

THE CALCUTTA TRAMWAYS COMPANY (1978) LIMITED
(A GOVERNMENT OF WEST BENGAL UNDERTAKING)
12, R. N. MUMERJEE ROAD, CALCUTTA - 700 001

REVISED LEAVE RULES

I. OBJECTIVE ::

The Revised Leave Rules have been framed with the objectives of promotion of regularity in attendance of CTC permanent employees, optimum utilisation of man power and promotion of efficiency and productivity of the Company.

II. TITLE ::

The Rules will be known as "LEAVE RULES (CTC) 1991" and shall come into effect on and from 1.10.91 in terms of Government of West Bengal, Transport Deptt's Memo No. 11975-WT dated 24.09.1991.

III. EFFECT ::

This Rule shall replace the rules/awards existing and shall apply to all categories of regular employees/workers including Officer and Supervisory staff. Where no specific rules is laid down in the Revised Rules the existing rules/orders relating to Leave shall continue in force. Where there is a contradiction between the existing leave rules and the Revised Leave Rules the provision of the Revised Rules shall prevail.

IV. SCOPE ::

- (a) Leave shall not be claimed as a matter of right.
- (b) The Management shall have the power to refuse/defer leave in the interest of the Company.
- (c) The power of interpreting these rules is reserved for the Management.

V. DEFINITIONS ::

- (a) 'Basic Pay' means pay other than special pay and any other emoluments sanctioned for the post.
- (b) 'Day' means a calendar day beginning and ending at mid-night.
- (c) 'Completed Years of Service' means continuous service of specified duration and includes the period spent on duty as well as absence on authorised leave.
- (d) 'Date of Retirement' -
Except otherwise provided an employee shall retire from service compulsorily with effect from the afternoon of the last day of the month in which he attains 58 years of age. Provided that an

employee whose date of birth is the first of a month shall retire from service with effect from the afternoon of the last day of the preceding month before attaining age of 58 years.

- (e) 'Employee' means all categories of permanent employees of CTC including Officers/Supervisory Staff/Workers and other categories of employees who are in the Pay Roll of the Company but exclude all Officers and employees deputed by the Government in the Company or deputed from other S.T.Cs.
- (f) 'Operational Staff' shall mean all categories of staff of traffic operation, all Engineering staff of Depot Rolling Stock, all outdoor staff of PW, Building, Overhead & T&E Departments. The staff of Substation, Security and Depot Cash, Cleaners and Sweepers of all Depots shall also be treated as operational staff.
- (g) The term 'family' shall mean and include the following :-
- (1) Wife in the case of a male employee.
 - (2) Husband in the case of a female employee.
 - (3) Minor sons including legally adopted sons.
 - (4) Unmarried minor daughters including legally adopted daughters.
 - (5) Dependent parents.
- (h) 'Prolonged illness of serious nature' means Pulmonary t.b., t.b. of any other part of the body, leprosy etc.

VI.

CASUAL LEAVE :

- (a) The admissible limit of CL in a calendar year will be 14 days and will not be carried over from one year to another year.
- (b) In respect of fresh recruit in CTC joining in course of a year the admissible limit of CL of the concerned employee for that year will be 14 days, 10 days, 7 days and 4 days depending on his date of appointment falling in the first quarter, 2nd quarter, 3rd quarter and 4th quarter respectively of that year. In case of retirement of an employee in course of a year the admissible limit of CL for that year will be 4 days, 7 days, 10 days and 14 days depending on the date of retirement falling in the first quarter, 2nd quarter, 3rd quarter and 4th quarter respectively of that year.
- (c) Casual leave for more than 7 days of absence including intervening holidays at a stretch shall not be allowed; provided that for "Operation Staff" as defined in Sub-Para (f) of Para - V, casual leave will be granted for not more than 2 days in a month.
- (d) CL shall not be attached to any other kind of leave except Compensatory Leave/Sunday/Off-day and festival holidays declared under N.I. Act and that too with prior intimation to the sanctioning authority under usual circumstances.

