing authority.

It is understood that the above powers will not affect or limit the powers delegated to the Chairman, Managing Director and the Project Manager under the Schedule of Delegation of Powers approved by the Board.

// 8 //

CHAPTER III CESSATION, DISCHARGE, TERMINATION AND DETERMINATION OF SERVICES, SUPERANNUATION AND RETIREMENT.

25. **Cessation :**

In case of termination and determination of service or discharge, dismissal or retirement from service, an employee shall cease to be in the employment of the Corporation from the date of such termination or determination of service or discharge, dismissal or retirement from service. In case of death, an employee shall cease to be in the employment of the Corporation with effect from the date following the day on which the death takes place.

26. **Discharge or termination of Service during Probation :**

During the first 2 months of his probationary period, an employee may be discharged from the service of the Corporation by the competent appointing authority or he may leave or discontinue from the service of the Corporation after giving 7 days notice in writing in that behalf or by payment of 7 day's basic pay in lieu thereof; during the rest of his probationary period he may be discharged from the service of the Corporation by the competent appointing authority or he may leave or discontinue from the service of the Corporation after giving one month's notice in writing in that behalf or by payment of one month's basic pay in lieu thereof. On expiry of the period of probation or Contract, the services of an employee may be determined by the appointing authority.

27. **Discharge or Termination of Service after Confirmation :**

After confirmation, an employee in Class I and II may be relieved from the service of the Corporation for sufficient reasons by the competent appointing authority or he may leave or discontinue from the service of the Corporation after giving 3 month's notice or three month's basic pay in lieu of such notice on either side. An employee in any other class may be relieved from the service of the Corporation for sufficient reasons by the competent appointing authority or he may leave or discontinue from the service of the Corporation after giving one month's notice in writing in that behalf or by payment of one month's basic pay in lieu of such notice on either side.

Provided that the competent appointing authority may waive such notice or payment in lieu thereof.

27. An employee of the Corporation whether temporary, on contract or permanent may be removed from service, dismissed from service or otherwise proceeded against on the grounds and in the manner provided, in matters relating to conduct

in the Gujarat Mineral Development Corporation Employees' (conduct) Rules and in matter relating to discipline, in the Gujarat Mineral Development Corporation Employees (Control & Appeal) Rules.

// 9 //

28. **Superannuation and retirement :**

An employee shall retire from the service of the Corporation on his completing 60 years of age provided that the Board may at its discretion sanction from time to time extension of his employment for a period not exceeding two years at a time if he is physically and mentally fit. However in no case extension beyond 64 years of age will be sanctioned to an employee.

Explanation :

(I) Notwithstanding anything contained in this rule, where an employee has at his credit ordinary leave and

- (a) is not left with sufficient time to avail of it before the date of retirement or
- (b) has formally applied for such leave and has been refused it; or
- (c) has ascertained in writing from the authority competent to grant it that leave, if applied for will not be granted he may be permitted to avail of his leave his credit and in that event such employee shall be deemed to have retired from service only on the expiry of such leave.

CHAPTER IV PAY, ALLOWANCES AND OTHER CONCESSIONS :

29. **Accrual and Cessation of Pay and Allowances**

Subject to the provisions in these rules, pay and allowances of an employee shall accrue from the date of commencement of his service and shall cease to accrue from the date of cessation of his service.

30. **Adjustment of Pay and Allowances on Change of Charge :**

In case of change of charge by appointment, transfer, promotion or otherwise, an employee shall commence to earn the pay and allowances of the post to which he is appointed, transferred or promoted with effect from the day in the forenoon of which he assumes duties of that post; or else from the working day following the day on which the charge is taken over.

31. Not more than one person to be appointed to a post, at the same time :

Except as otherwise provided in these rules, not more than one person shall be appointed to or draw the pay and allowances of a post at the same time.

32. **Employee on transfer :**

Where an employee is transferred or promoted from one post to another, he shall during an interval between the date of his handing over charge of the old post and

the date of his taking over charge of the new post, draw pay and allowances of the new post or the old post, whichever is less.

// 10 //

33. **Admissibility of Allowances :**

Allowances shall only be payable to employees who are actually at the time fulfilling the conditions subject to which they are admissible.

