

NATIONAL MINERAL DEVELOPMENT CORPORATION LIMITED SERVICE REGULATIONS

(GOVERNING THE RECRUITMENT, CONDITIONS OF SERVICE,
PAY AND ALLOWANCES, DISCIPLINE, CONDUCT AND
RETIRING BENEFITS OF THE EMPLOYEES OF THE CORPORATION)

1. Short title and commencement:

- (1) These regulations may be called the National Mineral Development Corporation Service Regulations.
- (2) These regulations shall be deemed to have superseded all earlier regulations on the subject and shall come into force from 20.02.1962, unless otherwise stated.

2. Interpretation:

In these regulations, unless the context otherwise requires:

- (a) "Appointing Authority" in relation to an employee means the authority empowered to make appointments to the post or category or grade of posts which the employee for the time being holds;
- (b) "Board" means the Board of Directors of the Corporation;
- (c) "Corporation" means the National Mineral Development Corporation Limited;
- (d) "Chairman" means the Chairman cum Managing Director of the Corporation;
- (e) "Day" means a calendar day beginning and ending at midnight;
- (f) "Employee" means any person who holds a post under the corporation, other than a casual employee, a member of the work charged 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 of the Central Government, State Government, a Government Industrial Undertaking or a local or other authority."
(Effective from 01/12/1964).
- (g) "lien" means the title of an employee to hold substantively, either immediately or on the termination of a period or

periods of absence, a permanent post to which he has been appointed substantively;

- (h) "regulations" means the National Mineral Development Corporation Service Regulations;
- (i) words denoting the masculine gender shall include the feminine gender; and
- (j) words denoting the singular number shall include the plural number and vice versa.

3. Application and Scope:

The regulations shall apply to all employees whose conditions of service the Corporation is competent to regulate, including employees whose services may be temporarily placed at the disposal of the Central Government, a State Government, a Government industrial undertaking or a local or other authority, in respect of persons who may be required to execute a formal contract, these regulations shall apply in so far as they are not inconsistent with any provisions of the contract, and in respect of any matter not covered by the contract. Employees to whom the Factories Act, 1948, the Industrial Disputes Act, 1947 and the Industrial Disputes (Amendment) Act, 1953, apply, shall be governed by these regulations subject to the provisions of these Acts and relevant Standing Orders.

Provided that employees of the Central Government, a State Government, a Government Industrial undertaking or a local or other authority, whose services are temporarily lent to the Corporation, shall, while holding a post under the Corporation be governed by the terms of their deputation as mutually agreed upon between the Corporation and the lending authority.

- 4. If the Board is satisfied that, in the special circumstances of any case, it is necessary or expedient so to do, it may relax the provisions of any of these regulations in such a case.
- 5. No new regulations or alterations in the existing regulations shall have force until such new regulations or alterations have been approved by the Board.
- 6. Any matters not provided for in these regulations shall until requisite provisions in that behalf are made in these regulations, be dealt with and disposed of, as far as may be, in accordance with the rules and orders issued from time to time by the Central Government with respect to their employees and in relation to similar matters.

7. Recruitment:

- (1) Recruitment to posts under the Corporation shall be:
 - (a) By direct recruitment:
 - (i) from open market;
 - (ii) by appointment of military personnel sponsored by the Defence Services Liaison Office;
 - (iii) by appointment of surplus personnel from other Public Sector Undertakings;
 - (iv) by appointment of persons from the Central Government/State Government, Government Industrial Undertakings, local or other authority;
 - (v) by re-employment of retired government servants; and
 - (vi) by absorption of persons on deputation with the Corporation.
 - (b) by borrowing/appointment of:
 - (i) Pool Officers from the CSIR and Ministry of Labour and Employment;
 - (ii) Scientists registered in the National Register; and
 - (iii) Persons on deputation from Government Department/Public Sector Undertakings.
 - (c) by promotion of the employees at the Head Office/Projects.
- (2) The Corporation shall
 - (a) constitute such central cadres for different categories of posts under it as the Board may, from time to time, consider necessary and proper; and
 - (b) frame Recruitment Rules with respect to each grade of each category of posts included in the central cadres referred to in (a) above, so as to provide, interalia for -

- (i) Minimum educational qualifications and/or experience to be possessed by candidates for entry into service;
 - (ii) age limits for entry into service and relaxation thereof where necessary;
 - (iii) proportion of vacancies to be filled by direct recruitment and promotion respectively; and
 - (iv) standards for promotion from one grade to the next higher grade, including minimum length of service in the lower grade.
- (3) In making appointments to posts under Corporation, whether direct recruitment or by promotion, the Corporation shall endeavour to provide for special representation to candidates belonging to the Scheduled Castes/Scheduled Tribes: for this purpose, the Corporation shall follow generally the principles laid down from time to time in this behalf by the Central Government with respect to posts under their control.

- 8.** (1) All appointments in the case of recruitment by direct appointment except in the case of posts in the lowest scale in workmen category will be made by the Corporation on the recommendations of appropriate selection Committees which may make selections by holding a written examination or by interview, or by both. The Selection Committees shall be constituted by or under the authority of the appointing authority.
- (2) Appointments by promotion will be made by the Corporation on the recommendations of appropriate Departmental Promotion Committees. The number and composition of the Departmental Promotion Committees shall be such as may, from time to time, be prescribed by the appointing authority:

Provided that (i) no employee shall be promoted from a lower post to a higher post unless he has served in the lower post for a minimum period of three years; and (ii) the appropriate Departmental Promotion Committee may in suitable cases, and for reasons to be recorded in writing, reduce the minimum period of three years referred to in (i) above.

9. Seniority:

Seniority shall be determined by the order in which appointments are made to any category of posts;

Provided that where more than one person is selected simultaneously for the same category of posts by a selection committee, the seniority of such persons, inter se, shall be as recommended by the selection committee, and in the absence of such recommendation, be determined by seniority in age of the candidates.

