

NATIONAL SEEDS CORPORATION LIMITED
(A Government of India Undertaking)



LEAVE AND JOINING TIME RULES
W.E.F. 01.11.2013, THAT IS FROM THE DATE OF NOTIFICATION

I N D E X

NSC EMPLOYEES LEAVE & JOINING TIME RULES

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NATIONAL SEEDS CORPORATION LIMITED, NEW DELHI

(A Government of India Undertaking)

LEAVE & JOINING TIME RULES

1. Objective :

The policy of the Corporation in regard to the grant of benefit of different kinds of leave is based on the need to:

Afford mental and physical rest and relaxation to its employees periodically;

To grant freedom from official duties during periods of their sickness, maternity / paternity etc; and

To provide time off to them for attending to essential personal tasks and responsibilities.

2. Applicability and Coverage :

These rules shall come into force with effect from the date these are notified by the Management after approval of the Board of Directors. These rules shall apply to all regular and temporary employees of the Corporation, those on probation. Daily Wage Workers are however not covered by these rules.

3. Definitions:

3.1 “**Competent Authority**” mean the officers who have been so authorized in this behalf. A statement indicating the Competent Authorities for grant of various kinds of leaves is enclosed at Appendix – I to this Chapter.

3.2 “**Regular Employee**” means a person employed against a sanctioned post in the pay scale of NSC and will also include a person employed on probation.

3.3 “**Corporation**” means National Seeds Corporation Limited and / or its Management and / or such Officers, who may be so authorized in this behalf.

3.4 “**Authorized Medical Officer**” shall mean a Medical Officer of NSC, Government hospital and such other Physicians / Surgeons etc. as may be notified by NSC in this behalf from time to time, having MBBS or equivalent degree.

3.5 “**Earned Leave**” means leave earned in respect of period of services with NSC and granted on full pay.

3.6 “**Half Pay Leave**” means leave on half pay earned in respect of service with NSC, and granted on half pay.

- 3.7 “**Commuted Medical Leave**” means leave granted on full pay at the rate of one day for every two days’ half pay leave admissible on medical grounds.
- 3.8 “**Extra –ordinary Leave**” means leave sanctioned under special circumstances, without any pay and allowances.
- 3.9 “**Pay**” for the purposes of these rules will be the amount drawn monthly by an employees as basic pay and will also include Special Pay, Personal pay, NPA or such other emoluments specially classified as “Pay” for this purpose by the Corporation.
- 3.10 “**Year**” for the purpose of these rules shall be reckoned as the calendar year.
- 3.11 “**Duty**” means the duty of an employee of the Corporation and include :
- (i) Service as a Probationer
 - (ii) Joining Time
 - (iii) Such other period, as Corporation may, by general or special order declares as duty.

4. **Leave Entitlement** :

- 4.1 Leave cannot be claimed as a matter of right but may be sanctioned, refused, curtailed, revoked or postponed by the competent authority according to the exigencies of circumstances.
- 4.2 In case the Competent Authority (not below the level of Head of Department/ Regional Managers/**Farm Head**), as the case may be, recalls an employee to duty before the expiry of his leave in the exigencies of work, the employee shall be treated as on duty from the date on which he starts from the place of his stay for the station to which he is ordered to report, provided the curtailment of leave is for a minimum of 7 days.
- 4.3 Leave of one kind taken earlier may be converted into a leave of a different kind at a later date on the request of the employee and on the discretion of Competent Authority, if such a request is made within 30 days of completion of the relevant spell of leave, (and while in service and not after quitting the service) but cannot be claimed as a matter of right.
- 4.4 The Competent Authority (not below the level of Head of Department / Regional Managers/**Farm Head**), as the case may be, may compel any employee who has not availed himself of any earned leave during a continuous period of 24 months, to proceed on such earned leave for such period as may be specified by such Competent Authority but not exceeding 30 days.
- 4.5 An employee who desires to obtain leave of absence shall apply in the form that may be prescribed from time to time to his leave sanctioning authority. Leave application must state the reason for the leave applied for. Prescribed format is at Appendix II.