- (e) Occasional absence from duty/office - for 1 to 5 days for urgent personal business and deduction of leave @ 1 days for every 5 days' late attendance in a month will be adjusted first against CL due only. In case of clerical cadre and subordinate staff attached to office establishments the existing order relating to attendance of State Govt. employees will be applicable.
- (f) Officer/supervisory staff/Allocated staff/Engineering staff on general shift duty only shall be allowed to avail $\frac{1}{2}$ CL only and application for $\frac{1}{2}$ CL on Saturday, and on half holiday shall be treated as application for full CL.
- (g) No encashment of CL shall be allowed from the date of effect of this Leave Rules.
- (h) Leaving of Head Quarters on CL will not be permissible.
- (i) When by adjustment of such occasional absence of short duration/late attendance the due CL of an employee is exhausted, occasional absence/late attendance will be adjusted against Special Leave without pay. Application for CL should normally be made in advance except in case of extreme urgency when the application for CL shall have to be submitted on or before the very date of rejoining duty after absence failing which the day or days of absence will be treated as leave without pay.
In the case of operational staff, prior intimation shall be necessary if adjustment of occasional absence of short duration against CL is to be allowed by the authority competent to grant such leave. Otherwise such absence shall be adjusted against special leave without pay.
- (j) The adjustment of more than 5 days' late attendance in the month against due CL will be made automatically irrespective of whether there is any application or not.

VII. PRIVILEGE LEAVE :

- (a) PL shall not be used as CL.
- (b) PL shall be credited to the leave account of a permanent employee @ $2\frac{1}{2}$ days for each completed calendar month of service which he is likely to render in a half year of the calendar year in which he is appointed.
- (c) The credit for this half year in which an employee is due to retire or resign from the service shall be afforded only at the rate of $2\frac{1}{2}$ days per completed calendar month upto the date of retirement or resignation.

- (d) When an employee is removed or dismissed from service or duties while in service credit of PL shall be accrued at the rate of $2\frac{1}{2}$ days per completed calendar month upto the end of calendar month proceeding the calendar month in which he is removed or dismissed from service or dies in service.
- (e) While affording credit of PL fraction of a day shall be rounded off nearest day.
- (f) If an employee has availed himself of special leave and/or some period of his absence has been treated as 'dies-non' in a half year to the credit to be afforded in leave account at the commencement of next half year shall be reduced to $1/10$ of the period of such leave and/or 'dies-non' subject to a maximum of 15 days.
- (g) The leave account of every employee shall be credited in advance in two instalments in a year @ 15 days on the first day of January and July respectively.
- (h) The leave at the credit of an employee at the close of the previous $\frac{1}{2}$ year shall be carried over to the next $\frac{1}{2}$ year subject to the condition that the leave so carried over plus the leave at the credit upto the first half year shall not exceed the maximum limit of 240 days. Provided that in case of an employee whose age of retirement will be more than 50 years, the credit of such PL shall not exceed the maximum limit of 60 days under normal circumstances.
- (i) PL shall only be allowed on 2 occasions in a calendar year for all categories of employees except Officers/Supervisory staff on general shift duty only and clerical staff for whom PL will be allowed for a period of continuous absence of not less than 7 days and not more than 4 occasions in a calendar year.
- (j) Under no circumstances PL shall be granted at a time for more than 90 days for all categories and not less than 7 days for operational staff. Such granting of maximum PL shall be against extreme cases on medical grounds. Provided that such limit of granting PL at a time shall be restricted to 30 days for employees whose retirement might be above 50 years provided there is PL to such extent standing at the credit of such employee.
- (k) PL enjoyed by an employee shall always be on full pay, DA etc and no leave on half pay for double the days of PL shall be allowed.
- (l) PL under normal circumstances shall be applied for at least 30 days in advance from the date of commencement of such leave and any deviation from this stipulation may be allowed only under extremely convincing ground with supporting documents as a special case.

- (m) The encashment of unutilised portion of accumulated PL of an employee as on the date of dismissal/discharge/retirement resignation/death will be allowed on the basis of following formula :-

$$\text{CASH EQUIVALENT} = \frac{\text{Pay admissible on the date of retirement + DA admissible on that day}}{30} \times \text{Number of days of unutilised PL at the credit on the date of retirement subject to a maximum limit of 240 days}$$

Provided that an employee whose retirement age will be more than 58 years shall not be entitled to encashment of unutilised portion of PL.