Provided further that the seniority of a person whose services are obtained on deputation, and who is subsequently absorbed in the service of the Corporation shall be determined with reference to the date of his joining the Corporation on deputation in that post.

Seniority of employees recruited as trainees shall from the date of their appointment as trainees and in cases where two or more trainees are appointed on the same date to the grade or where the training in respect of some of the candidates is extended for a period of not more than one month on account of late joining of the course (for which specific orders are issued by N M D C) their seniority will be determined in accordance with their ranking in the merit list at the time of selection as trainees.

Explanations:

Certain doubts have been expressed about the application of Regulation 9 of the National Mineral Development Corporation Service Regulations.

In order to make the position clear and to evolve uniform procedure in the determination of the seniority in any particular category of posts, the following principles shall be followed.

- (i) The grant of an initial pay, higher than the minimum of the scale, will not in itself confer on an employee, seniority above those who are drawing lower pay, in the particular category of posts.
- (ii) Candidates selected for appointment at an earlier selection shall be senior to those selected later, irrespective of the dates of their joining, provided the candidate selected joins not later than three months from the date of issue of appointment letter.

Candidates duly selected for promotion at an earlier date shall be senior to those selected for promotion at a subsequent selection.

- (iii) Any case of seniority not covered by the above provisions shall be decided by the Appointing Authority in accordance with the provisions contained in the Regulation 6 of the National Mineral Development Corporation Service Regulations. (Head Office Decision No. 4(26) Estt/ 63 dated 20.01.1964).

10. General conditions of service:

- (1) No person who has directly or indirectly, by himself/herself or of his/her partner or agent, any share or interest in any contract by or on behalf of the Corporation, or in any employment under, by or on behalf of the Corporation, otherwise than as an employee thereof shall become or remain an employee of the Corporation. The decision of the appointing authority, as to whether a person appointed or to be appointed to a post has direct or indirect interest in any contract, shall be treated as final.
- (2) No person shall be appointed to a post under the Corporation unless he/she furnishes a medical certificate of fitness in such form, from such medical authority, and within such period of time, as may, from time to time, be prescribed by the Corporation. The rules in this behalf, currently in force, are annexed to these rules.
- (3) Every person appointed to a post under the Corporation shall, on assuming office take an oath of allegiance to the Constitution of India in such form as may be prescribed by the Corporation.
- (4) No person who has more than one wife living, or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to a post under the Corporation.

Provided that the Corporation may, if it is satisfied that there are special grounds for so ordering, exempt any person from the operation of this clause.

- (5) No woman whose marriage is void by reason of the husband having a wife living at the time of such marriage, or who has married a person who has a wife living at the time of such marriage shall be eligible for appointment to a post under the Corporation.

Provided that the Corporation may, if it is satisfied that there are special grounds for so ordering, exempt any person from the operation of this clause.

- (6) Every person, on first appointment to a post under the Corporation, shall sign a declaration that, if married, he does not have more than one wife living, and that he will not contract another marriage during the life time of his wife, without prior permission from the Corporation, even if such subsequent

marriage is permissible, under the personal law applicable to him.

- (7) No person being a partner or relative of a Director of Corporation within the meaning of Section 314 of the Companies Act, 1956 shall be appointed to a post with a total monthly remuneration of Rs. 500/- or more under the Corporation except with the consent of the Company accorded by a special resolution; and in case the total monthly remuneration is Rs. 3000/- or more prior consent of the Company by a special resolution and also approval of the Government, as prescribed under Sec. 314 of the Companies Act, 1956. Every person, on first appointment to a post under the Corporation shall sign a declaration to the effect whether he is or is not a partner or a relative of a Director of the Corporation within the meaning of Sec. 314 of the Companies Act, 1956 and that, in the event of acquiring such relationship, he would notify the fact to the Corporation.
- (8) The whole time of an employee will be at the disposal of the Corporation and every employee may be employed in any manner in the service of the Corporation without any claim for additional remuneration. Every employee shall be liable to be transferred to a post at the Head Office or in any Project assigned to the Corporation, at the discretion of the management, without detriment to his status and emoluments.
- (9) An employee shall, unless the appointing authority, for reasons to be recorded in writing otherwise directs, be on probation for a period of one year from the date of commencement of his service; Provided that the period of one year may be extended or reduced in any case by the appointing authority.
- (10) Probationary period shall count as service towards increment and leave only if the probation is on the time-scale of pay prescribed for the post to which the employee has been appointed wherever such time-scale exists and not at a probationary stage outside such time scale.

Provided that where the period of probation is extended, all the due increments shall be granted from the date of completion of probation as so extended and no arrears shall be paid.

Further that, in the case of a probationer, appointed on probation to a permanent post probationary period shall count as service towards increment, only if it is followed by confirmation.

- (11) Not more than of one employee shall be appointed to the same post at the same time, nor shall an employee be appointed,

except in an officiating capacity, to a post on which another employee holds a lien.

- (12) The services of an employee in permanent employment may be terminated by the Corporation if-
 - (a) his post is abolished; or
 - (b) he is declared on medical grounds to be unfit for further service
- (13) An employee of the Corporation, whether temporary, on contract, or permanent, may also be removed from service or dismissed from service, or otherwise proceeded against, on the grounds and in the manner provided, in matters relating to conduct and discipline in the National Mineral Development Corporation Employees' (Conduct Discipline and Appeal) Rules.
- (14) The Services of an employee who has been declared to have successfully completed his period of probation (on first appointment) can be terminated at 3 months' notice on either side or by paying 3 months' salary in lieu of notice or by adjustment of leave for the same period standing to his credit.

