

FEDERATION OF INDIAN MINERAL  
INDUSTRIES

*SERVICE RULES*  
*AND*  
*REGULATIONS*

## CHAPTER-1

# EMPLOYMENT

Employees in the prescribed scales of pay or on CTC basis shall be employed by the Managing Committee/Secretary General or by the authorized/competent Officer of the Federation in consultation with the Secretary General. The employees to be recruited should have the required skills, knowledge, aptitude and merit to achieve the objectives of the Federation.

1.1 **Classification of Employees:** The employees shall be classified as:

- Permanent
- Probationers
- Temporary

A “Permanent employee” is an employee who has been engaged on a permanent basis and includes any person who has satisfactorily completed a probationary period of a minimum of six months, or such period as deemed fit by the Appointing Authority.

A “Probationer” is an employee who is provisionally employed to fill a permanent vacancy in a post and has not completed six months or an extended period of probationary period.

A “Temporary” employee is an employee who has been engaged for work which is of an essentially temporary nature likely to be finished within a limited period. Temporary appointments for a fixed period can be made to meet any exigency of work.

1.2 **Probation:** All employees shall be on probation for a period of six months from the date of joining, whether it is mentioned in the appointment letter or not. The probationary period may, however, be extended at the discretion of the Appointing Authority. The period of probation may be waived or curtailed in individual cases on merits of each case by the Federation.

A probationer will not be entitled to any leave except CL (on pro rata basis) or other benefits during his/her period of probation of service in the Federation.

1.3 **Confirmation:** On successful completion of probation, the Federation may consider the probationer for confirmation. However, until a written communication is issued by the Federation, about the satisfactory completion of initial or subsequently extended probation and also specifying the date of his/her confirmation, he/she shall not be deemed as confirmed.

1.4 **Termination:** The Federation may however, terminate the services of an employee during the probation with 24 hours notice if it feels that the employee is not coming upto the level expected of him.

The Federation, if it so desires, may terminate the services of its employee(s) who have been confirmed or made permanent, by giving him/her **one month's** notice or salary in lieu thereof without assigning any reason.

In case of an employee who has served for more than 15 years and his/her services have to be terminated due to misconduct, inefficiency, etc. he/she will be given notice of **three months** or pay equivalent thereof.

1.5 **Resignation:** An employee may resign from his/her employment of the Federation by giving a notice of one month. Secretary General may relax this condition in exceptional circumstances. Resignation shall not become effective until it is accepted and a communication issued in writing to that effect. An employee shall be eligible to be relieved of his duties only after he has formally handed over charge. The Federation will, however, have the discretion to insist on full notice instead of accepting salary in lieu of notice or part thereof and/or adjustment of earned leave due against notice.

1.6 **Superannuation:** Every employee would retire from the employment of the Federation on attaining the age of 65 years or such age as may be decided by the President/Managing Committee/Secretary General of the Federation from time to time. Retirement shall take place on the last day of the month in which the date of birth occurs. The Federation, in exceptional circumstances, would grant extension of service to an employee beyond the date of superannuation or re-employ him/her on such terms and conditions as may be decided mutually between the Federation and the employee. Age limit will not be applicable to Advisors/Consultants appointed by the Federation from time to time. This Service Rules would be applicable to them if they are appointed for more than one year.

- 1.7 **Record of Age and Date of Birth:** Every employee shall declare his/her employment in Federation, his/her date of birth according to Christian Era and produce confirmation/documentary evidence thereof e.g. Matriculation or Higher Secondary School Leaving Certificate or Birth Certificate from the concerned Municipal authority/Panchayat authority, etc.
- 1.8 **Employee's Address:** Every employee is expected to indicate to the Federation his/her employment his/her residential address and contact number and any change therein should be informed within 3 days of such occurrence.

## CHAPTER-2

### HOURS OF WORK AND HOLIDAYS

2.1 **Hours of Work:** The Federation Secretariat at present follows six days week (Monday to Saturday).

The working hours for the various categories of staff of Federation as under:

Officers and staff	10.00 A.M. to 5.00 P.M. with 30 minutes lunch break from 1.30 - 2.00 P.M.
Receptionist	9.30 A.M. to 5.30 (lunch break 1.00 – 1.30 P.M.)
Peons	9.30 A.M. to 5.30 P.M. (lunch break 1.00 to 1.30 P.M)
Drivers	9.00 A.M. to 6.00 P.M. with half an hour lunch break )
Sweepers	9.30 A.M. to 5.30 P.M. (lunch break for half an hour from 12.30 – 1.00 P.M.)