- 4.6 No employee shall proceed on leave until and unless the leave applied for has been sanctioned by the Competent Authority and he receives a confirmation in this regard. Leave should be availed in a planned manner so that the work of the organization does not suffer due to sudden departure of an employee on leave.
- 4.7 Except in emergencies, application for grant of leave shall be submitted in writing to the Competent Authority sufficiently in advance, which in the case of leave upto 3 days, shall not be less than one day in advance and leave for more than 3 days, it should be submitted at least 7 days in advance of the date of commencement of leave. In case where an employee is compelled to absent himself from duty on account of unforeseen circumstances like sickness / hospitalization / accident etc., without obtaining prior sanction of leave, sanction of leave should be applied in writing at the earliest possible opportunity besides sending information through telephone /fax / post immediately to the Competent Authority. The refusal / acceptance of leave (other than C/L) must be intimated to the concerned employee at the earliest by the HR Department, with a copy to concerned department.
- 4.8 Leave commences from the day on which charge is handed over, if such handing over takes place in the forenoon of that day or from the next day if such handing over takes place on the afternoon of that day. Leave ends on the day preceding that on which charge is resumed, if such resumption takes place in the forenoon and on the day on which charge is resumed if such resumption takes place in the afternoon. If an employee proceeds on sanctioned Leave (other than C/L) / Medical Leave without permission or without handing over charge and the Note on important tasks / works pending with him, to the authorised person, he will be liable for disciplinary action against him for negligence in performance of his duties. An employee on resuming duty after expiry of the sanctioned leave (other than CL / Special Casual Leave) will submit Joining Report on the date of resumption to his Head of Department for onward forwarding to the HR Department who maintains the leave account. Prescribed format of joining report is enclosed as Appendix-III.
- 4.9 An employee, who desires to extend his leave, shall make an application in writing to his Department / Section in-charge in advance, giving him sufficient time to communicate his reply before the expiry of the leave originally sanctioned. A written reply either of the sanction or of the refusal of extension of leave will be sent to the employee concerned if his address is available, and if such reply is likely to reach him before the expiry of the leave originally granted to him.
- 4.10 If the application for extension of leave is on medical grounds and the employee is away from Headquarters at a place where Company does not have authorized Medical Officers, he shall submit his application along-with a Medical Certificate from a Government Medical Officer in-charge of a Civil hospital, or, a registered Medical Practitioner. The Medical Certificate must clearly specify the days for which the extension is required and also the reason and the nature of disease etc. The Company reserves the right to direct the employee to appear before a

Medical Officer(s) to be nominated by the Company, for Medical Examination. The decision of such a Medical Officer(s) shall be final and binding on the employee.

- 4.11 No employee, while on leave, shall take up any employment or any vocation for profit or gain. If he does so, his services will be liable to be dispensed with, without notice and he will forfeit all privileges accrued to him during his service.
- 4.12 The employee placed under suspension shall not be entitled to availment, encashment or accrual of any leave during the period of suspension.
- 4.13 An employee, who has been granted leave or extension of leave on medical grounds, shall not be allowed to resume duty unless he produces a certificate of fitness from any of the Medical authorities viz. Government Medical Officer, In-charge of a Civil Hospital, a Registered Medical practitioner or the Doctor on a approved panel of the Company.
- 4.14 When an employee is certified to be medically unwell to attend office, the holiday(s), if any, immediately preceding the day he is so certified shall be allowed automatically to be prefixed to leave and the holiday(s) if any, immediately succeeding the day he is so certified (including that day) shall be treated as part of the leave; and Sundays, weekly offs and public holidays falling immediately succeeding the day on which leave expires shall not be counted as leave when HPL or EOL etc. availed (other than on medical grounds) in continuation of leave already granted. In other words, if an employee who is granted EL and on its expiry the next day happens to be holiday that holiday will not count as leave when he avails leave such as HPL / EOL in continuation of leave already sanctioned on other than Medical grounds.
- 4.15 Any kind of leave applied for going abroad shall be sanctioned by the Competent Authority i.e. C&MD in consultation with Head of HR Department.

5.0 **Kinds of Leave** :

Subject to the above general conditions and other provisions of these leave rule, the following types of leave shall be admissible to the regular employees of the Corporation:

- (a) Casual Leave
- (b) Special Casual Leave
- (c) Earned Leave
- (d) Half Pay Leave
- (e) Commuted Medical Leave
- (f) Extraordinary Leave without pay
- (g) Maternity Leave to female employees
- (h) Paternity Leave to male employees
- (i) Leave Preparatory to Retirement
- (j) Stipendiary Leave (for Management Trainees / other Trainees)

5.1 **Casual Leave :**

- (i) All regular employees of the Corporation shall be entitled to 8 days Casual Leave in a calendar Year. This leave cannot be accumulated and any unutilized leave will lapse at the end of the year.
- (ii) A new employees joining the service of Corporation, will be entitled to casual leave at the following rates :-

| <u>Period of joining</u> | <u>Leave Entitlement</u> |
|---------------------------------|---------------------------------|
| January of March | 8 days |
| April to June | 6 days |
| July to September | 4 days |
| October to December | 2 days |

- (iii) For the period of Casual Leave an employee shall be entitled to the pay and allowances at the rate at which he would have drawn these had he not proceeded on Casual Leave.
- (iv) Casual Leave will not ordinarily be granted for more than 5 days at a time unless the Competent Authority decides to relax this condition due to special circumstances of an employee.
- (v) Casual Leave is admissible for half day also. In such case, the lunch interval shall be taken as the dividing line. However, Casual Leave on half working days (wherever applicable) will be counted as a full day leave.
- (vi) Sundays, Public Holidays, and Weekly offs occurring during the spell of Casual Leave will not be counted as part of the Casual Leave.
- (vii) If an employee overstays the Casual Leave granted to him, he shall be treated as absent for the whole period of Casual Leave unless the overstayal is permitted to be regulated by grant of further Casual Leave, if due, as per these rules or, unless the whole of the absence is allowed by the Competent Authority to be covered into any other kind of leave.