- (n) An employee who retires from service on attaining the age of 58 yrs while under suspension, as the case may be, shall become eligible for the benefit of cash equivalent of PL that was at his credit on the date of his suspension calculated in the manner provided in the Sub-para(m)
- (o) A permanent employee who retires or retired by the Company on attaining 58 years may be granted by the authority competent to grant leave, cash equivalent to PL at his credit at the time of such retirement subject to a maximum limit of 240 days.
- (p) ~~Where~~ where the service of a permanent employee are terminated by notice before attaining 58 years or in accordance with any service rule with such provision or in pursuance of Amended Standing Order in this regard he may be granted cash equivalent to PL at his credit on the date of such termination subject to a maximum of 240 days. This benefit shall not be admissible for employees under "contract service".
- (q) If an employee resigns or quits service before attaining 58 years he may be granted by the authority cash equivalent to PL at his credit on the date of cessation of service to the extent of $\frac{1}{2}$ of such leave to his credit subject to a maximum of 120 days.
- (r) An employee who has been re-employed after retirement or discharge may, only on termination of his re-employment be granted by the authority cash equivalent in respect of PL at his credit on the date of retirement or the date of termination of re-employment subject to a maximum of 240 days. But the period between the date of such termination and date of reengagement will not be qualified for computation of PL in respect of such employee.
- (s) The amount towards cash equivalent to PL at the credit of an employee as referred in the Sub-para(r) shall be paid in one lump-sum as one time settlement. No House Rent Allowance or other Compensatory Allowance shall be admissible while calculating such settlement.

- (t) In the event of death of an employee while in service the cash equivalent of the leave salary that the deceased employee would have got had he gone on leave but for his death on the date immediately following the date of death shall be paid to his family. Exceeding leave salary for 240 days shall be paid to his family. Cash equivalent of leave salary shall not be payable to more than one member of the deceased employee's family at the same time. It shall first be admissible to the widow(s)/widower and then to the children in equal shares and thereafter to the mother and lastly to the father. Where an employee is survived by more than one widow, leave salary shall be paid to them in equal share.
- A written declaration shall be submitted by each employee communicating his consent to the above method of dispensation of equivalent of leave salary in the event of his premature demise.
- (u) Since the facility of encashment of PL will be available to an employee only once for the entire service period, an employee who once encashed accumulated PL after dismissal/discharge/medical retirement/resignation shall not be re-engaged in the Company's service.
- (v) Except under exceptional circumstances on medical ground PL shall not be converted into Medical Leave. An employee may be allowed to enjoy PL on medical ground in lieu of or in continuation of ML as a special case only if and when his accumulated medical leave stands exhausted and in case his absence is duly supported by Medical Certificate issued by a Registered Medical Practitioner recognised under Indian Medical Council Act.

VIII. MEDICAL LEAVE :

- (a) An employee shall be entitled to medical leave on half average pay for 20 days in respect of each calendar year, which shall be credited at 10 days for every half year on the 1st January and July each year. Such Medical Leave can be accumulated upto a maximum limit of 50 days on half average pay, commutable to 25 days on average pay.
- (b) ML shall be granted on medical ground only and on production of medical certificate issued by a medical officer of the Company. In special circumstances, such certificates may be issued by a Medical Practitioner registered under the I.M.C. Act.
- (c) In the case of employees joining/retiring after a part of the year has elapsed, ML will be admissible at 1.2/3rd days of half pay leave per month for the part of the year during which the employee was in

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service. The period of service rendered in such part of the year shall be rounded off to the nearest 10 days.

- (d) Commutation of medical leave on half pay standing at the credit of the employee during the concerned year may be allowed by the authority competent to grant leave only if the employee provides documentary proof of having suffered from a protracted illness of serious nature during the period of such absence and applies for commutation. Commutation shall be allowed by deducting twice the number of days for which commuted leave is granted from the ML on half pay standing at the credit of the employee at that point of time. When allowing commutation, the authority competent to grant leave shall not grant commuted leave exceeding half the amount of ML on half pay due to the employee at the relevant point of time. Where there is an odd day in the ML on half pay admissible, such odd day shall be left out of reckoning when allowing such commutation. Commuted leave shall be paid in full pay and full DA while ML shall be on half pay and half DA.

X(10) In cases of protracted illness of serious nature, PL may be allowed to be added to ML whether the ML is commuted or not. In such cases of protracted illness ML on half average pay may be granted to an employee to the extent at his credit subject to a maximum limit of 50 days. In such cases commutation of ML on half pay to ML on full pay may be allowed to the extent at his credit subject to a maximum of 25 days on full pay.

In other cases of illness for which ML has been sought, a maximum of 10 days ML on half pay may be granted by the authority competent to grant leave. In such cases no commutation of ML on half pay to ML on full pay shall be allowed by the sanctioning authority. PL shall be added to such ML on half pay if it appears from the certificates of the Medical Officer of the Company/Medical Practitioner duly registered under IMC Act that the employee fell ill on, or, about the time of conclusion of the PL. In other cases only such fraction of absence beyond the period of PL granted as had resulted from illness other than protracted illness of serious nature requiring confinement at home and subject to a maximum of 10 days, half pay may be granted at the discretion of the sanctioning authority.