Provided that --

- a) The service of an employee on probation (on first appointment) can be terminated by one month's notice in writing on either side or by paying one month's salary in lieu of notice or by adjustment of leave for the same period standing to his credit.
- b) If in any case, a shorter notice than three months is given the employee shall pay a sum equal to his pay for the period by which the notice actually given falls short of three months or by adjustment of leave for the same period.
- c) The appointing authority may waive payment in lieu of the period of notice in exceptional cases.
- d) Acceptance of the resignation may be withheld in the interest of the Corporation until a suitable substitute is appointed.
- e) The resignation of an employee who has been declared to have successfully completed his period of probation and whose conduct is under enquiry for misappropriation of the

Corporation's money/stores shall in no circumstances, be accepted without the sanction of authority competent to dismiss him.

An employee shall not in any circumstances quit service until he is formally released from duty.

- f) The Corporation reserves the right not to accept the resignation of an employee if the disciplinary proceedings are pending or a decision has been taken by the competent authority to issue a charge sheet against him. (Lr.No. 23/Rules/72 dated 29/11/1983)

- (15) A person who has not attained the age of 18 years, or whose age exceeds 57 years, shall not ordinarily be admitted into the service of the Corporation. (*Amendment no.1(119)Rules/98 dated 12.08.1998*).

Provided that the appointing authority may, at its discretion, relax this provision in individual cases, in the interest of the Corporation:

Provided further that this regulation shall not apply in the case of a retired employee of the Central or State Government who may be re-employed by the Corporation to a post under it.

- (16) Employees shall retire from the service of the Corporation on reaching the age of 60 years. (*Amendment no.23/Rules/72/19/98 dated 29.05.1998 (ibid)*).

Explanation:

The date of retirement shall be as below:

1. If the date of birth is first day of a month an employee will retire on the afternoon of the last day of the preceding month.
2. If the date of birth is any other date of a month the employee will retire on the afternoon of the last day of that month.

- (17) Service records, leave accounts and annual confidential reports of all employees shall be maintained in such manner and in such form as may be prescribed by the Corporation.

- (18) Appointment to any post in the Corporation shall be subject to the satisfactory verification of character and antecedents of the person proposed to be appointed.
- (19) All the Engineering or Medical Graduates to any post in the Corporation after the 27th day of January, 1965, shall if so required by the appointing authority, be liable to serve in any Defence Service or post connected with the Defence of India, for a period of not less than four years including the period spent on training, if any;

Provided that such persons shall not -

- (a) be required to serve as aforesaid after the expiry of ten years from the date of their appointments; and
- (b) ordinarily be required to serve as aforesaid after attaining the age of 40 years in the case of Engineering Graduates and after attaining the age of 45 years in the case of Medical Graduates.

- 11.** Except in a case in which it is provided otherwise, an employee of the Corporation shall begin to draw pay and allowances attached to his/her post from the date he/she assumes the duties of that post, and shall cease to draw them as soon as he/she ceases to discharge these duties.
- 12.** Initial pay will ordinarily be fixed at the minimum of the time-scale wherever such time scale has been prescribed for a post. Fixation of pay in excess of the minimum of the time-scale and the grant of advance increments, shall require the sanction of the competent authority.
- 13.** Notwithstanding the provisions of Regulation 12;
- (1) Where an employee is promoted/appointed to a higher post his initial pay in the higher scale shall be fixed at the stage next above the pay notionally arrived at by increasing his pay in the lower scale of the lower post by one increment.

Provided also that where an employee is immediately before his promotion to a higher post drawing pay at the maximum of the scale of the lower post, his initial pay in the scale of the higher post shall be fixed at the stage in that higher scale next above the pay notionally arrived at by increasing his pay in the lower post by an amount equivalent to the last increment in the lower scale.

Provided further if by fixing the pay as above, the pay of the employee goes beyond the maximum of the pay scale to which he is promoted the difference between the maximum of the pay scale and pay to be fixed will be treated as personal pay, which would be added to the basic pay in the lower scale while fixing pay at the time of his subsequent promotion.

Provided further the above rule for pay fixation would be applicable in respect of promotion concerned under the same system of payments of Dearness Allowance etc. In case of different systems of payments the rules would be prescribed from time to time as and when needed, by the Corporation with the approval of the Chairman-cum-Managing Director. (*Letter No. 23/Rules/72-7 dated 13/02/1984*)

- (2) When an employee is transferred from one post to another and the appointment to the new post does not involve the assumption of duties or responsibilities of greater importance than those attaching to the old post, he will draw as initial pay the stage of the time-scale which is equal to his pay in the old post, or, if there is no such stage, the stage next below that pay plus personal pay equal to the difference and in either case will continue to draw that pay until such time as he would have received an increment in the time scale of the old post or for the period after which an increment is earned in the time-scale of the new post whichever is less. But if the minimum pay of the time-scale of the new post is higher than his pay in respect of the old post, he will draw that minimum as Initial pay.

- 14.** Increments in a time-scale shall be earned by approved service for the prescribed period in the time-scale. Service in a similar or higher post, and all authorised leave on full pay, will count for Increment in the time-scale. An increment shall ordinarily be drawn as a matter of course unless it is withheld. When an increment is ordered to be withheld, the order shall state the period for which it is to be withheld and whether the postponement shall have the effect of postponing future increments also. Where an efficiency bar is prescribed in a time-scale, the first increment above the bar shall not be given to an employee without the specific sanction of the appointing authority or such other authority as may be empowered in this behalf.
- 15.** Pay and fixed allowance shall be paid monthly in arrears, i.e., the pay and allowances for a month shall be due for payment on the last working day of the month.

Provided, however, that in case the first four days of a month are public holidays, the Corporation may authorise payment of monthly pay bills on the last working day before the holidays.

16. Travelling Allowances:

- (1) The grant of travelling allowances to employees of the Corporation shall be regulated by the National Mineral Development Corporation Employees' (Travelling Allowances) Rules,
- (2) Unless otherwise stated in any individual case, no travelling allowance is admissible for joining the first appointment under the Corporation.

17. Medical Attendance and Treatment:

Employees shall be entitled to medical attendance and treatment in the manner prescribed in the National Mineral Development Corporation Employees (Medical Attendance, Treatment and Reimbursement) Rules 1996.