- All employees should attend office by the time stipulated above as applicable to their category
- Any employee coming late by more than 10 minutes will be marked late. Half-a-day CL would be deducted for every such three late comings in a month.
- Any employee coming late by more than one hour and ten minutes beyond the stipulated time for his/her category shall be marked half a day's casual leave.
- Any employee who is absent from duty without prior permission of his superiors will be marked absent for the day.
- The application of any kind of leave should be routed through his/her immediate superior to the sanctioning authority. The employee should not proceed on leave without ensuring that the leave has been sanctioned.
- If an employee after proceeding on leave desires an extension, he/she should make an application in writing giving reasons. The employee should ensure to join the duties by due date. An

employee remaining absent beyond the leave period, originally granted or subsequently extended, shall be liable for disciplinary action.

- Any employee coming late in the morning or after lunch or found absent from his place of work, during working hours, without permission of the management shall be treated as absent. Every employee of the Federation is expected to maintain strict punctuality in attendance.
- No employee shall leave office during office hours without prior permission of the head of department concerned or the officer concerned for personal work for short duration and it should be in the knowledge of the Secretary General.

**Overtime:** If the exigencies of office work so warrant, an employee(s) may be required to perform official duties beyond the prescribed hours of work.

**Holidays:** Employees shall be entitled to the gazetted holidays notified by the Central Government. In addition to this, second Saturday of every months will be holiday.

## CHAPTER-3

# LEAVE

Leave cannot be claimed as a matter of right.

Where the exigency of work so requires, leave of any kind may be refused or revoked by the Federation.

As far as possible, all leave must be got sanctioned in advance. In case prior sanction is not possible, information on telephone/in writing must be sent to the leave sanctioning authority. Leave application should be submitted **without fail immediately on reporting for duty**. In case an employee fails to submit an application on the day he/she attends office where leave had not been got sanctioned in advance, such leave would be treated as “**leave without pay**” without any reference to him/her.

Except in emergency, applications for leave should be made sufficiently in advance and leave availed only after obtaining the sanction.

In case more than four days leave (**except casual leave**) is availed of by an employee, it would be necessary to submit the joining report on the day he/she resumes duties.

- 3.1 **Casual Leave:** Every permanent employee of the Federation will be entitled to 12 days' casual leave every calendar year.

Casual leave will be granted in units of half or full days(s) as required by the employee. Lunch interval will be taken as the dividing time in the case of leave for half-a-day. First half day CL would be from 10.00 A.M. to 1.00 P.M. and second half will be from 1.30 to 5.00 P.M.

CL cannot be carried over to subsequent calendar years.

Employees are permitted to avail **3 (three) days CL in one go**.

- 3.2 **Earned Leave:** After completion of one year, permanent employees will be entitled to earned leave of 30 days for each calendar year. The earned leave will be counted only after the completion of one year. Earned leave can be availed by applying and with prior approval of the concerned officer. Earned leave can be accumulated upto 90 days.

- 3.3 **Encashment of leave:** The following rule will govern the encashment of leave:

The encashable leave can be accumulated and availed of upto 90 days at a time while in service.

An employee shall be entitled to encash the whole or part of the earned leave accumulated upto the happening of any of the contingencies mentioned below:

- i. At the end of each year at the option of the employee*
- ii. Death while in service*
- iii. Retirement or superannuation*
- iv. Voluntary retirement/resignation*
- v. Retrenchment*
- vi. Termination of service by the Federation.*
- vii. If an employee resigned from the service of Federation after giving the prescribed notice he/she will be permitted to encash all earned leave already accrued at the date he/she tenders resignation*

**3.4 Maternity leave:** Every female employee of the Federation will be entitled to maternity leave with pay for the period of her actual absence immediately preceding and including the day of her delivery and immediately following that day, on the following conditions:

- a. The total period of Maternity Leave shall not be more than 30 days.
- b. No permanent female employee will be entitled to this leave unless she has completed three years' service in the Federation.
- c. No female employee will be entitled to Maternity Leave more than twice in the entire period her service.

## CHAPTER-4

# CONDUCT, DISCIPLINE AND APPEAL RULES

4.1 **Short Title:** These Rules may be called FIMI (Conduct, Discipline and Appeal) Rules.

4.2 **Application:** These Rules apply to all employees of the Federation.