5.2 **Special Casual Leave :**

Special Casual Leave, over and above the entitlement of 8 days of Casual Leave, may be sanctioned by the Competent Authority specified at Appendix-I at its discretion in special circumstances as indicated below for bonafide reasons. The total number of special casual leave in a year will be 30 days, in all, for various occasions. A separate order shall be issued by the HR Department of the concerned Office who shall also maintain proper Register and record for such leaves. Prior approval of Competent Authority shall be necessary for grant of Special Casual Leave.

- (i) Participation in Sports Contests and Tournaments at State, National or International level or an inter unit tournament or function arranged by the Corporation subject to the condition that such a tournament / event is held for enhancing the image of the Corporation.
- (ii) Attendance at any examination or test conducted by or on account of the Corporation.
- (iii) Participation of an employee who is President or Vice President or Secretary or Treasurer of a recognized Workers Union or recognized Officers Association in the Annual General Meeting / meetings of such union or Association with Management at the Head Quarters of the Corporation or any place / office subject to a maximum of 10 days per year (within the overall limit of 30 days in a calendar year). This is subject to exigencies of office work.
- (iv) For undergoing sterilization operation by self or spouse and / other FP procedures, as per rules issued by the Government of India, from time to time, subject to fulfilling other conditions laid down in such rules.
- (v) For donating blood to any employee / dependents of employee of the Corporation or any other person under directions of Competent Authority for the day of blood donation.
- (vi) Inability of an employee to attend office due to civil disturbance, election, declaration of 'Bandh' or imposition of curfew resulting in disruption of the overall transport / traffic system etc.
- (vii) For any other purpose at the discretion of the Management taking into consideration local circumstances and merits of each case.
- (viii) Special Casual Leave may be combined with any other kind of leave. Sundays / closed Saturdays and other holidays intervening during the spell of the Special Casual Leave will be treated as part of Special Casual Leave period.
- (ix) Special Casual Leave shall be treated as duty for all purposes including drawl of pay and allowances.

5.3 **Earned Leave** :

- (i) Earned Leave is a leave granted on full pay and allowances. It is credited to all eligible regular employees at the rate of 30 days in a calendar year. This will be done in advance i.e. 15 days of E/L to be credited on 1st January; and 15 days on 1st July of each calendar half year. The leave in the credit of employee's E/L account at the close of the previous half year will be carried forward to the next half year subject to the leave as carried

forward plus the credit for that half year not exceeding the maximum limit of 300 days.

- (ii) During the half yearly period in which an employee is appointed, credit of earned leave will be at the rate of 2-1/2 days per month of service and for this purpose half a month or more will be reckoned as one month.
- (iii) Similarly, during the calendar half year in which an employee is due to retire or proceeds on leave preparatory to retirement, or resigns from services, or is removed or dismissed from service or dies, recalculation will be made for crediting leave for that half year at the rate 2-1/2 days per month, half a month or more being taken as one month.
- (iv) Leave up to a maximum of 120 days may be sanctioned at any one time, provided however, an employee may be granted the full earned leave at his credit subject to a maximum of 300 days preparatory to retirement.
- (v) The credit of 15 days earned leave afforded in any calendar half year will be reduced by 1/10th of the period of extra-ordinary leave and absence during the previous half year subject to a maximum of 15 days. For this purpose a fraction below half will be ignored and that of half or more will be reckoned as one day.
- (vi) For the purpose of the computing the service, the periods of leave without pay, unauthorized absence, all periods of legal lock out, strike and legal closure (inclusive of intervening, succeeding and preceding Sundays and holidays) will be excluded.
- (vii) An employee shall be eligible to avail of Earned Leave only after one year's continuous service. However, in exceptional circumstances at the discretion of Competent Authority, an employee may be sanctioned Earned Leave before completion of one year's service to the extent of leave earned only.
- (viii) The limit of accumulation of earned leave may be exceeded in cases where the Earned Leave, though applied for by the employee, is refused by the Competent Authority, in the interest of Corporation's work, and such refusal results in lapsing of Earned Leave due to his reaching the maximum limit of accumulations of Earned Leave. In such a case of refusal, the leave so refused should be utilized by the employee during the next six months from the date of refusal, so as to bring down the leave to the normal limits of accumulation; otherwise, the Earned Leave in excess of 300 days will lapse and no relaxation in accumulation will be allowed under any circumstance. When any refusal of leave is likely to result in

exceeding the limit of 300 days of accumulation, prior approval of CMD shall be taken.

- (ix) An employee on earned leave will be paid leave salary equal to the pay including special pay, personal pay etc. drawn by him immediately before proceeding on leave and the allowance including dearness allowance applicable to that pay.