18. Leave, Leave salary and joining time:

- (1) Leave and leave salary of employees of the Central Government or a State Government, whose service have been lent to the Corporation, shall be regulated by the rules of the Government concerned. Unless otherwise specifically provided in any contract, leave and leave salary of all other employees of the Corporation shall be governed by the National Mineral Development Corporation Leave Rules.
- (2) All applications for leave on medical grounds should be supported by a medical certificate from such medical officer as may be prescribed by the Competent authority.
- (3) No employee who has been granted leave on medical grounds may return to duty without producing a medical certificate of fitness to resume duty.
- (4) Except in the case of sudden illness or in emergency an application for leave should be submitted to the sanctioning authority atleast one month before the date from which leave is applied for.
- (5) An employee who remains absent without leave having been properly sanctioned, is entitled to no pay during such absence, unless it is subsequently covered by proper sanction of leave.
- (6) An employee shall be entitled to joining time to enable him to join a new post to which he is appointed while on duty in another

post under the Corporation, or to join a post on return from leave. Joining time admissible shall ordinarily be six days, exclusive of Sundays, for preparation plus the actual time taken for the journey by the shortest route. When the transfer does not involve any change of station, only one day is admissible as joining time, a holiday counting as a day for this purpose. An employee on joining time shall be regarded as on duty, and shall be entitled to be paid:

- (i) when on transfer to a new post while on duty, the pay and allowances admissible in the old or the new post, whichever is less; and
- (ii) when returning from leave other than extra-ordinary leave, the leave salary which he last drew while on leave. If an employee takes leave while in transit from one post to another, the period which has elapsed since he handed over charge of his old post must be included in his leave. On the expiry of the leave, the employee may be allowed normal joining time, provided that in cases where leave on medical grounds is taken after availing of normal joining time, the split-up of the spell of absence allowing joining time first and leave afterwards may be allowed to stand. If an employee is appointed to a new post while on earned leave not exceeding four months, he shall be entitled to joining time calculated from his old station, or from the place at which he received the order of appointment whichever is less. The Corporation may, in special circumstances, extend the joining time or grant a longer period of joining time than is admissible under this regulation, in any case not exceeding 30 days (inclusive of Sundays and holidays) on such conditions as it may think fit.

19. Conduct and Discipline:

Employees of the Corporation shall be governed in matters relating to conduct and discipline by the National Mineral Development Corporation Employees' (Conduct, Discipline and Appeal) Rules.

20. Provident Fund:

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

21. Advances:

- (1) Subject to availability of Funds in the budget of the Corporation from year to year, and to the provisions of the National Mineral Development Corporation Employees Advances (Grant and Recovery) Rules, employees of the Corporation may, in cases where it is considered necessary in the interest of service under the Corporation, be sanctioned an interest bearing advance for the purchase of a motor car, a motor cycle or a cycle.
- (2) Advance of two months' pay and estimated travelling allowances may be sanctioned to an employee under order of transfer from one station to another. The advance of pay will be recovered in twelve equal monthly instalments, commencing from the pay or leave salary bill of the first month after the advance is drawn. Advance of travelling allowance will be recovered in one lumpsum from the travelling allowance bill, which should be submitted within a month from the date of taking over charge at the new station. If no travelling allowance bill is submitted within three months of the transfer, the advance will be recovered from pay in three equal monthly instalments.
- (3) Advance for journeys on tour, of an amount sufficient to cover the actual travelling expenses, may where necessary, be granted to an employee when proceeding on tour. The advance should be adjusted on completion of the tour, and except in special circumstances, a second advance shall not be granted until the previous advance has been fully accounted for and adjusted.

22. Interpretations:

On all questions of interpretations of these Regulations, the decision of the Board shall be final.

23. Delegation:

The Board and the Chairman cum Managing Director may respectively delegate to the Chairman cum Managing Director and any other officer of the Corporation, any or all of its or his powers under these regulations.

24. Modification, amendment or cancellation of these regulations:

The Corporation reserves to itself the right to modify, amend or cancel any or all of these regulations or orders issued thereunder and to give effect to such modifications, amendments, or cancellation from such date as it may deem fit.

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**Rules relating to medical examination of employees
of the Corporation**

(Please see regulation 10 (2))

1. Every person, on first appointment substantively to a post under the Corporation, or on appointment to a temporary post under the Corporation for a period exceeding one year, shall be called upon to produce a medical certificate of fitness from a Medical Officer in the manner hereinafter prescribed in rules (2) and (3). Persons belonging to the following categories shall not, however, be required to produce a medical certificate of fitness:
 - (i) an employee of the Central Government, or a State Government or a public enterprise, appointed to a post under the Corporation, on deputation, on transfer or after resigning from his post in the Government/Public Enterprise provided that :
 - (a) the employee was medically examined and found fit while in the service of Government/Public enterprise.
 - (b) the period between the date of his resignation from the service of Government/Public Enterprise service and the date of his taking over in the Corporation does not exceed one year ; and
 - (c) the employee's resignation from service was not occasioned due to ill health.
 - (ii) a retired or retrenched employee of the Central Government or a State Government who is re-employed after retirement, or re-employed after retrenchment, as the case may be, provided that the break between retirement/retrenchment and subsequent re-employment/employment does not exceed one year.

Note:

- (a) If a person is employed afresh after resignation from the service of the Corporation or after forfeiture of past service under the Corporation; he shall be subject to medical examination of such fresh employment.
- (b) A candidate who is appointed to a temporary post under the Corporation for a period not exceeding one year need not be called upon to produce a medical certificate of fitness.