34. **Overtime Allowance :**

Notwithstanding the fact that the whole time of an employee is at the disposal of the Corporation, the Corporation may grant overtime allowance, not counting as pay to an employee in Class III and IV, who is required to work overtime, at such rates and in such circumstances as may be determined by the Chairman from time to time.

Provided that such an employee who is required to work on any Sunday or holiday may be given by the Corporation at its discretion and instead of such overtime allowances, any other holiday in lieu of such Sunday or holiday.

35. **Increment :**

*(i) In an incremental scale, the increment shall accrue on the completion of each specified period of services of one year on each stage of that scale whether such service by probationary, officiating or substantive. Acting service in a higher grade will count for increments in an employee's substantive grade as well as in the higher grade in which he is acting and if there is any intermediate grade between the two in which he would have officiated, had he not been appointed to officiate in the higher grade, also in the intermediate grade; but the period during which an employees is on leave without pay will not count for increment unless so authorized by the Chairman for reasons to be recorded in writing. Sanction to draw increments will be given by the Chairman in case of Class I employee and by the General Manager in case of employee of other classifications.

(ii) The competent appointing authority may only withhold an increment. no increment will be withheld except as a disciplinary measure under these rules and each order withholding an increment shall state the reasons and the period for which it is withhold and whether the withholding of an increment shall have the effect of postponing further increment.

* Amended in the Eleventh Meeting of the Board of Directors held on Tuesday, the 20th May, 1975 at 10.30 A.M. - vide resolution no. 628 as under.

Employee shall be entitled to draw increment in a post filled by him substantively or in an officiating capacity on the first day of the month in respective of the date on which it falls due.

36. **Premature increment :**
The Chairman may grant up to three premature increments to an employees, provided that such increments shall be given only in special cases in recognition of outstanding services of the employee.
Re-fixation of pay on promotion :
On promotion from one grade to another, the substantive pay of an employee shall initially be fixed at the state in the new scale, which is next above his substantive pay in the old scale, which is next above his substantive pay in the old scale. For the purposes of this rule, the basic pay in a post held in an officiating capacity for more than 3 years shall be counted as substantive pay
- *37. **Rules 37 substituted as under .:**
RESOLVED that approval be and is hereby accorded to substitute the existing Rules 37 of the Service Rules of the Corporation by the following Rules with effect from 1st January, 1975 (Board Meeting dt. 29/11/79).
37. On promotion from one grade to another the substantive Pay of an employee shall initially be fixed in the next higher scale in the lower post and thereafter be fixed in the next scale of the next higher post on which he has been promoted.
38. **Officiating Pay :**
An employee who is appointed to officiate in a higher grade shall, so long as he shall officiate on such grade, draw officiating pay equal to the difference between the substantive pay in the old scale and the stage in scale of pay of the post to which he is appointed, which is next above his substantive pay in the old scale.
39. **Re-fixation of Pay on Transfer from one scale to another :**
When an employee is transferred from one scale to another on the revision of scale or otherwise and such transfer does not involve the assumption of duties or responsibilities to greater importance, his initial pay in the new scale shall be fixed as his substantive pay if his pay in the old scale is lower than the minimum of the new scale to which he is transferred.
40. **Special Pay :**
Special pay may be granted to an employee for specially arduous work, additional work, work of higher quality, special work or as addition to pay scale up to 20% of his substantive pay. The grant of special pay shall require the sanction of the Chairman.

**CHAPTER IV COMPENSATORY ALLOWANCE :
GENERAL**

41. **Kinds of Compensatory Allowances :**

The following kinds of compensatory allowances will be granted in accordance with the provisions of these rules :-

- (I) Dearness Allowance, House Rent Allowance, Special Compensatory Allowance with the provisions of these rules :-
- (II) Traveling Allowance and
- (III) Halting Allowance, i.e. Daily Allowance.

42. **Dearness Allowance :**

(I) **Rate**

Until otherwise determined by the Board, Dearness Allowance shall be paid to the Employees of the Corporation at the rates of the Government of Gujarat in force from time to time.

(II) **Dearness Allowance during leave :**

Dearness Allowance may be drawn during leave not during extra ordinary leave.

*43. **House Rent Allowance :**

Until otherwise determined by the Board, employees shall be paid House Rent Allowance at the rate of 15% subject to a minimum of Rs.15/- of the basic salary.