Provided that where an employee has been confined to a Government hospital, ML on half pay for the entire period of his stay in the hospital may be sanctioned subject to the ML standing at credit of the employee and subject to the maximum limit as prescribed in Sub-para(e) above.

- IX
- (a) Re-engagement shall not be allowed for an employee after 2 cases of discharge/retirement be it on Medical ground or unauthorised long absence or both.
- (b) If an employee is absent for a period of fifteen days or more without any authority or without any application for any leave during such period he will be discharged for unauthorised long absence.
- (c) If an employee is absent on PL/ML/combination of both for a period of more than ninety continuous days he shall be retired on medical ground.

X. SPECIAL LEAVE ::

Special leave may be granted under following circumstances :-

- (a) When no other leave is admissible or due.
- (b) Such leave will be leave without pay.
- (c) Only on Medical Ground to be supported by document as is necessary in case of ML, Special Leave will be allowed.
- (d) Under no circumstances such Special Leave will be granted on any occasion in excess of 30 days.
- (e) Special Leave may be allowed to be in continuation of ML and or PL only on Medical Ground.

XI. MATERNITY LEAVE ::

- (a) A female permanent employee may be granted Maternity Leave by the authority competent to grant such leave for a period of 90 days from the date of her absence, provided that such female employee has been in the permanent service of the Company for at least nine months immediately preceding the date of delivery. During such such period such female employee shall be paid leave salary equal to pay drawn before proceeding on such leave.
- (b) Maternity Leave may be granted in case of mis-carriage including abortion subject to the condition that the leave shall not exceed 6 weeks instead of 90 days as above.
- (c) Maternity Leave may be combined with leave of any other kind except, CL and Compensatory Leave.
- (d) The Maternity Leave shall not be debited against the leave account of the employee.

FESTIVAL HOLIDAYS ::

Festival Holidays will be granted in respect of the employees in CTC in the following manner :-

- (a) Staff of Head Office - Festival Holidays notified under Negotiable Instruments Act as are admissible at present will continue.
- (b)
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| 1. Traffic Staff. | | Total number of |
| 2. Staff belonging to T&E Deptt | | Festival Holidays will |
| 3. Telephone Operators | | be 13 days in a Calen- |
| 4. Overhead Staff | | dar year to be noti- |
| 5. Factory Staff incl. Depot Rolling Stock | | fied at the beginning |
| 6. PWD Staff | | of the year. |
| 7. Durwans | | |
- (c) If such public holidays falls on Sunday or other registered holiday no additional holidays will be allowed for that purpose.
- (d) The list of such public holidays shall be published at the commencement of each year by the Chief Accountant-cum-Secretary for all Deptts with the prior approval of the Managing Director.

III. COMPENSATORY LEAVE ::

- (a) Employees called upon to work on festival holidays will be granted Compensatory Leave in lieu of such holidays.
- (b) Such Compensatory Leave will not be admissible where the festival holiday will fall on off-day of an employee.
- (c) Compensatory leave shall be taken within 15 days from the date of such working on holidays. Such Compensatory Leave shall not be allowed to be deferred under normal circumstances.
- (d) Not more than two days' Compensatory Leave at a time can be enjoyed by an employee entitled to such leave. Compensatory Leave can be affixed or pre-fixed with C.L. only with advance intimation.

IV. RULES ON SPECIAL LEAVE WITH PAY :

Special leave with pay may be allowed to an employee as a very special case when an employee joins any sports/cultural programmes of short duration sponsored by Central/State Governments with prior approval of General Manager/Managing Director. But such special leave with pay will not be allowed if the approval of GM/MD is not obtained prior to joining the programme.

LEAVE ADDRESS AND RECALL FROM LEAVE ::

- A. Each employee shall before proceeding on leave, be it CL, PL, ML, Special Leave with pay or without pay, give the leave address in the application submitted for the purpose.

B. The Company shall have the right to recall an employee from leave before expiry of the same.
In case an employee is / ^{recalled} to duty before the expiry of his leave such recall to duty shall be treated as compulsory in all cases and the employee shall be entitled :-

- (a) To be treated as on duty from the date on which he starts from the Station to which he is ordered, and to draw -
 - (i) Travel allowance under rules made in this behalf for Journey and
 - (ii) Leave salary, ^{until} / he joins the post, at the same rate at which he would have drawn it but for recall to duty.

XVI. Leave under existing Government Order will be regulated by orders of the Govt issued from time to time.

SC/Debu. - 27.9.91.