2. The medical certificate of fitness, referred to in rule (1) above, shall be in the form annexed. In furnishing the certificate of medical fitness, the Medical Officer shall use his own discretion as to the scope of general physical examination in each case and shall judge each case on its merits after taking into consideration the nature of the duties to be performed by the candidate in the service of the Corporation.
3. The following shall be the Medical Officers for the purpose of these rules:
 - (i) District Medical Officers or Assistant District Medical Officers in Government Hospitals/Dispensaries, in the case of all classes of employees other than employees appointed or proposed to be appointed to (a) ministerial posts and (b) other posts the maximum of the scale of pay of which does not exceed Rs.1630/-pm;
 - (ii) Assistant Surgeons/Physicians or Registered Medical Practitioners of corresponding status, in the case of employees appointed or proposed to be appointed to (a) ministerial posts and (b) other posts the maximum of the scale of pay of which does not exceed Rs.1630/-pm.

Note:

- (a) In the case of a female candidate employee, the appointing authority may accept a certificate signed by a female Medical Practitioner.
 - (b) In the case of a candidate appointed to a post, the maximum of the scale of pay of which does not exceed Rs.1630/-pm the appointing authority may accept a certificate signed by a Medical Graduate or Licentiate in the service of the Central Government or a State Government, or failing this by any other Medical Graduate or Licentiate.
4. The appointing authority, or any authority superior to it, may require any employee or any category of employees to undergo medical check-up on such occasions and/or at such intervals, and before such Medical Officer or Medical Board as may, by general or special order, be prescribed by it, in order to ensure that the employee continues to retain the requisite standard of physical fitness for the satisfactory performance of the duties devolving on him, apart from such examination being in the interest of the employee himself.
 5. In the event of any of the medical certificates furnished by the Medical Officers not containing an unqualified certificate of medical fitness in

favour of a candidate, the appointing authority or such other authority subordinate to it as may be authorised in this behalf, shall have the discretion to decide whether or not, having regard to all the attendant circumstances of the case, the candidate concerned should be appointed to, or continued in the post.

FORM OF MEDICAL CERTIFICATE OF FITNESS

I hereby certify that I have examined Shri/Smt/Ku _____ a candidate for employment in the _____ Department and cannot discover that he/she has any disease (communicable or otherwise), constitutional weakness or bodily infirmity, except _____. I do not consider this is a disqualification for employment in the office of _____. Shri/Smt/Ku _____'s age is, according to his/her own statement _____ years, and by appearance about _____ years.

Station:
Date:

Signature of the
Medical Officer

Orders/Clarifications regarding Service Regulations

(1)

Letter no.209/Per/8 dated 24.08.1972

Sub: Counting of acting period of service for purpose of increment.

I am directed to refer to your letter No.AO/8(326)/629/72 dated 21.04.1972 on the above subject and to say that normally when a higher post becomes vacant, it should be filled up either under the rules of the Corporation or by allowing a junior to officiate. In case the person appointed to officiate is not the senior most, he should be appointed to officiate purely on temporary basis, and it should be made clear to him that he will have no claim or benefit whatsoever on post. Further such period should not be counted for grant of increment when the employee concerned is promoted to the higher grade in the normal course. However, if an employee officiating against a higher post is regularised against that post without reversion, the period of such officiation may be counted, for purpose of increment under FR 26(a).

2. I am to advise that it has also been ordered by Chairman that no adhoc promotion should be given and this practice should be discontinued in future by all concerned.

(2)

Office Order no. 1(18)/Per/75-18, dated 20.06.1975

It has been decided with the approval of Board of Directors that the annual increment to the employees in regular scales of pay will be granted in future on the 1st January or the 1st July of every year, with effect from 1st July 1975, as per the procedure laid down hereunder:

- (1) Employees whose increment dates fall between 1st January to 30th June will draw their increments on 1st January and those whose increments fall between 1st July to 31st December on 1st July:
- (2) In the case of leave without pay and other periods of service not counting as qualifying service for increment, the date of increment will be determined by adding the above periods to the fixed date of increment. If the date of increment so arrived at falls within the first half of the calendar year the increment will be drawn from the 1st January and if the date of increment falls

in the second half of the year the increment will be sanctioned on 1st July. In other words, if the period of service not counted for increment is less than six months, it will not postpone increment but will do so if it is more than six months;

- (3) If an employee is on leave on the due date of increment, the effective date of increment shall not be changed from 1st January or 1st July unless the period of leave is more than six months and does not count as service for the purpose of increment. However, the higher pay due after the increment will be drawn only from the date of resumption of duty;
- (4) In the case of employees on probation on initial appointment or on promotion to next higher scale, the first increment will be allowed to be drawn with effect from the date of successful completion of probation or after one year of service whichever is later, without bringing to the standard date of increment. All subsequent increments will, however, be given on the standard dates determined with reference to the anniversary date of joining. In other words, the increment will not be brought to one of the standard dates in the calendar year in which the probation has been completed successfully but will be brought on to the standard dates from the next calendar year;
- (5) These orders would also apply in the case of deputationists who have opted for the Company's scales of pay, with the prior concurrence of the parent department.

(3)

Letter No. 209/PER/8/23, dated 07.08.1975

Sub: Officiating appointments and counting of periods of officiating appointment for the purpose of increment.

I am directed to invite your kind attention to Circular No.209/8 dated the 24th August '72 (copy enclosed for ready reference) on above subject and to inform you that the matter has been re-examined and the following decisions have been taken with immediate effect:

- (1) When a higher post becomes vacant and it is required to be filled up, it should ordinarily be filled up under the Recruitment and Promotion Rules of the Corporation;
- (2) Where the vacancy is of a short-term duration and it is not administratively necessary or convenient to fill up the vacancy

on regular basis by appointment/promotion of the senior most/suitable candidate the work should ordinarily be got done by assigning the duties of the higher post to the senior most/suitable employee in this regard and charge allowance granted to him;

- (3) Only in exceptional cases where the senior most/suitable employee is not readily available and it is considered for administrative convenience/ exigencies of work necessary to avoid disturbing him from his existing position, the work may be assigned to a junior employee immediately available and charge allowance paid to such junior employees;
- (4) Only in very exceptional cases, officiating promotions for short-term duration be resorted to but in all such cases the period of officiating promotion will count for increment under F.R. 26(a). Short-term officiating promotions, if considered unavoidable should be made only by the promotion of the senior most employee provided he is not otherwise disqualified;
- (5) In all cases, where charge allowance is sanctioned under arrangements envisaged in para (2) and (3) above, the charge allowance will not be taken into account for the purpose of fixation of pay when an employee looking after the duties of the higher post is appointed to the same higher post on regular basis, whether with or without break.