4.3 **Definitions:**

- Federation/Employer means the “Federation of Indian Mineral Industries”
- “Committee” means the Managing Committee of the Federation
- “Employee” means a person in the employment of the Federation other than a casual employee.
- “Habitual” means any act or omission for more than three times in any month.
- “Management” means Managing Committee/Secretary General of the Federation or any person duly authorized in this behalf to exercise the functions of the management. “Secretary General” means the Secretary General of the Federation – Similarly “Secretary” means concerned Secretary of the Federation.
- Words having the singular number shall also mean plural number and vice-versa.

4.4 **General**

4.4.1 Every employee of the Federation is a full time employee of the Federation and shall maintain:

- Absolute integrity and devotion to duty;
- Conduct himself/herself at all times in such a manner as, will enhance the image/reputation of the Federation.

An employee, while in employment of the Federation of Indian Mineral Industries shall not undertake/accept employment of any other employer. Further, he/she will not engage in any other business, profession or vocation during the course of employment with Federation of Indian Mineral Industries.

- 4.4.2 An employee shall not, unless specifically empowered by the Federation, communicate directly or indirectly to any outside party including the Press, pass any document or information which has come into his/her possession or of which he/she has secured knowledge in the course of his/her official duties.
- 4.4.3 An employee who applies to be or is adjudged or declared insolvent shall forthwith report the fact to the Federation.

#### 4.5 ***Acts of Misconduct***

Any of the following acts or omissions on the part of an employee shall amount to misconduct:

- Wilful insubordination or disobedience, whether or not in combination with another, of any lawful and reasonable order of superior;
- Going on an illegal strike or abetting, inciting, instigating or acting in furtherance thereof;
- Wilful slowing down in performance of work, or abetment or instigation thereof;
- Theft, fraud, or dishonesty in connection with the employer's business or property or the theft of property of another employee within the premises of the Federation;
- Taking or giving bribes or any illegal gratification;
- Habitual absence without leave or absence without leave for more than ten consecutive days or overstaying the sanctioned leave without sufficient ground or proper or satisfactory explanation;
- Late attendance of four or more than four occasions within a month;
- Habitual breach of any Conduct, Discipline & Appeal Rules or any law applicable to the Federation or any rules made thereunder;
- Collection without the permission of the Management of any money within the premises of the Federation except sanctioned by any law for the time being in force;
- Engaging in trade within the premises of the Federation;

- Drunkenness, riotous, disorderly or indecent behavior on the premises of the Association;
- Commission of any act subversive to discipline or good behavior on the premises of the Federation;
- Habitual neglect of work, or gross or habitual negligence;
- Habitual breach of any rules or instructions for the maintenance and running of any department, or the maintenance of the cleanliness of any portion of the Federation;
- Wilful damage to work in progress or to any property of the Federation;
- Holding meeting inside the premises of the Federation without the previous permission of the Management or except in association with the provisions of any law for the time being in force;
- Unauthorized disclosure of information or documents concerning policy matters or information pertaining to the business of the members of the Federation to any other employee or any other person not authorized to get such information and documents, which may come into the possession of the employee in the course of his/her work;
- Gambling within the premises of the Federation;
- Smoking or spitting on the premises of the Federation where it is prohibited by the employer;
- Refusal to accept warning letter/show cause notice/charge-sheet, order or other communication served in accordance with these FIMI (Conduct, Discipline & Appeal) Rules;
- Unauthorized possession of any lethal weapon in the Federation;
- Refusal to do any other job;
- Sleeping during working hours;
- Loitering, idling or wasting time within the premises, during working hours and entering or remaining in Federation's premises without permission, after or before the usual official working hours;
- Abetment or attempt to abetment of any of the above acts of misconduct.

- Disturbing other employees instead of concentrating on his/her own duties.

4.6 **Punishment:** An employee guilty of misconduct may be –

- (a) warned or censured, or
- (b) suspended by an order in writing signed by the Management for a period not exceeding four days, or
- (c) dismissed without notice

4.7 **Disciplinary Procedure**

No order under sub-clause (b) of clause 4.6 shall be made unless the employee concerned has been informed in writing of the alleged misconduct or given an opportunity to explain the circumstances alleged against him/her.

During the service, the behaviour “**unlike or unbecoming of an officer**” will be treated seriously for suspension or termination with immediate effect.

4.8 **Points to be considered while awarding punishment**

In awarding punishment under FIMI (Conduct, Discipline & Appeal) Rules, the Management shall take into account the gravity of the misconduct, the previous record, if any, of the employee and any other extenuating or aggravating circumstances that may exist.