44. **Special Compensatory Allowance :**

(I) The Board may, from time to time, prescribe and sanction special compensatory allowance for the employee generally or for any class of them as may be necessary for the purposes of additional conveniences, health allowance, climate allowance, and the like. Such allowances may be withdrawn by the Board at any time wholly or partly.

** (II) **City Allowance :**

Until otherwise determined by the Board, City Allowance (Compensatory local allowance) will be paid to the employees of the Corporation at 10% of the basic salary subject to a maximum of Rs.100/- per month, and minimum of Rs.10/- per month.

(III) **Project Allowance :**

Until otherwise determined by the Board, Project Allowance will be paid to the employees engaged at the Projects of the Corporation, at 20% of the

basic salary. No Project Allowance will be allowed where H.R.A. and C.L.A. are paid.

// 13 //

(IV) **Washing Allowance :**

Until otherwise determined by the Board Washing Allowance at the rate of Rs.8/- per month will be paid to the Employees to whom uniforms are provided by the Corporation. Uniforms will be supplied as under to the Class-IV employees, drivers and such other persons as decided by the General Manager from time to time.

- (I) To Class IV ***
- a) Three pairs of cotton coat and pant per year.
 - b) One pair of woolen coat and pant every three years.
 - c) Two caps per year.
- (II) To Drivers ***
- a) Three pairs of cotton coat and pant per year.
 - b) One pair of shoes every three years.
 - c) Two caps per year.
 - d) One pair of woolen coat and pant every three years.

* Substituted with effect from Ist August, 1977 vide Board Resolution No. 861 dt. 14/9/76 as under :-

43. **House Rent Allowance :**

Until otherwise determined by the Board House Rent Allowance shall be paid to the employees of the Corporation as per the rules of the Government of Gujarat from time to time.

** Substituted Sub-Rule 2 of Rule 44 with effect from Ist January 1974 vide Board Resolution No. 861 dt. 14/9/1976 as under :-

44.(ii) Until otherwise determined by the Board, City Allowance (Compensatory Local Allowance) will be paid to the employees of the Corporation as per the rule of Government of Gujarat in force from time to time.

*** Amended vide Resolution No. 436 dt. 22/2/74.
(two pairs of Terry-cotton instead of three cotton pairs)

45. **Traveling Allowance :**

(I) Employees on tour :

An employee traveling on Corporation's business or on other duty shall be entitled to claim traveling allowance from the Corporation.

(II) An employee shall be entitled to travel by the mode and class of accommodation hereunder mentioned and shall be reimbursed his return

fare for passage for the journey he is required to undertake from his Head quarters to his destination and back :

// 14 //

Pay range of the employee.	MODE OF TRAVEL			
	Class normally expected to travel.		If normal class not available, class of second option.	
	Railway	Boat	Railway	Boat
1.	2.	3.	4.	5.
If the basic pay of the employee is less than Rs.150/- p.m.	III	III	II	-
Rs.150/- to Rs.349/- p.m.	II	II	I	II
Rs.350/- p.m. & above.	I	I	-	-

NOTE : The Chairman or the General Manager may grant special permission in cases of emergency to travel by A.C.C. or Air to employees in pay range of Rs.350/- and above.

General Manager I or A.C.C. or Air

* 46 For journeys performed by road by an employee, road mileage allowance shall be paid to him at the following rates for each KM traveled except in any case for which different rates are specially provided.

	Employees using their own conveyance.	Employees hiring a public conveyance.
(I) Motor Car (In consultation with the G.M.)	50 P.PER K.M.	Actual cost of hiring.
(II) Motor Cycle or Scooter	20 P.Per K.M.	Actual cost of hiring.
Any other conveyance.	N I L	Actual cost of hiring.

*46. Amended vide Resolution no. 437 dt. 20-9-74

(I) The words and figures "50 P. per K.M." be substituted by the words and figures Rs. 0-75. per K.M.

(II) The words and figure "20 P. per KM" be substituted by the words and figures "30 P.Per KM."

NOTE :-

- (I) For journeys over 80 K.Ms by road one way by conveyance other than a public conveyance, special permission of the Managing Director or an Officer authorized by him shall be required.
- (II) The General Manager shall decide as to which employee shall travel by Car.
- (III) Distance shall be counted from the Head Quarters to the halting place and back for purpose of conveyance allowance.