(4)

Wireless Message no. 10(2)/Rules/74 dated 20.04.1985

GM
Panna

Refer your message 15th April regarding recovery for shortfall of notice period. Recovery in shortfall of notice period is required to be made Basic Pay plus DA.

(5)

Letter No.23/Rules/72 dated 21.11.1986

Sub: NMDC Service Regulations-guidelines for removal of anomalies arising out of pay fixation.

In the absence of any specific rule on the subject under NMDC Service Regulations, pay fixation in respect of certain cases of the following type have been referred to Head Office by the various units for decision:

1. Consequent on the Corporation introducing different systems of DA for Executives, Jr. Officers and workmen and in cases where promotion is involved in respect of some persons moving from one system to another.
2. Where wage revision has taken place and certain employees are promoted before and after the date of wage revisions.

In the above cases, the particular anomaly which has come up is that a junior happens to draw more pay than the senior consequent on pay fixation under the provisions of the existing rules. The matter has been examined and the following guidelines are issued to resolve the above mentioned anomalies:

- (i) If, on promotion, a junior employee starts drawing pay more than his senior, the pay of the senior employee in the higher post should be stepped up to a figure equivalent to the pay as fixed for the junior employee in the higher post. The stepping-up should be done wef the date of arising of such anomaly and should be subject to the following conditions, namely:
 - (a) both the junior and senior employee should belong to the same cadre, and the posts in which they have been promoted, should be identical and in the same cadre;
 - (b) the scale of pay of the lower and higher posts in which they are entitled to draw pay, should be identical;
 - (c) the anomaly should be directly as a result of revision of pay scale of either the lower or the higher post or both or movement from one scale to another on promotion having different system of DA.
- (ii) The next increment of the senior should be drawn on completion of requisite qualifying service of one year wef the date of re-fixation of pay.

Explanation:

Where the anomaly is attributable to other reasons such as grant of advance increment to junior employee for whatever reason, to the higher fixation of pay on initial appointment etc. will not be covered under the above provision.

Pending cases, if any, of this nature may be dealt with accordingly.

* * *

(6)

Circular No.23/Rules/72 dated 21.10.1987

Sub: Grant of permission to employees who are under transfer, to retain their residential accommodation at their old station/other cities.

A number of representations are being received from the employees who are transferred from one unit to other unit in the Corporation to allow them to retain their family accommodation at the old station and allow them H R A etc., at that place even beyond the existing permissible limit of 6 months, at the discretion of the Chairman.

2. Keeping the difficulties of such employees in view, the matter has been considered further and it has now been decided to provide the following facilities to such employees:
 - i) on actual transfer to any Project/Feasibility/Office, an employee will have an option to keep his family at the previous station of posting or at cities where NMDC has its offices, i.e., Hyderabad, Delhi, Calcutta, Raipur, Visakhapatnam, Bangalore and Madras for a period of one year subject to the provisions contained in para-3 below. This can be extended to three years at the discretion of the Chairman, in special circumstances only.
 - ii) During the period the accommodation is allowed to be retained at the previous station of posting or at any of the cities referred to in (i) above, the employees may be allowed, at the discretion of the Competent authority, the following facilities:
 - (a) House rent allowance and medical facilities for dependent members of the employee's family as admissible at the previous station of posting or any of the cities referred to in clause (i) above. The reimbursement of house rent allowance will be only on production of rent receipt;

(b) in respect of dependent members of the family, the place where the family stays in terms of clause (i) above, will be deemed to be the station of posting for the purpose of LTC Rules;

(c) Transfer TA

(i) one fare for self, as per the entitled class and transfer grant, (amended vide no.09/95 dated 29.03.1995 ibid in TA Rules)

(ii) transfer TA for dependent members of the family, transportation of personnel effects, transfer grant and disturbance allowance, as per the rules of the Corporation, if the family moves within a period of one year to:

(a) a city referred to in clause (i), or

(b) to the place of posting from the place of previous posting.

(c) No transfer TA and other benefits will be admissible if the movement is made after one year.

(d) He will be entitled for bachelor/shared hostel accommodation at the project during the period he retains his family at the previous station.

(e) Whenever an employee happens to come on tour to the station where he is keeping his family, he will be entitled to draw only half of the DA in respect of food and incidentals corresponding to guesthouse. However, in such places, he will not be entitled to any accommodation charges during the period of such tour.

3. In case of employees, who are transferred from project to other units, normally they will not be entitled to retain their accommodation in the project because of shortage of accommodation. But in exceptional cases, Chairman may allow such employees to retain accommodation in the project for a period of six months or till completion of the academic session of the children of employees, whichever is earlier subject to availability of accommodation at the project.

4. These orders would be effective from 11th July 1987.
5. The above facilities would also be extended w.e.f.11.07.1987 to those employees who have been transferred earlier to 11.07.1987 and have already been permitted to retain their family accommodation at their previous place of posting, subject to the condition that they have not availed of the benefits of transfer TA in respect of their family members, movement of personal effects including such incidental benefits as transfer grant, disturbance allowance etc.

Note: Also please see circulars dated 07.10.1993 and office order dated 29.03.1995.