5.4 **Half Pay Leave** :

- (i) Half pay leave is credited to all eligible employees at the rate of 20 days per year. In the first instance, 20 days will be credited at the end of one year after initial appointment and then for the subsequent period upto the end of the calendar year. Half pay leave will be credited in two installments of ten days soon on the first day of January and July of every calendar year. The leave shall be credited to the said leave account at the rate of 5/3 days for each completed calendar month of service when he is likely to render in the half year of the calendar year in which he is appointed.
- (ii) Entitlement of Half Pay Leave shall be reduced on pro-rata basis for any period of unauthorized absence or leave without pay, period of strike, lock outs and closure during the previous year. Sundays, holidays and off-days falling before and after the Half Pay Leave shall not be counted as part of Half Pay Leave.
- (iii) Half pay leave can be granted on private affairs if the employee so desires even though he has earned leave to his credit.
- (iv) During the calendar year, in which the employee is due to retire or proceed on leave preparatory to retirement, or resigns from service or is removed or dismissed from service or dies, the credit of leave shall be allowed at the rate of 5/3 days per completed calendar month upto the date of retirement or resignation or death.
- (v) There is no limit to the accumulation of half pay leave but the maximum leave on half pay that can be availed of at a time of 180 days at a time.
- (vi) An employee on half pay leave will be entitled to leave salary equal to half of the pay, special pay, personal pay etc. drawn by him immediately before proceeding on leave and Dearness Allowance and the other allowances applicable to the amount. He will get HRA / Lease amount as applicable on full pay.

- (vii) If an employee is on leave on the date of which he completed half year of service, he shall be entitled to half pay leave without having to return on duty.

5.5. Commutated Medical Leave :

- (i) Commuted medical leave not exceeding half the number of half pay leave, due can be granted to eligible employees on medical grounds. In case of female employees, it can be granted without medical certificate subject to a maximum of 60 days in continuation of Maternity Leave.
- (ii) Commuted medical leave is granted by charging on the half pay leave account of the employee to the extent of double the amount of leave. The employee on commuted medical leave will thus draw leave salary to the same extent as in the case of earned leave, during the commuted medical leave.
- (iii) Commuted medical leave may be granted even when the employee has credit of earned leave in his account.
- (iv) Commuted medical leave will not be granted unless the sanctioning authority has reasons to believe that the employee will return to duty on its expiry. *Further, an employee who have been granted commuted leave resigns from service or at his request permitted to retire voluntarily without returning to duty, the commuted leave shall be treated as half pay leave and the difference between the leave salary in respect of commuted leave and half pay leave shall be recovered.* If the employee intends to retire after expiry of the leave, the commuted medical leave will be treated as half pay leave and the excess amount drawn on leave salary will be recovered. But if his retirement becomes necessitated on account of ill health incapacitating him from further service, such a recovery will not be made.

5.6 Extraordinary Leave (without pay) :

- (i) Extraordinary leave is the leave granted to an employee without any Pay and Allowances when no other leave is due to him or when he applies for it specifically.
- (ii) Extraordinary leave may be granted in special circumstances to all regular employees covered by these rules who have satisfactorily completed their probation period.
- (iii) Extraordinary leave may be granted to the following extent, if no other kind of leave is due or when it is specially applied for, subject to a maximum period not exceeding 2 years in entire service:
 - a) Up to three months on any occasion other than on grounds of illness.

- b) Up to six months on an occasion on medical certificate for diseases other than TB / Leprosy / Cancer / Mental Illness.
- c) Up to 18 months on any one occasion in case of treatment for TB / Leprosy / Cancer / mental illness.
- (iv) Two spells of extraordinary leave, if intervened by any other kind of leave, shall be treated as one continuous spell of extraordinary leave.
- (v) When an employee fails to resume duty on the expiry of the extraordinary leave actually sanctioned to him or on the expiry of the maximum period of extraordinary leave as admissible to him, he shall be deemed to have left the service without notice and shall lose his lien on the post held by him, unless the Chairman-cum-Managing Director, determines otherwise in view of the exceptional circumstances of the case.
- (vi) During the period of leave without pay, an employee shall not be entitled to any pay or allowances or subsidy, whatsoever. However, Management may, at its discretion, grant House Rent Allowance in such cases where an employee has been suffering from long, chronic illness such as TB, Leprosy, Mental Illness, Kidney Transplant, Cancer, provided the medical Certificate is submitted from the treating Hospital.
- (vii) The period spent on Extra Ordinary Leave will not count for the purposes of earning Earned Leave and Annual Increment. However, in case of Extra Ordinary Leave on medical grounds, the date of annual increment will not be affected.

5.7 **Maternity Leave for Female Employees :**

- (i) Maternity leave will be granted to a female employee with less than two surviving children for a maximum period of 180 days from the date of its commencement.
- (ii) Maternity leave not exceeding 45 days may also be granted to a female employee (irrespective of the number of surviving children) in case of miscarriage including induced abortion under Medical termination of Pregnancy Act, 1971 on production of Medical Certificate from the authorized Medical Officer, subject to a maximum of two occasions during the entire service period.

Such female employees, who avail the facility of maternity leave for induced abortion, will not be entitled to additional 10 working days special casual leave under Family Planning Incentive Scheme.

Maternity Leave will not be admissible to any female employee in the case of “threatened abortion.”

- (iii) Maternity leave will be granted on the production of a certificate recommending its grant and period by an Authorized Medical Officer / Hospital.
- (iv) Any other kind of leave admissible including commuted medical leave that may be due to the employee may be granted in continuation of maternity leave without the authority of a medical certificate.
- (v) During Maternity Leave the employee will draw full leave salary as in the case of Earned Leave.
- (vi) Maternity Leave is not charged to any of the ordinary leave accounts.
- (vii) All provisions of Maternity Act as applicable to Industrial / Commercial Establishment shall be followed in case of any other facility is provided therein.