47. Employees of the Corporation / traveling in Public Conveyance.

Traveling allowance admissible to an employee of the Corporation traveling in a motor vehicle plying regularly for conveyance of passengers will be the actual cost of hiring a single seat.

48. Route by which traveling allowance is admissible :

- (I) Traveling allowance is admissible on the basis of a journey by the shortest route, that is to say, the route by which an employee can reach his destination in the shortest possible time by ordinary modes of travel Provided that for the purpose of this rule, the expression "Journey by the shortest route" shall not include travel by air.
- (II) Traveling allowance by a route costlier than the shortest shall not be admitted even though the employee may have actually traveled by that route But if an employee travels by route which is not shortest but is cheaper than the shortest, his traveling allowance shall be calculated by the route actually traveled.
- (III) The Chairman or the General Manager may in a special case admit longer routes of travel.

RULES 45 to 48 of the Service Rules of GMDC be substituted by the following Rules respectively vide Board Resolution NO. 861 dt. 14-9-1976.

RULE 45

Until otherwise determined by the Board, Traveling Allowance including Transfer Allowance shall be paid as per the rules of Government of Gujarat in force from time to time.

// 16 //

RULE 46

Chairman/Managing Director may for sufficient reasons allow the employees to change the mode of travel from Second Class to First Class or from First Class to Air Conditioned Class/Air.

DAILY ALLOWANCE

RULE 47.

- (1) "Until otherwise determined by the Board, Daily Allowance shall be paid to the employees of the Corporation in accordance with the rules of the Government of Gujarat in force from time to time excepting however, that the rate of daily allowance will be higher by 33.33% as compared to Govt. rate.
- (2) If an employee stays in a Govt. Guest House, the daily allowance will be reduced by 20%.
- (3) If an employee is required to stay in a hotel as approved by the Chairman/Managing Director, the expenditure incurred on conveyance.
- (4) The Employee shall be reimbursed the actual expenditure incurred on conveyance.
- (5) If any transport and free boarding and lodging is provided no daily allowance will be admissible. "

RULE 48.

Chairman/Managing Director may for sufficient reasons allow employees to draw full daily allowance beyond the limit of fifteen days stipulated in the Govt.Rules."

The existing Rules 49 to 60 are deleted with effect from 12/8/1967 vide Board Resolution No. 861 dt. 14/9/76.

49. Obligation to travel by the class of accommodation for which traveling allowance is admissible.
An employee must travel by the class of Accommodation for which traveling allowance is admissible to him. If he travels in a lower class, he shall be entitled only to the fare of the accommodation actually used.

An employee shall not be paid traveling allowance on the basis of journey in a higher class unless he is specially authorized to travel by such a higher class by the Chairman or the General Manager in the interest of the Corporation.

// 17 //

50. **Traveling allowance when not admissible :**

No traveling allowance shall be paid to a person to join the first appointment in the Corporation or for a journey made after retirement, discharge or dismissal from the service of the Corporation or after the termination of such service of the Corporation or after the termination of such service or while on proceeding on or returning from leave, unless it is specifically sanctioned by the Chairman.

51. **Employee traveling in a conveyance supplied by the Corporation.**

An employee who travels in a conveyance supplied by the Corporation shall not be paid any traveling allowance; provided that for such travel he shall be paid daily allowance, if otherwise entitled to.

52. **Employee traveling within municipal limits :**

An employee traveling on duty within 10 K.M. of headquarters or within the municipal limits, which ever is farther, shall be entitled only to the actual amount spent in payment to public conveyance. What public conveyance may be used by each class of employees shall be decided by the Chairman.

53. **Halting Allowance Daily Allowance :**

"Halting Allowance" or "Daily Allowance" is a payment made to an employee in addition to other emoluments for any day during which an employee is absent from headquarters on duty and is intended to cover the ordinary daily expenses incurred by him in consequence of such absence.

54. **Period for which halting allowance may be granted.**

The maximum period for which halting allowance may be drawn shall not exceed 15 days at any one time, provided that the said limit of 15 days may be extended at the discretion of the Chairman, in respect of Class I and II employees and of the General Manager in respect of Class III and IV employees on such conditions as they may think fit if they are satisfied.

(I) that prolonged absence from headquarters is necessary in the interest of the Corporation.

OR

(ii) that the grant of halting allowance for a further period is essential to avoid hardship to the employees.

