

कोल इण्डिया लिमिटेड
महारल कम्पनी
(भारत सरकार का एक उपक्रम),
"कोल भवन", कर्मिक विभाग, 2 तल,
प्रेमिसेस न.04 एम.ए.आर., प्लट
न.ए.एफ.111,
आक्सन एरिआ-1ए, नियु टाउन, राजारहाट,
कोलकाता-700156



Coal India Limited
A Maharatna Company
(A Govt.of India Enterprise)
"COAL BHAWAN"
PERSONNEL DIVISION, 2ND FLOOR,
PREMISES NO.04 MAR, PLOT NO.AF-III,
ACTION AREA-1A, NEW TOWN,
RAJARHAT, KOLKATA - 700 156, W.B.

(An ISO 9001:2015, ISO 14001:2015 & ISO 50001:2011 Certified Company)

Ref. No. CIL/C-5A(v)/ B- 30

Dated: 13.01.21

OFFICE ORDER

Sub : Reversion of Deemed Placement of Executives from E-2 to E-3 Grade at par with Direct Recruits.

Consequent to the order dated 22.12.2017 of the Hon'ble High Court of Calcutta in

- a) APO No 368 of 2017/W.P. No 1064 of 2015 (RS Wadhai & Ors Vs. CIL & Ors) for Personnel Discipline and Orders dated 05.02.2018 in
- b) W.P.No.14212(W) of 2012 (Giridhari Mondal & Ors. Vs UoI & Ors.) for Finance discipline &
- c) W.P. No. 11044(W) of 2012 (Arun Kumar Singh & Ors. Vs. UoI & Ors.) For Mining discipline.

Office Order No CIL:C-5A(PC)/CCC/47 dated 13.02.2019 was issued by GM (P/Policy),CIL extending the benefit of deemed placement in E-3 grade as granted to the Management Trainees vide Office Order No CIL: C-5A (PC)/CCC/42 dated 22.03.2012 to the departmental candidates who were selected/promoted/appointed from Non- Executive to Executive cadre to the post of Sr. Officer in E-2 grade on or after 01.01.2007 to 13.02.2019. They were deemed to be placed in E-3 grade from the date of successful completion of 1-year probation period in E-2 grade

Subsequently, GM(P/Recruitment), CIL, issued various orders on different dates, vide which departmental candidates were accorded the benefit of deemed placement in E3 grade after successful completion of 01 year in E2 grade as granted to the Management trainees vide OM dated 22.03.2012.

Thereafter, few representations have been received regarding reduction in basic pay upon deemed placement in E3 grade in place of their earlier promotion given to them from E2 to E3 grade.

The matter was deliberated in the 243rd Meeting of Committee of Functional Directors (CFD) and It has been decided to give one time option to such executives who are not covered under the ambit of court order mentioned in office order dated 13th February 2019 and were notionally placed in E3 grade after completion of one year in terms of OM dated 13.02.2019 and subsequent orders issued by GM (P/Recruitment), to revert back to status quo ante prior to implementation of Office order dated 13th February 2019 .

Executives, who were notionally placed in E3 grade after completion of one year in terms of OM dated 13.02.2019 and are not covered under the ambit of court order mentioned in office order dated 13th February 2019, may exercise their option and submit it to the EE department of the concerned subsidiary within 20.01.2021.

Option form is given in Annexure-A and examples are attached in Annexure -B

This issue with the approval of the Competent Authority.