5.8 **Paternity Leave for male employees :**

A male employee with less than two surviving children will be granted Paternity Leave for a period of 15 days during the confinement of his wife for child birth i.e. upto 15 days before or upto six months from the date of delivery of the child. During the period of such leave, he shall be paid leave salary equal to the pay drawn immediately before proceeding on leave. Paternity leave shall not be debited against the leave account and can be combined with any other kind of leave (as in the case of Maternity Leave) It may not normally be refused under any circumstances. If Paternity Leave is not availed of within the period of specified above, such leave shall be treated as lapsed.

5.9 **Leave Preparatory to Retirement :**

An employee may be permitted by the authority competent to grant leave to take leave preparatory to retirement to the extent of earned leave due, not exceeding 300 days together with half pay leave due, subject to the condition that such leave extends upto and includes the date of retirement. However, the leave granted as preparatory to retirement shall not include extraordinary leave.

5.10 **Stipendiary Leave (for Management Trainees / other Trainees) :**

Trainees will be eligible for 20 days Stipendiary Leave per year. If the trainee does not avail the same, it will lapse. No other kind of leave will be admissible to the trainees during the period of their training.

6.0 **Encashment of leave :**

Earned Leave and Half Pay Leave is encashable by the eligible employees in the following circumstances and to the extent mentioned:

6.1 The full amount of both Earned Leave and Half Pay Leave at credit in the account shall be considered for encashment in the circumstances indicated hereunder, subject to the overall limit of 300 days. The cash equivalent payable for Earned Leave shall continue unchanged. However, cash equivalent payable for Half Pay Leave shall be equal to leave salary as admissible for Half Pay Leave pay Dearness Allowance admissible on the leave salary. To make up the shortfall in Earned Leave, no commutation of Half Pay Leave shall be permissible. The cash equivalent to leave salary shall be calculated as follows :

Retirement / Death while in service :

(a) For Earned Leave :

| | | |
|---|---|--|
| Pay + DA admissible on the date of cessation of service | x | No. of days of unutilized earned leave at credit Subject to a maximum of 300 days |
| 30 | | |

(b) For Half Pay Leave :

| | | |
|---|---|--|
| Half pay leave admissible + Dearness Allowance admissible on that date (@ of 50% of Pay + DA) | x | No. of days of half pay leave at credit subject to the total of earned leave and HPL at credit not exceeding 300 days. |
| 30 | | |

6.2 **Circumstances for leave Encashment :**

- (a) When an employee retires on superannuation or after a period of extension or re-employment.
- (b) When an employee is permitted to retire prematurely or under approved VRS or on medical grounds or whose employment is terminated on other than disciplinary grounds, or absorption in Government Department / Public Sector Undertaking / Autonomous body.
- (c) The cash equivalent to the leave salary in respect of earned leave and half pay leave at the credit of an employee who joins another Public Sector Undertaking or a Government Organization / Autonomous Body after applying through proper channel, or taking No Objection Certificate to attend interview shall be transferred to his new organization. Similarly, the earned leave and half pay leave at the credit of an employee in his previous organization who joins service from another PSU / Government / Autonomous Body through proper channel shall be credited to his leave account in NSC after receipt of the cash equivalent to the leave salary of such EL / HPL at his credit from his previous organization.

- (d) When an employee dies while in service OR invalidated from service on medical grounds, while in employment.
(The cash equivalent of leave salary that the diseased employee would have got, had he gone on earned leave that would have been due and admissible to him / her but for the death on the date immediately following the death and in any case not exceeding leave salary for 300 days shall be paid to the family).
- (e) An employee who resigns or quits service on his own accord, is eligible to encash 50% of his earned leave at his credit subject to a maximum of 150 days, in addition to the number of days for which encashment was already availed during service, on the date of cessation from service. HPL will lapse.

However, in cases where EL/HPL has been transferred to NSC from the previous employer of any employee, the quantum of such transferred leave shall also be encashed in addition to above.

- (f) On premature retirement under FR56 (j), on voluntary retirement under an approved scheme; and on compulsory retirement as a measure of penalty. On termination of service by Management by notice / payment of pay and allowances in lieu of notice or otherwise in accordance with the terms and conditions of his appointment.

6.3 **Other Conditions** :

- (a) An employee who is dismissed, removed from employment on disciplinary grounds will not be eligible to encash his leave.
- (b) For the period of leave encashed an amount equal to the total of basic pay, dearness pay, special pay and personal pay etc. if any, and dearness allowance and interim relief if any admissible on the date of application, will be paid. House Rent Allowance and other perks & allowances will not be payable for encashment of leave.
- (c) The amount payable for encashment of leave will not be reckoned as wages / salary for purposes of overtime, provident fund, bonus, etc.
- (d) When an employee retires on superannuation, while under suspension or while disciplinary or criminal proceedings are pending against him, the whole or part of cash equivalent of leave salary may be withheld to make recoveries from him possibly arising on conclusion of the proceedings. On conclusion of the proceedings payment may be released after adjustment of Corporation's dues if any.
- (e) No deductions other than income-tax / surcharge will be made from the amount payable to serving employees. In case of retirement / resignation

/ death etc. company's dues if any, will be recovered from the amount of encashment.