***55. Rates of halting allowance/daily allowance :**

Halting allowance/daily allowance shall be paid to the employees at the following rates.

Pay range of employee	Rate of halting / daily allowance.
I) General Manager	Rs. 40 per day.
II) Rs.1401/- and above p.m.	Rs. 30 per day.
III) Rs.1000/- to Rs.1400/- p.m.	Rs. 25 per day.
IV) Rs. 600/- to Rs. 999/- p.m.	Rs. 20 per day.
V) Rs.350/- to Rs.599/- p.m.	Rs. 15 per day.
VI) Rs.150/- to Rs.349/0 p.m.	Rs. 12.50 per day.
V) Less than Rs.150/- p.m.	Rs. 10 per day.
*VII) For Peons and Drivers	Rs. 7 per day.

Provided that in respect of categories(i) to (v) above, the Chairman may give actual expenditure incurred in case of high costs.

Provided further that the halting/daily allowance will not be admissible in case of halts at the usual places of business of the Corporation as may be declared by the Chairman from time to time.

56. Special rates of halting allowance/daily allowance :

Rates of halting allowance shall be increased by 50% in case of halts at Bombay, Calcutta, New Delhi, Madras or any other city as may be decided from time to time by the Chairman.

57. An employee shall be paid half halting allowance for the total period of journey and/or of not more than eight hours.

*55 The provision(viii) pertaining to the Peons and Drivers was deleted vide Resolution No.2 of 26-6-74 the Personnel Committee.

58. Halting allowance shall not cover any expense incurred by an employee for going from the station/air port/pier to the place of halt and back and charge for carrying Corporation's records, equipment, etc. during the period of halt. Such reasonable and actual conveyance charges shall be claimed by vouchers.

59. Halting or daily allowance is admissible for each day of 24 hours of journey and / or halt including halt beyond 10 K.M. from the headquarters, if beyond Municipal Limits, part of the day exceeding eight hours counting for a day.

// 19 //

60. Traveling and Daily Allowance on Transfer :
On transfer, every employee and the members of his family will be entitled to traveling and daily allowance and other charges as follows :-

- | | | |
|---------|---|--------------------------|
| (i) (a) | Traveling allowance (for self and family) by own car or hired car (if permitted by the General Manager) | As under Rule 46 |
| (b) | Traveling allowance by public conveyance | ... As under Rule 45& 47 |

- (ii) Daily Allowance :
Daily allowance at the rates prescribed in Rule 55 read with Rules 57 & 59 for the employee and his family and half daily allowance for each child under 6 years of age.

- (iii) Reasonable actual transporting charges for personal effects of the employee and his family, expenditure being supported by valid receipts vouchers, etc. as prescribed below :

- | | | | |
|-----|-----------|-----|-------------|
| (a) | Class I | ... | 25 Quintals |
| (b) | Class II | ... | 20 Quintals |
| (c) | Class III | ... | 10 Quintals |
| (d) | Class IV | ... | 5 Quintals |

- (iv) Actual cost of transporting by rail including carting for employee's motor car, jeep, motor, cycle or other vehicle with the permission of the General Manager. A motor car, jeep, motor cycle or other vehicle may be transported by road on actual expenditure basis with the permission of the General Manager.

CHAPTER V. 61 WORKING HOURS, HOLIDAYS AND LEAVE :

Working hours :

The offices of the Corporation shall remain open for business during such hours as may be decided by the Chairman from time to time.

62. Holidays :

The General Manager may, from time to time declare the number of holidays to be observed by the administrative offices of the Corporation.

63. **Kinds of leave :**
Subject to the provisions of these rules, the following kinds of leave may be granted to an employee.

- (I) Casual leave
- (II) Ordinary leave

// 20 //

- (III) Sick leave
- (IV) Extraordinary leave including study leave.
- (V) Maternity leave.
- (VI) Disability leave.

64. **Authorities empowered to grant leave :**

The power to grant leave shall vest in the General Manager or any other officer authorized in that behalf by the General Manager. All applications for leave shall be addressed to the authority empowered to grant leave.

65. **Power of refuse leave :**

Leave cannot be claimed as a matter of right by any employee. When the exigencies of the services so require, discretion of refuse leave of any description is reserved to the authority empowered to grant it.