4.9 **Warnings:** An employee may be warned or censured for any of the following acts and omissions:

- (a) Absence without leave without sufficient cause;
- (b) Late attendance;
- (c) Negligence in performing duties;
- (d) Neglect of work;
- (e) Absence without leave or without sufficient cause from the appointed place of work;
- (f) Entering or leaving, or attempting to enter or leave the premises of the Federation except by a gate or entrance appointed;

- (g) Committing nuisance on the premises of the Federation;
- (h) Breach of any rule or instruction for maintenance or running of any department;
- (i) Causing disturbance in the working of other employees

4.10 **Appeal:** An employee aggrieved by an order imposing punishment may within twenty-one days from the date of receipt of the order, appeal to the appellate authority.

4.11 **Complaints:** All complaints, arising out of employment including those relating to unfair treatment or wrongful insistence on the part of any superior, shall be submitted to the Secretary General or other person specified in this behalf with the right of appeal to the next higher authority.

4.12 **Certificate on termination of service**

Every permanent employee shall be entitled to a service certificate at the time of his/her dismissal, discharge, resignation or retirement from service.

4.13 **Removal of doubts:** Where a doubt arises as to the interpretation of any of these rules, the decision of the Secretary General of the Federation shall be final.

4.14 **Savings:** Nothing contained in these rules shall operate in derogation of any law or to the prejudice of any right under written contract of service, settlement or award for the time being in force nor shall any agreement between the employer and the employee prejudicially affect the right of the employee under these rules.

4.15 **Amendment/Modifications:** The Managing Committee shall be competent to modify or to amend or to add these rules w.e.f. the date, as may be prescribed in this regard.

## CHAPTER-5

# SALARY STRUCTURE,ALLOWANCES, FRINGE/TERMINAL BENEFITS

- 5.1 **Fixation of Pay:** An employee can be appointed on CTC basis or in a pay scale as may be mutually agreed to at the time of employment.
- 5.2 **Increment:** Increment to the shall fall due on 1<sup>st</sup> of April each year, subject to the following:
- (a) Only those employees will be eligible for the increment who have completed the probation and confirmed in service.
  - (b) Increment shall not be ordinarily withheld except when, in the opinion of the Secretary General, in individual cases, there are adverse reports justifying the withholding of the increment.
  - (c) In the case of employee who is on probation, the first increment shall be drawn on successful completion of the probation period and confirmed in the Federation or after 12 months of service whichever is later.
- 5.3 **Medical Benefit:** Every permanent employee will be entitled for medical reimbursement (equal to one month's salary or to a maximum limit of Rs.15,000/- per year). The medical reimbursement should be claimed in the block period (April-March) itself. The medical benefit will be a part of salary if an employee is appointed on CTC basis.

For the purpose of claiming reimbursement of expenses, following guidelines may be observed:

- (a) Reimbursement is to be made on submission of prescriptions and/or certificate by a Registered Medical Practitioner/Bills from a Chemist shop for purchase of medicine.
- (b) Expenses incurred on purchase of items classified as foods, baby foods, Multifoods, invalid foods, beverages, drinks etc. toilet preparations, disinfectants which do not fall under the term "medical expenses" are not reimbursable.
- (c) After proper scrutiny of the vouchers and bills submitted by the employee concerned, reimbursement of amount will be sanctioned by the competent authority.

- 5.4 **Provident Fund:** Every employee of the Federation is covered by Public Provident Fund. The present deduction of 10% of the salary and equivalent contribution by the employer is the practice prevalent in the Federation. Federation's contribution will be a part of salary if an employee is employed on CTC basis.
- 5.5 **Gratuity:** Every employee of the Federation is covered by Gratuity under LIC's Group Gratuity Scheme.
- 5.6 **Payment of Gratuity:** Gratuity shall be payable to an employee on the termination of his employment after he/she has rendered continuous service for not less than five years:

(a) on his/her superannuation, or

(b) on his/her retirement or resignation, or

(c) on his/her death or disablement due to accident or disease:

Provided further that in the case of death of the employee, gratuity payable to him/her shall be paid to his nominee or, if no nomination has been made, to his/her heirs, and where any such nominee(s) or heir(s) is a minor, the share of such minor, shall be deposited with the controlling authority who shall invest the same for the benefit of such minor(s) in such bank or other financial institution, as may be prescribed, until such minor(s) attains majority.

---