6.4 **Leave Encashment During Service (w.e.f. 1.7.2013) :**

- (a) Total E.L. standing at the credit of each employee as on 1st July, 2013 or date of joining in case of new employees shall be bifurcated into two equal parts i.e. encashable E.L. and Non encashable E.L. and the account should be maintained separately. Thereafter the crediting of the leave earned by an employee shall be depicted in the 2 columns separately as on 1st January and 1st July every year. Format to be attached to Service Book to enter encashable Earned Leave is enclosed as Appendix-IV.
- (b) As on 1st January of each year, 7 days E.L. may be credited to encashable leave account and 8 days to the non-encashable leave account. On 1st July of each year, 8 days E.L. may be credited to encashable leave account and 7 days to non encashable leave account. The ceiling on accumulation of encashable E.L. would be 50% of the ceiling of total accumulation of E.L. The deductions of E.L. on account of extraordinary leave shall be made in both the parts equally. **Further it is clarified that the ceiling on accumulation of encashable Earned Leave would be 150 days. However, there will no ceiling on non-encashable Earned Leave and at a particular point of time, the total Earned Leave at the credit of employee will not exceed 300 days beyond which it will lapse. In case any employee is having above 285 days leave in both accounts, then on 01st January, the leave credited in advance in leave account will be shown separately over and above 285 days. If the employee does not avail leave during half year i.e. 01st January to 30th June, this advance leave credit will get lapsed only beyond 300 days and new advance forward to next half year, thereby keeping the advance credited on 01st July and only 300 + credited advance leave will be carried forward to next half year, thereby keeping the advance credited leave in a separate account till next six months and so on. Similar procedure will be adopted in the subsequent half years.**
- (c) Not less than 5 days E.L. and not more than 15 days E.L. will be encashable once in a calendar year subject to a balance of 30 days E.L. remaining in the credit of the employee. If an employee does not avail the leave encashment, the same cannot be carried forward / combined with encashment in any subsequent year. The earlier condition of availing matching number of leaves will not be insisted upon any part or whole of the encashable leave can be availed of as leave as per existing rule / procedure and it is not necessary that it should be encashed compulsorily.
- (d) The existing rule of allowing 10 days leave encashment at the time of availing LTC shall be discontinued in case of all employees.
- (e) Leave encashment under this rule will not be allowed to such of the employees who are placed under suspension or against whom disciplinary proceedings or criminal case is pending (i.e. charge sheet or FIR has been issued) on any charge of causing quantifiable financial loss to the Corporation or any damage to its property and from whom some amount will be recoverable if such charges against him / her are proved finally. Further, an employee who is removed or dismissed by the Corporation as a measure of penalty shall not be eligible for leave encashment under this rule. Vigilance clearance may be obtained in advance.
- (f) Cash equivalent of leave salary to be paid for the encashed leave will be restricted to basic pay including special pay and personal pay, if any, besides DA and shall not include another allowance. Further, the payment towards leave encashment would not be reckoned for any other purpose like Gratuity, Provident Fund, Bonus, Overtime etc.

- (g) The amount of encashment will be taxable in accordance with the provision of Income Tax Act. Dues if any, outstanding against an employee can be recovered from the amount of leave encashment. The sanctioning authority for grant of leave encashment will be the same as applicable in case of grant of E.L.
- (h) Application for leave encashment will be made in the prescribed form (Appendix-V) and HR Department shall specifically verify and ensure that suitable entries have been made in the Service Book and also in the leave account under proper attestation of an authorized Officer who shall record a certificate to this effect in the Application Form itself before sending it for approval.

7.0 Joining Time :

7.1. Employees transferred from one Head Quarters station to another Head Quarters station involving change of residence are entitled to joining time as below :

| <u>Distance between old HQ and New HQ</u> | <u>No. of days of joining time</u> |
|--|------------------------------------|
| 1000 km. or less | 10 days |
| More than 1000 km. but less than 2000 kms. | 12 days |
| More than 2000 km. | 15 days* |

*Note: * (1) In the case of travel by air, the maximum period will be 12 days.*

7.2 Joining time shall commence from the date of relinquishing charge of the old post, if the charge is made over in the F.N. or the following date if the charge is made over in the A.N.

7.3 When holidays follow joining time, the normal joining time is deemed to have been extended to cover such holidays. A Sunday and a holiday shall count as a day for the purpose of calculation of joining time. Part of a day shall be treated as one day.

7.4 Extension of joining time beyond the above limits may be granted upto maximum of 30 days by the Chairman-cum-Managing Director or concerned Functional Director. The guiding principle for sanction of additional joining time would be that a total of 8 days for preparation plus reasonable transit time including time unavoidably spent due to disruption of traffic caused by strikes, natural calamities etc.

7.5 Not more than one day's joining time shall be allowed to join a new post within the same station or when change of residence from one station to another is not involved.