66. **Lapse of leave on cessation of service :**

Leave earned by an employee shall lapse on the day on which he ceases to be in service.

Rules 66 substituted as under -

Board Resolution No. 1416 dt. 21-3-84.

APPROVAL TO AMEND THE SERVICE RULES OF GMDC :

The members considered the note on the item and passed the following resolution

:

"RESOLVED THAT Rule 66 of the Service Rules of GMDC be substituted by the following with immediate effect.

If a worker is discharged or dismissed from service or quite his employment or is superannuated or dies while in service, during the course of the calendar year, he or his heir or nominee, as the case may be, shall be entitled to wages in lieu of the quantum of leave to which he was entitled immediately before his discharge, dismissal, quitting of employment, superannuation or death.

FURTHER RESOLVED THAT the explanation given under Rule 28 of the Service Rules pertaining to availing of leave before superannuation and retirement be deleted with immediate effect."

67. **Commencement and termination of leave :**

The first day of an employee's leave shall be the working day succeeding that upon which he makes over his charge. The last day of an employee's leave shall be the working day preceding that upon which he reports his return to duty. A substitute appointed in a leave vacancy shall be considered to be on duty on that post during the period of leave.

// 21 //

68. **Obligation to furnish leave address :**

An employee shall, before proceeding on leave, intimate to the authority granting leave his address during leave and shall keep the said authority informed of any change in his address so intimated.

69. **Casual Leave :**

(I) Casual leave may be granted to an employee by the General Manager or by an authority to whom such power is delegated by General Manager upto a maximum of 12 days in each calendar year provided that not more than 6 days of Casual leave may be allowed at any one time, that total absence including holidays, prefixes and suffixes, does not exceed 6 days at a time; that the state of work permits and that no appointment is required to replace the employee on casual leave. The said restriction on the grant of casual leave may be relaxed in individual cases if the sanctioning authority considers that there are exceptional circumstances justifying such relaxation, Sunday weekly offs or public holidays may be allowed to be enjoyed in conjunction with any spell of casual leave whether by prefixing or suffixing or by both subject to the condition that if absence of the employee from headquarters as a result of such days being joined with or falling within a period of casual leave is likely to cause inconvenience to the Corporation, the sanctioning authority may see that such cases of absence from headquarters are restricted to a reasonable period, and, if necessary, some of the holidays or even a part of casual leave may be required to be spent at Headquarters only. Sundays, weekly offs or public holidays falling within the period of casual leave shall not be counted as part of casual leave.

(ii) In respect of an employee joining service in the middle of a calendar year, the sanctioning authority may grant casual leave proportionate to service rendered by him in the Corporation, i.e. at the rate of one day of casual leave for one calendar month.

(iii) If the absence of an employee is extended beyond the limits mentioned above, or if any of the other conditions stated above is not fulfilled the employed may be treated as on ordinary leave or

leave without pay for the entire period of his absence at the discretion of the sanctioning authority.

70. Ordinary leave; when application will be submitted :

Application for ordinary leave shall ordinarily be submitted at least 15 days before the date from which leave is required. Ordinary leave may be granted to an employee who has put in at least one year of continuous service.

// 22 //

71. Scale on which ordinary leave is earned :

(I) The amount of ordinary leave earned shall be 1/11th part of period of duty provided that an employee will cease to earn such leave when the ordinary leave due aggregates to 180 days.

(ii) In calculating ordinary leave earned by an employee, an account shall first be taken of the complete period of 11 months during which an employee has been on duty since the date of his joining the service or last return from the leave and the employee allowed credit in his leave account for one month for each period of 11 months of duty as may be admissible to him under sub-rule(i) above. Thereafter an account shall be taken of any balance of the period of duty left over and the employee shall be credited with one day for every 11 days of duty rendered by him.

72. Ordinary leave due :

Ordinary leave due to an employee is the period of leave which he has earned diminished by the period of leave actually enjoyed by him.

73. Pay during leave :

An employee on ordinary leave shall draw a Leave Pay equal to his last pay drawn including C.C.A., House Rent and Dearness Allowance.

74. Appointment during leave vacancy :

The General Manager or any other officer authorized in that behalf by the General Manager may make officiating arrangements for leave vacancies.