Yps show
13/1/2021
(Tripti P Shaw)
General Manager (P/EE)

Distribution:

1. CMD, BCCL/CCL/CMPDIL/ECL/MCL/NCL/SECL/WCL.
2. D(T)/D(M)/D(P&IR)/D(F), CIL.
3. CVO, CIL
4. D(P)/D(F)/D(T),/D(M) BCCL/CCL/CMPDIL/ECL/MCL/NCL/SECL/WCL.
5. D(T/ES), CMPDIL.
6. TS to Chairman, CIL.
7. GM(P/Legal), CIL / GM(P/Rectt)/GM(P/PC), CIL
8. GM /HOD (P/EE), BCCL/CCL/CMPDIL/ECL/MCL/NCL/SECL/WCL/NEC
9. HOD (Sys), CIL: with a request to upload in CIL website

OPTION FORM

I, _____, Designation- _____, EIS No. _____,
in pursuance of office order no. _____ dated _____ exercise my option
hereunder

- 1) To revert me back to the grade(s) _____
- 2) To get the basic pay restored prior to implementation of CIL:C5A(PC)/CCC/47
dated 13.02.2019.
- 3) Other undertaking, if any _____.

While exercising such option, I fully understand the implications and its effect on my future career growth and seniority position. I hereby undertake that, I will not raise any claim or disputes whatsoever, which may arise on account of the exercising this option and its consequences thereto, before any forum whatsoever. I exercise this option fully understanding, that the option exercised hereby is irrevocable.

Name _____

EIS _____

Designation _____

Discipline _____

Company _____

Countersigned by

Controlling officer and then GM/HOD of subsidiary companies.

ANNEXURE-B

EXAMPLE-1

BEFORE IMPLEMENTATION OF JUDGEMENT IN WADHAI CASE

| EXECUTIVE A (SENIOR) | | EXECUTIVE B (JUNIOR) | |
|--|-------------------------------|----------------------|-------------|
| GRADE | DEEEMD DATE | GRADE | DEEEMD DATE |
| E1 | 07.12.2007 | E1 | 07.12.2007 |
| E2 | 07.12.2009 | E2 | 07.12.2009 |
| E3 | 30.09.2013 | E3 | 30.09.2013 |
| E4 | 28.06.2017 | E4 | 28.06.2017 |
| AFTER IMPLEMENTATION OF JUDGEMENT IN WADHAI CASE | | | |
| GRADE | DEEEMD DATE | GRADE | DEEEMD DATE |
| E2 | 07.12.2007 | E2 | 07.12.2007 |
| E3 | 07.12.2008 | E3 | 07.12.2008 |
| E4 | 30.09.2014 | E4 | 30.09.2014 |
| E5 | 19.03.2018 | E5 | 19.03.2018 |
| Executive A opt for option to revert back in E3 grade i.e 30.09.2013 with more basic pay but executive B will not opt for revert back and get less basic pay will now become senior in seniority list. | | | |
| E1 | 07.12.2007 | E2 | 07.12.2007 |
| E2 | 07.12.2009 | E3 | 07.12.2008 |
| E3 | 30.09.2013 | E4 | 30.09.2014 |
| E4 | 28.06.2017 (ORIGINAL E4 DATE) | E5 | 19.03.2018 |
| E5 | CANCELLATION | | |

EXAMPLE-2

| EXECUTIVE A (SENIOR) | | EXECUTIVE B (JUNIOR) | | REMARKS |
|--|-------------|----------------------|-------------|---|
| GRADE | DEEEMD DATE | GRADE | DEEEMD DATE | |
| E2 | 21.11.2011 | E2 | 01.03.2012 | B is junior to A in terms of Date of Appointment |
| E3 (on promotion) | 24.09.2015 | E3 (on promotion) | 24.09.2015 | A & B both promoted to E3 grade in cluster promotion. |
| E3 (on placement) | 21.11.2012 | E3 (on placement) | 01.03.2013 | |
| E4 | 30.09.2019 | E4 | 30.09.2019 | Promoted to E4 in cut off 30.09.2018 |
| Executive A opt for option to revert back in E3 grade i.e 25.09.2015 with more basic pay but executive B will not opt for revert back and get less basic pay will now became senior in seniority list. | | | | |
| E2 | 01.03.2011 | E2 | 01.03.2011 | |
| E3 | 25.09.2015 | E3 | 01.03.2012 | |
| E4 | 30.09.2019 | E4 | 30.09.2019 | In E4 seniority list executive B will be senior |