7.6 No joining time is admissible in the case of 'temporary transfer' for a period not exceeding 180 days. Only the actual transit time is allowed as in the case of journey on tour.

7.7 Joining time can be combined with earned leave but not with Casual Leave.

7.8 Joining time may be curtailed or extended at the discretion of the authority competent to transfer an employee. In case of exigencies of work the Competent Authority can direct the concerned employee to joining duties immediately and avail the joining time later.

7.9 When an employee on transfer joins the station of his posting, whether on order of the competent authority or on his own accord, without availing the full joining time, the number of days of joining time as admissible under these rules reduced by the number of days actually availed of shall be credited to his earned leave account. If the addition results in the total E/L of credit exceeding 300 days, the excess will be ignored.

7.10 An employee who does not join the new post within his joining time is not entitled to any pay or leave salary after the end of joining time. Further, an employee who willfully absents himself from duty after the expiry of joining time shall be liable to disciplinary action under the rules.

7.11 An employee on joining time is treated as on duty and is paid pay and allowance as applicable at the old station from which he is transferred.

8.0 (A) **Absence from duty without permission, absence from station or late attendance :**

- (i) An employee shall not absent himself from his duties without having obtained prior permission / leave of the competent authority.
- (ii) No employee shall leave the station, where he is posted, without obtaining previous permission of the competent authority unless otherwise so authorized by such authority.
- (iii) An employee who is habitually late in attendance shall in addition to such other penalty as the competent authority may deem fit to impose, have one day of casual leave forfeited for every three days he is late in a month. Where such an employee has no casual leave due to him the period of leave to be so forfeited may be treated as earned or extraordinary leave as the competent authority may determine.

(B) **Action to be taken for unauthorized absence :**

- (i) If an employee remains absent from duty / place of work without sanction of any leave or after the expiry of sanctioned leave, if any, for a period exceeding 4 days, he will be marked absent in the attendance register for the days of absence and it will render him liable to disciplinary action for 'misconduct'. Unless he explains his absence in manner satisfactory to the Sanctioning Authority.
- (ii) During the period of unauthorized absence without sanctioned leave or over-stayal of Leave without pay or absence due to strike / agitation, the concerned employee will not be entitled to any wages or any other

allowances / benefits whatsoever and the period of such unauthorized absence will constitute an service not to be counted for increment or accrual of leave unless it is regularized by Competent Authority by passing a separate order, keeping in view the circumstances of the concerned employee.

(C) **Termination on account of unauthorized absence :**

In case an employee remains unauthorisedly absent from duty or place or work either without sanction of any leave, if any, and does not report for duty for any reason whatsoever within ninety (90) consecutive days from the date of his / her unauthorized absence, shall automatically lose lien on his / her post and shall be deemed to have voluntarily abandoned / deserted and left the service of the Corporation without notice, and he / she be liable to be discharged from service and his / her name shall be struck off from the rolls of the Corporation. Such termination on account of voluntary abandonment / unauthorized absence will not be deemed to be a penalty under Rule 35 of NSC Employees (Conduct, Discipline & Appeal) Rules, 2013.

Provided, however, if the employee subsequently substantiates and accounts for his / her unauthorized absence from duty within thirty (30) consecutive days from the date of his termination order to the entire satisfaction of the Management, the Management may regularize his / her unauthorized absence on such terms and conditions as it may deem fit and proper.

9. **Interpretation :**

9.1 Any question of doubt or interpretation or application of these rules should be referred to the Chairman-cum-Managing Director, whose decision shall be final and binding.

9.2 The Corporation reserves itself the right to modify, or withdraw all or any of these rules or any supplementary rules / amendments thereto issued in connection with these rules, without any previous notice of its intention and the right to give effect thereto, from the date of issue or from any other date.

9.3 In these rules, the masculine pronoun "He" wherever occurring shall be deemed to include feminine pronoun 'She' also.

9.4 In case of any particular aspect of leave rules / facility not covered in these rules, the matter shall be referred to CMD along with rule position applicable in Government of India / other major PSUs, for taking a final decision which shall also be updated in these Rules.

9.5 The claims of the employees on any aspect covered by the previous rules which have already been settled will not be reopened after the commencement of these rules.

APPENDIX-I

NATIONAL SEEDS CORPORATION LIMITED
Competent Authorities for grant of various kinds of leave

| Category | Casual Leave | Earned leave, Half Pay Leave/Commuted Medical Leave, Extra Ordinary Leave, Maternity Leave/Paternity Leave, Leave Preparatory to Retirement, Leave Encashment | Special Leave | Casual |
|---|---|---|------------------------------------|--------|
| (A)Head Office | | | | |
| (i) Staff in Group/Category C& D (except PA/Steno/Peon) attached to Senior Officers | Sectional In-charge not below the level of E-1 (Scale Rs.16400-40500) in case of PA, Steno/Peons attached to Senior Officers, the Competent Authority will be the concerned officer with whom he/she is attached. | Head of Department | Chairman-cum-Managing Director | |
| (ii) Employees in Group B & A below Head of Department | Concerned Head of Department | Head of Department | Chairman-cum-Managing Director | |
| (iii) Head of Department & other Senior officers reporting directly to Directors | Concerned Director | Concerned Director | Chairman-cum-Managing Director | |
| (iv) Officers directly reported to CMD | CMD | CMD | CMD | |
| (v) Directors | CMD | CMD | Chairman-cum-Managing Director | |
| (vi)CMD | CMD | Secretary, Administrative Ministry | Secretary, Administrative Ministry | |
| (B) (i) Regional Manager/Farm Head | Director (Comm) | Director (Comm) | CMD | |
| (ii) Employees posted at ROs/Farms | Regional Manager/Farm Head | RM/Farm Head | CMD | |

| | | | |
|--|--|--|--|
| | | | |
|--|--|--|--|

Note :

Record of Casual Leave shall be maintained at the level of the concerned Competent Authority.

