

URANIUM CORPORATION OF INDIA LIMITED
JADUGUDA

Administrative Instruction No: UCIL/900

Date: 21.08.2020

Sub: Policy for compassionate employment or grant of ex-gratia to the eligible dependents
of the deceased employees of UCIL

There have been continuous requests from aggrieved families for providing compassionate employment to the dependants of the deceased employees of UCIL. However, there being no such approved policy in the Company, the matter was placed before the Board of Directors of UCIL in its 259th meeting held on 16.08.2019. As per decision of the Board, Department of Atomic Energy constituted a Joint Committee of UCIL, IREL & ECIL to formulate a uniform policy in respect of these three PSUs to provide compassionate employment or to grant ex-gratia to the dependents of deceased employees.

Accordingly, a uniform policy was drafted and placed before the Board of Directors of UCIL in its 263rd meeting held on 26.06.2020. Board, upon detailed deliberations, approved the policy for implementation in UCIL.

The Policy envisages that if an employee dies in harness leaving behind his family in penury and without any means of livelihood, Company will provide either compassionate employment or grant ex-gratia to the family concerned to alleviate the financial hardship arisen due to untimely death of its earning member. The summary of the policies is as under:

1. **Compassionate Employment:** If an employee dies in harness on or before attaining the age of 55 years (not applicable for accidental death during the course and arising out of employment), an eligible nominee of the deceased employee's family, as defined in the policy, will be provided compassionate employment either in Group-C or D posts as per his/her suitability, provided the family fulfils the indigent criteria as laid down at Sl.No.13 of the Policy. Compassionate appointments shall be made up-to a maximum of 5% of the vacancies under direct recruitment quota in Group-'C' & 'D' posts in a calendar year. Seniority of the applicants will be reckoned from the date of death of the employee. However, in case of death of an employee due to accident during the course and arising out of employment, eligible dependent of family of the deceased employee shall be considered for immediate employment without reference to availability of vacancy, which will be adjusted in the prescribed 5% ceiling that may arise subsequently.
2. **Grant of payment of Ex-gratia:** The eligible dependent family member of an employee who dies in harness irrespective of residual service period, will have an option to opt for one-time Ex-gratia Financial Assistance in lieu of Compassionate Employment or if not eligible for compassionate appointment due to age bar, subject to the condition that the concerned family

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fulfils the indigent criteria as prescribed at Sl.No.13 of the Compassionate Employment Policy. The amount of ex-gratia payable shall be as under:

Ex-gratia based on the service period left at the time of death	
Upto 15 years	Above 15 years
Rs.20,00,000/- or an amount equal to total pay (Basic Pay + Dearness Allowance), the deceased would have normally drawn till his/her retirement, whichever is less.	Rs.25,00,000/- or an amount equal to total pay (Basic Pay + Dearness Allowance), the deceased would have normally drawn till his/her retirement, whichever is less.

The ex-gratia amount will be deposited with the Bank/Post Office as a Term Deposit for a period of 10 (ten) years or till the scheduled date of retirement, whichever is earlier and the interest accrued on the deposit will be received by the dependent family member on monthly basis. However, in case of any extreme difficult situation (e.g. marriage of wards, higher education, medical expenses on critical illness etc.) the deposited amount can be withdrawn proportionately subject to approval of competent authority on case to case basis. After completion of the tenure of Term Deposit, the proceeds will be credited to the account of eligible nominee.

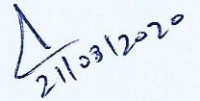
3. As the above Uniform Policies do not address certain issues which are specific to UCIL, the following findings/recommendations of an internal committee constituted for the purpose, were also approved by the Board for implementation in UCIL:
- (a) The policy for compassionate employment/payment of ex-gratia shall also be extended to the families of employees on total medical invalidation ground also as per section 4b of the Employee's Compensation Act, 1923.
 - (b) There shall be no time limit for making application under this policy in compliance of DoPT OM No. 14014/3/2011-Estt.(D) dated 26.07.2012.
 - (c) Compassionate appointments shall be restricted to maximum of 5% of the vacancies in respective category including land displaced (unskilled) under direct recruitment quota. Position of vacancies will be reconciled in the first week of January every year.
 - (d) Payment of ex-gratia in lieu of compassionate appointment shall be extended to all backlog cases of land displaced category only. However, for other cases, it shall be considered on prospective basis i.e., from the date of issue of this AI.
 - (e) Families of deceased employee shall be allowed to retain the Company's accommodation till the scheduled date of superannuation of the deceased employee or compassionate appointment/payment of ex-gratia to the concerned family, whichever is earlier.
 - (f) Families of deceased employee shall be allowed to avail medical facilities limited to UCIL Hospitals only, till the scheduled date of superannuation of the deceased employee or compassionate appointment/payment of ex-gratia to the concerned family, whichever is earlier.
 - (g) Wards of deceased employee shall continue their education up to higher secondary level, if studying in AECS.