***75. Sick leave :**

During the full period of his service an employee may be granted sick leave at the rate of 20 days for each completed year of service on a medical certificate from a medical practitioner authorized by the Chairman or from a registered medical practitioner treating such an employee counter signed by the medical practitioner authorized by the Chairman. Provided that an employee producing certificate from a Registered Medical Practitioner countersigned by the Corporation's medical practitioner, shall not be eligible for reimbursement of medical expenses under the Corporation's Medical Benefit rules. Sick leave may be availed of even if ordinary leave is admissible.

76. Pay during sick leave :

Sick leave shall be on 1/2 average pay and such pay shall be reduced to 1/4 of average pay after 12 month's of sick leave provided that where an employee has

served the Corporation for at least a period of 5 years, he may, if he so requires, be permitted to avail himself of sick leave on average pay upto a maximum period of 6 months during the full period of his service, such leave of average pay being entered in his sick leave account as twice the amount of sick leave taken.

* Amended vide Resolution No. 694 of the Board Meeting held on 15th September, 1975.

// 23 //

75. "The employees shall be granted sick leave at the rate of ten days with full pay or 20 days with half pay for each completed year of service on the ground of sickness.
76. "Sick leave shall be sanctioned on production of a medical certificate from a medical practitioner authorized by the Corporation or from a Registered Medical Practitioner treating such an employee, countersigned by the Medical Practitioner authorized by the Corporation; provided that the employee producing certificate from a Registered Medical practitioner countersigned by the Corporation's medical practitioner shall not be eligible for reimbursement of medical expenses under the Corporation's Medical Benefit Rules. Sick leave may be availed of even if ordinary leave is admissible.
77. **Extraordinary leave :**
Extraordinary leave calculated at the rate of 15 days for every year of service may be granted to an employee when no ordinary leave and sick leave are due to him and when having regard to his length of service, is considered justified to avail of leave. Except in exceptional circumstances, the duration of extraordinary leave shall not exceed 4 months on any one occasion and 12 months during the entire period of an employee's service.
78. No pay and allowances are admissible during the period extraordinary leave and the period spent on such leave shall not count for increments. Provided that in case where the General Manager is satisfied that the leave was taken on account of illness or for any other cause beyond the control of the employee, he may direct that the period of extraordinary leave may count for increment upto a total period not exceeding 2 months.
79. An employee may be granted extraordinary leave in combination with or in continuation of leave of any other kind admissible to the employee and period of absence without leave may be counted into extraordinary leave retrospectively.
80. **Study leave :**
Study leave may be granted to an employee for the purpose of undertaking studies of scientific, technical or similar problems or to under go special course of instructions or training in or outside India on such terms and conditions as may be fixed by the Chairman or the Board.
81. **Maternity leave :**

The General Manager may grant to a female employee who has put in at least one year of continuous service, maternity leave for a period which may extend upto an end of 3 months from the date of its commencement or to the end of 6 weeks from the date of confinement whichever is earlier. Such leave shall not be debited to the leave account of the employee and shall be granted for confinements in respect of first two children only.

// 24 //

82. The leave salary admissible during the period of maternity shall be regulated as in the case of ordinary leave.
83. A female employee may be granted leave of any other kind admissible to her in combination with, or in continuation of maternity leave if he request for its grant is supported by medical certificate of the Corporation's medical practitioner.

83 A. **Disability Leave :**

An employee of the Corporation disabled by injury intentionally inflicted or caused in consequence of the performance of his official duties or in consequence of his official position, may be granted disability leave on a certificate by the authorized Medical attendant. Such a leave shall not in any case exceed 24 months. It may be combined with leave of any other kind and shall be counted as duty in calculating service for gratuity, but shall not be debited against the leave account. Leave salary during such leave :

- (a) For the first 4 months : On average pay.
(b) Remaining period : On half average pay.

These provisions may be extended to cases where employee disabled by in jury accidentally incurred in or in consequence of the due performance of his duties or in consequence of his official position or by illness incurred in 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.

84. **Joining Time :**

An employee transferred from Head Office to a project office or vice-versa or from one Project to another shall be entitled to joining time of 7 days plus holidays. The General Manager may extend the period of joining time upto 15 days.

CHAPTER IV CONDUCT AND DISCIPLINE :

85. All employees of the Corporation shall be governed by the Gujarat Mineral Development Corporation Employees' (Conduct) Rules in matters relating to conduct and by the Gujarat Mineral Development Corporation Limited Employees' (Control and Appeal)Rules in matters relating to discipline.