Records of all kinds of leave **in r/o employees of ROs/Farms except RM/Farm Head** shall be maintained in the concerned HR Department. **However, in case of Regional Manager/Farm Head all kind of leave records shall be maintained by HR Department at Corporate Office.**

NATIONAL SEEDS CORPORATION LIMITED
E.L./H.P.L./COMMUTED LEAVE/E.O.L. APPLICATION

| | | |
|---|--|--|
| NAME OF OFFICE _____ Department _____ Date..... | | |
| Name of Employee: | E. No. : _____ Designation : _____ | |
| Present Address: | Address During Leave (if different) | |
| Nature of Leave :EL/HPL/ Commutated Leave EOL/Other (Specify) | <u>P e r i o d</u> | |
| | From _____ To _____ | |
| Reasons for Leave : (In case of commuted leave, Medical Certificate to be attached) | | |
| Details of Leave last availed : Period : | | |
| Number of times leave availed : During the current year | | |
| Applicant's signature | Recommended/Not recommended Signature of Officer In-charge | Sanctioned/Not sanctioned (Employees to be informed) Sig. of Sanctioning Authority |
| Forwarded to HR Department : | | |

NATIONAL SEEDS CORPORATION LIMITED

APPLICATION FOR CL/SCL/RH/COMP. OFF

| | | | |
|---|--------------------------------|---|---------------|
| NAME OF OFFICE _____ | | Department _____ | |
| Date..... | | | |
| Name of Employee: | | E. No. : | Designation : |
| Nature of Leave : CL/SCL/RH/COMP. OFF | | <u>P e r i o d</u> | |
| | | From | To |
| Comp. Off in lieu of working on : | | | |
| Reasons for Leave : | | | |
| Number of CLs/SCL already availed during the current year : | | | |
| Address during leave : | | | |
| Applicant's signature | Recommended/Not recommended | Sanctioned/Not sanctioned (Employees to be informed) | |
| | Signature of Officer In-charge | Sig. of Sanctioning Authority | |

NATIONAL SEEDS CORPORATION LIMITED

NATIONAL SEEDS CORPORATION LIMITED
JOINING REPORT

| | | | | |
|----------------------------|----|--------------------------------|----|---------------|
| Name _____ Office _____ | of | Name _____ Department _____ | of | Date..... |
| Name of Employee: | | E.No. : | | Designation : |
| | | | | |

To Head of Department

Sir,

After availing _____ days of Earned /HP /Commuted Leave/EOL, from _____ to _____ which was sanctioned earlier by the Competent Authority, I hereby report for duty today, the _____ day of _____ 20_____ in the forenoon. I also submit Medical Fitness Certificate from my treating Doctor (in case of Leave on medical grounds).

| | | |
|-----------------------|---|---------------|
| | Forwarded to HR Deptt. for necessary action | |
| Applicant's Signature | Signature of Officer charge/HOD | HR Department |

NATIONAL SEEDS CORPORATION LIMITED

NATIONAL SEEDS CORPORATION LIMITED

APPLICATION FOR THE GRANT OF E/L ENCASHMENT

(Details to be filled by applicant in duplicate)

| | | |
|----------------------|--------------------|-------------|
| NAME OF OFFICE _____ | Name of Department | Date |
| Name of Employee : | E.No. | Designation |
| | | |

No. of days of Leave Encashment :

Basic Pay (Plus GP) :

DA :

Total :

Signature of Employees

Recommendation of H.O.D

Signature of HOD

(For use by HR Department)

Certified that _____ days of encashable Earned Leave is at the credit of Shri/Smt./ Miss _____ as on _____ and the requisite balance will be available after the above leave encashment.

Vigilance Department may kindly indicate whether any vigilance case is pending (i.e. chargesheet/FIR issued) against the above individual on any charge of causing quantifiable financial loss to the Corporation.

HR Asstt / J E(HR)
AM (HR) / Manager (HR)/ Vig. Incharge

Signature of Vigilance Incharge

HR DEPARTMENT

In the light of the observations of Vigilance Department, matter is submitted for a decision on sanctioning or otherwise of the _____ days leave encashment to the above individual. Certified that necessary entry has been recorded at page _____ of the Service Book and also of the leave account of the individual. (Applicable in cases which have been cleared by Vigilance Department).

H.R. Asstt ./ J.E. (HR)
AM (H R)/ Manager (H R)/ GM (H R)