(7)

Office Order No.23/Rules/72 dated 28.11.1987

(see Rule 13 (1))

It has been observed that the existing practice of pay fixation after giving one notional increment in the lower grade sometimes creates anomaly when a junior employee gets promotion after drawal of his increment in the lower post due to standardization of incremental date etc. To minimize such anomalies, it is proposed that each employee when promoted to a higher post/scale shall be allowed to exercise an irrevocable option as under:

- i) Either his initial pay may be fixed in the higher post on the basis of Rule 13 (1) of NMDC Service Regulations straightaway without any further review on accrual of increments in the pay scale of the lower post;

OR

- ii) His pay on promotion may be fixed initially in the higher scale without the benefit of notional increment, which may be re-fixed on the basis of provisions of Rule 13 (1) of N M D C Service Regulations on the date of accrual of the next increment in the scale of pay of the lower post.

2. In the case of option as at (1) above, the initial pay of the employee may be fixed in the higher post under Rule 13 (1) of the N M D C Service Regulations without any further review or accrual of the increment in the pay scale of the lower post.
3. In the event of an employee opting for the second alternative, his pay on promotion may be fixed initially at the next above stage in the promoted scale i.e., without giving him the benefit of notional

increment during the period from the employee assumes charge of the higher post till the date of accrual of the increment in the lower post, as indicated in the option to be exercised by the employee. The pay in the promoted scale may be re-fixed as per Rule 13(1) of the NMDC Service Regulations from the effective date of option so exercised by an employee for such re-fixation. For this re-fixation, the notional pay that the employee would have drawn in the lower scale had he not been promoted, should be taken into account. An illustration is also given in the Annexure for guidance in the matter.

4. If an employee opts for the second alternative, the next date of increment will fall due on completion of 12 month's qualifying service from the date the pay is re-fixed on the second occasion, subject to other conditions for drawal of increments i.e., clearance of probation etc.
5. Each employee is required to exercise his option for pay fixation within one month of his joining the higher post. Option once exercised shall be final. A format of the option to be exercised is also enclosed.
6. The above decision will apply to cases of pay fixation on normal promotion as well as on placement in the PG scale under 10 years' Scheme.
7. While the above decision is generally applicable in respect of all the employees, the basis of pay fixation in respect of those categories of employees who are promoted to the next cadre involving change in DA pattern (i.e. from workmen to Jr Officers and Jr Officers to Executive cadre) will continue to be as per the fixation tables separately circulated from time to time.
8. These orders will come into force with immediate effect. Pending cases, if any, may also be reviewed.

Illustration

An employee in the scale of Rs.700-40-900-EB-1100-50-1300 drawing a basic pay of Rs.1150/- is promoted to Rs.1100-50-1600 scale on 30.10.87. His next date of increment in the lower scale is 01.01.1988. If he opts for alternative (ii), his pay fixation may be done in the following manner:

- | | | |
|------|---|------------|
| i) | Date of promotion | 30.10.1987 |
| ii) | Basic pay in the lower scale | Rs.1150.00 |
| iii) | Next above stage in the promoted scale i.e. Rs.1100-1600 is | Rs.1200.00 |

- iv) His pay may be fixed at Rs.1200/- in the pay scale of Rs.1100-50-1600 with effect from 30/10/1987 and he will continue to draw the same till 31/12/1987.
- v) Date of next increment in the lower scale 01/01/1988
- vi) Notional pay of the employee in the scale of pay of Rs.700-1300 on 01/01/1988 Rs.1200.00

Pay to be re-fixed in the scale of Rs.1100-1600 with effect from 01.01.1988 under Rule 13(1) of N M D C Service Regulations as under:

Pay	=	Rs.1200.00
Add: notational increment	=	Rs.0050.00

		Rs.1250.00

Next above stage in the promoted scale		Rs.1300.00

Therefore his pay is to be fixed in the scale of Rs.1100-1600 w.e.f. 01.01.1988 at Rs.1300/-

His next increment date will be 01.01.1989 and so on.

Form of Option

I, _____, who have been promoted to the post of _____, in the pay scale of _____, hereby exercise an irrevocable option regarding my pay fixation as under:

1. My pay in the promoted scale may be fixed under normal rules straightaway without any further review on accrual of increments in the pay scale of the lower post.
2. My pay may be initially fixed in the above scale without the benefit of notional increment and the same re-fixed with effect from _____ i.e. the date on which I would have earned the next increment in my pre-promoted scale.

Signature:
Name & Designation:
Department:

(Note: Strike out whichever is not applicable)

(8)

Circular no.23/Rules/72 dated 27.04.1989

Vide Circular of even number dated October 21, 1987, it was decided to grant permission to employees transferred to any Project/Feasibility/ Office for retaining their family at the previous station of posting or at Cities where NMDC has its office for a period of one year. This period can be extended to *3 years at the discretion of the Chairman under special circumstances only. However, in practice, it has been observed that the employees who are transferred have been requesting for retention of their accommodation beyond one year as a matter of routine. Chairman has taken a serious view of the matter.

2. It has therefore been decided that in future, grant of such permission for retention of accommodation beyond one year will be considered only in very exceptional cases. The employees who apply for such permission should furnish proper justification indicating the special circumstances necessitating them to retain the family at the previous places of posting beyond one year.
3. It has also been decided to review the cases of the employees who have been granted permission to retain their families at previous place of posting beyond one year.

* Extended up to five years vide office order no.23/Rules/92/09/95 dated 29.03.1995.

(9)

Letter No. 1(71)/Rules/92 dated 27.02.1993

Sub: Workmen in L10 scale placed in PG scale of Jr Officers
- Grant of Stagnation Increment.

Kindly refer your letter No.D5/Per/92 dated 21.12.92 on the above subject.

The matter has been examined and with the approval of the Competent Authority, it is clarified that the Workmen who are drawing the maximum in the scale and placed in the PG scale equivalent to that of Jr Officers, may be granted the Stagnation Increment subject to the provisions of tripartite settlement dated 16.12.89.

(10)

Letter no. 23/Rules/72 (No.040/93), dated 07.10.1993

Sub: Grant of permission to employees who are under transfer to retain their residential accommodation at their old station/other cities.