CHAPTER VII PROVIDENT FUND AND GRATUITY :

86. Employees of the Corporation shall be governed by the provisions of the Gujarat Mineral Development Corporation Limited Employees' (Provident Fund) Rules.

*87. **Gratuity :**

Eligibility :

Every employee of the Corporation who is not on deputation from outside shall be eligible for gratuity.

// 25 //

88. Payment of gratuity shall be made to an employee or his legal heirs or successors as the case may be, if he is eligible for it under these rules, on death, resignation, retirement or termination, retirement or termination of service of the Corporation at the following rates.

(i)	Contingencies	Rate of Gratuity.
	(a) On death while in the service of the Corporation or on becoming physically or mentally incapacitated for further service or On voluntary retirement or resignation or termination of service or termination of service by the Corporation after 15 years' or more continuous service.	One month's salary for each completed year of service subject to a maximum of 15 month's salary.
	(b) On voluntary retirement or resignation or termination service by the Corporation after putting in 10 years' or more but less than 15 years' continuous service in the Corporation.	3/4" of a month's salary for each completed year of service.
	(c) On voluntary retirement or resignation or termination of service by the Corporation after putting in 8 year continuous service in the Corporation.	1/2 of a month's salary for each completed year of service.
	(d) On voluntary retirement or resignation or termination of service by the Corporation after putting in 5 year or more but less than 8 year continuous service in the Corporation.	1/4 of a month's salary for each completed year service.
	(e) On death caused or retirement from service resulting from wound or injury received while on duty or disease contacted because of the nature of duty performed, making him disabled or unfit for any further service.	15 months' salary.
(ii)	For the purpose of these rules,	
	(a) Period of all leave without break in	

	service shall be counted;	
(b)	Salary means basic pay and Dearness Allowance of an employee on the date he ceased to be in the employment of the Corporation.	

89. Gratuity will not be paid to any employee who is dismissed for dishonesty or misconduct irrespective of the length of his service.

// 26 //

**APPENDIX I
(Vide Rule .. 15)**

**GUJARAT MINERAL DEVELOPMENT CORPORATION LIMITED
AHMEDABAD - 9.**

Place :

Date :

I hereby solemnly declare that I have read and under stood the Gujarat Mineral Development Corporation Limited (Staff) Service Rules, 19 and I hereby subscribe and agree to be bound by the said Rules. I give below my particulars which are true :-

1. Name in full with aliases and former name or names, if any (in Block Capital). :
2. Permanent address :
3. Present address :
4. In case of emergency to intimate at (Tel. No. if any) :
5. Date of Birth :
6. Place of birth with district and state :
7. Place of domicile :
8. Nature of appointment :

9. Date of appointment :
10. Signature :
11. Signature of the Head of the Department. :
12. Date.

// 27 //

APPENDIX I
(Vide Rule .. 15)

GUJARAT MINERAL DEVELOPMENT CORPORATION LIMITED
AHMEDABAD - 9.

Place :

Date :

I hereby solemnly declare -

- (I) that I have acquainted myself with the names and particulars of the Directors of the Corporation ;
- (II) that I am not related to or connected with any of them in any manner indicated in Section 6 read with Schedule I (A) and Section 314 of the Companies Act, 1956 and shall for with intimate to the Corporation if at any time hereafter during the continuance of my service under the Corporation any such relationship or connection is created.

Signature

Date.

Signed by

in presence of

Signature

Date.

#####

BLP/VRD STANDING ORDER 29102007

// 28 //

*87. **Gratuity :**

Decided vide Board Resolution No. 860 dated 14/9/1976 as under :-

" RESOLVED that approval be and is hereby accorded to allow the employees of GMDC drawing salary less than Rs.1000/- and who joined before 3rd January, 1975 to continue to be governed by the provisions of the GMDC's Gratuity Scheme or to opt for the provisions of the Gratuity Act if they choose to do so".

" RESOLVED FURTHER that the employee of GMDC drawing salary less than Rs.1000/- and who joined after 3rd January, 1975 be governed under the provisions of the Gratuity Act ".

" RESOLVED FURTHER that a proposal in respect of the Gratuity payable to the employees drawing salary above Rs.1000/- be placed for consideration of the Board."