Kind reference is invited to this office circular of even number dated 21st October, 1987 on the above subject wherein detailed guidelines have been issued regarding grant of HRA to the employees, who are under orders of transfer to any project from cities like Hyderabad, Vizag, etc.

Based on the orders contained in the above referred circular employees are permitted to retain their accommodation up to a maximum period of three years. Representations are being received from such employees requesting for retention of their family accommodation beyond the period of three years for the reason that their children are still continuing their higher education, etc.

Keeping the difficulties of such employees in view, the matter has been considered further and it has been decided by the Board that the Chairman-cum-Managing Director may grant permission to the employees to retain their accommodation in cities where NMDC has its offices for a period up to five years at his discretion in special circumstances.

The other terms and conditions contained in this office circular dated 21st October 1987 shall remain unchanged.

(11)

Letter no.23/Rules/92/09/95 dated 29.03.1995

Sub: Grant of permission to employees who are under transfer, to retain their residential accommodation at their old station.

Please refer to these office circulars of even number dated 21.10.1987 and 7.10.1993 on the above subject. In accordance with the orders contained in circular dated 7.10.93, the employees who are transferred from one unit to another can be permitted to retain their family accommodation at their old station/city up to a maximum period of five years with the approval of the competent authority. In terms of circular dated 21st October 1987 such employees are entitled to only one fare for self to the place of transfer as per entitlement.

Representations have been received from such employees stating that they have to incur certain extra expenditure for shifting part of household articles etc. The matter has been examined and it has been decided, with the approval of the Board, that the employees who; are transferred from one unit to another and permitted to retain their family accommodation at the previous station/city, shall be entitled to transfer grant in addition to one fare for self as per entitlement prescribed in NMDC Employees (Travelling Allowance) Rules.

These orders are applicable in respect of transfer orders issued on or after 9th February 1995.

(12)

Letter no.1(62)/Rules/82/013/95 dated 12.06.1995

At present the Doctors who possess a PG Degree/PG Diploma in respective medical specialisation are granted PG Allowance as per HPPC Recommendations. The payment of PG Allowance to those Doctors in E3 scale and above has been restored effective from 16.6.1993 in terms of this office letter of even number dated 23rd June, 1993. No PG Allowance is being paid to doctors in IDA pay scales.

There have been representations from the Doctors to consider grant of monetary incentive in place of PG Allowance. The matter has been examined and it has been decided to regulate grant of monetary incentive to Doctors for acquiring PG Degree/PG Diploma in respective medical specialisation under the Incentive Scheme for acquiring professional qualifications as follows:

- (a) The monetary incentive will be granted to those Doctors (both in CDA and IDA) who acquire additional qualification after joining the Corporation as per the Scheme.
- (b) The Doctors under CDA scales may opt for PG Allowance or incentive whichever is beneficial to them. The Doctors in IDA pay scales will be entitled to only incentive and not PG Allowance if they acquire qualification during the service of the Corporation.
- (c) Those Doctors in CDA scales who possessed PG Degree, PG Diploma before joining the Corporation will continue to draw the PG Allowance as revised from time to time and they are not eligible for incentive.

You are requested to kindly obtain an option from Doctors who are interested to draw either PG Allowance or Monetary Incentive as applicable and regulate the grant of incentive under the Incentive Scheme.

(13)

Letter no.1(18)Per/75/40/97 dated 23.12.1997

Sub: Placement of Executives in Personnel, Materials & Finance E0 grade in E1 grade without promotional benefit – Clarification on the date of next increment – Reg.

Ref: 1. HO Office Order 1(2)Rules/75/Pt dated 29.09.97
2. HO Officer Order DPC/1(105)/Estt dated 17.11.97

In HO O/o dated 17.11.97, placing some of the executives of E0 grade in Personnel, Materials & Finance disciplines, in higher grade of E1 wef 20.08.97, the formula for pay fixation was indicated as under:

“The basic pay of the executives as on 20th August will be fixed at the same stage in E1 scale if it is a stage in that scale without any notional benefit. If it is not a stage in E1 scale the basic pay may be fixed at the nearest defined stage in E1 scale”.

2. A doubt arose as to whether in the above placement such executives are entitled to retain their original date of increment or not.
3. The matter has been examined and it is clarified with the approval of Competent Authority, that such employees can retain their original date of increment as in lower scale of E0.

(14)

Letter no.23/Rules/72/24/98 dated 09.06.1998

Sub: NMDC Service Regulations – information regarding close relations to be given at the time of appointment – Reg.

In terms of directives received from the Government of India, it has been decided that all employees on first appointment in service should furnish information in respect of their close relations in the enclosed proforma which should be added to the Service Book of the employee concerned. Any

change in the particulars given in the proforma should be furnished by the employee at the end of each year to the Personnel Department of the concerned unit. It is therefore, requested that the proforma prescribed may be sent along with the appointment order so that the required information is furnished by the new recruit at the time of joining itself.

FROM TO BE FILLED BY EMPLOYEE ON FIRST EMPLOYMENT

1. Close relations who are nationals of or are domiciled in other countries.	Name	Nationality	Present address	Place of birth	Occupation *
i) Father					
ii) Mother					
iii) Wife/Husband					
iv) Daughter (s)					
v) Brother (s)					
vi) Sister (s)					
2. Close relations resident in India, who are of non-Indian origin.	Name	Nationality	Present address	Place of birth	Occupation *
i) Father					
ii) Mother					
iii) Wife/Husband					
iv) Daughter (s)					
v) Brother (s)					
vi) Sister (s)					

I certify that the foregoing information is correct and complete to the best of my knowledge and belief.

Signature
Designation
Date

Note 1: Suppression of information in this form will be considered a major departmental offence for which the punishment may extend to dismissal from service.

Note 2: Subsequent changes, if any, in the above data should be reported to the Personnel Department, at the end of each year.

* If public service, give full particulars regarding designation of the post held, name of department/Office etc where employed and the data of such employment.

* * *