- (h) Retaining of Company's accommodation and continuation of education facility at AECS will be allowed at normal rate (applicable to regular employees) subject to giving undertaking by a regular employee scheduled to superannuate after due date of superannuation of the deceased employee, to the effect that all recoveries towards the respective quarter and dues of AECS will be made from his salary.
- (i) A contractual worker, who dies during the course and arising out of employment, shall also be provided with additional amount of financial assistance in the form of ex-gratia equivalent to the amount of compensation payable under the Employees' Compensation Act, 1923. However, this additional amount of compensation shall be paid by the respective contractor through a suitable insurance policy.
- (j) There is an approved policy for providing employment against the premature death of land displaced employee recruited purely based on the quantum of land as specified in clause No.4.1 (iii) of R&R Policy. As this policy is not applicable to employees recruited additionally on the same piece of land, such cases shall be considered under this policy of Compassionate Employment/Payment of ex-gratia.
4. A committee consisting of following members shall examine all applications to be received under the policies from time to time and shall submit its recommendations for approval of the competent authority:
- (i) HOD (P&IRs)
 - (ii) HOD (Medical Services)
 - (iii) HOD (Finance)
 - (iv) HOD – concerned unit of the applicant

The detailed terms & conditions regulating the above policies for compassionate employment and grant of ex-gratia to the eligible dependents of the deceased employees are enclosed herewith as Annexure-I & II respectively.

Due date for submission of fresh application (earlier applications will not be considered) in the prescribed format for compassionate appointment or grant of ex-gratia for pending cases shall be within 30 days from date of issue of this AI.

This issues with the approval of competent authority.


21/08/2020

(S. K. Sharma)
General Manager (I/P&IRS/P)

Distribution :

Dy. Manager (Admin) - office of C&MD/ AAO – office of Dir (Fin)/ PA to Director (Technical)
All HODs/All Notice Boards/ All committee members (Sl.No.4 above)
General Secretaries of all unions
All Personnel Officers (Jad Mill & Mines, NWP, TMD, TMPL)
A.I. File/Central Personnel Section

UNIFORM POLICY FOR ECIL, IREL & UCIL FOR PROVIDING COMPASSIONATE EMPLOYMENT TO THE ELIGIBLE DEPENDENTS OF THE DECEASED EMPLOYEES.

1) OBJECTIVE:

The main objective of the policy is to grant appointment on compassionate grounds to eligible dependent(s) of a regular employee dying in harness leaving behind his family in penury and without any means of livelihood, to relieve the family of the employee concerned from financial destitution. The employment on compassionate grounds to the dependents of the employee, who die while in service is not to be provided as a matter of right, it should be given only in deserving cases, where the family of deceased employee is left in indigent circumstances, requiring immediate means of subsistence. The Appointing Authority (as per the Delegation of Power) would satisfy themselves about the indigent circumstances of the family, before appointment on compassionate grounds is offered.

However, the eligible dependent family member will have an alternative option for availing Ex-gratia Financial Assistance in lieu of Compassionate Appointment as per the terms and condition of the separate scheme framed by the concerned PSU, if any providing for such Ex-gratia Financial Assistance in lieu of Compassionate Appointment.

2) TO WHOM THE POLICY IS APPLICABLE: -

The employment assistance on compassionate grounds will be allowed to a dependent family member of a regular employee, who dies while in services, leaving his family indigent & in immediate need of assistance.

It is clarified that the compassionate employment shall be permissible to the eligible dependents of only those deceased regular employees who dies in harness on or before attaining the age of 55 years. However, in relation to dependents of those employees who dies due to accident "during the course and arising out of employment", the above age limit will not be applicable.

However, if the concerned dependent family member has opted for Financial Assistance in lieu of Compassionate Appointment, he/she shall not be eligible for Compassionate Appointment under this policy.

Note I - "Dependent Family Member" means:

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- (a) spouse; or
- (b) son (including adopted son / married); or
- (c) daughter (including adopted daughter / married); or
- (d) brother or sister in the case of unmarried employee

-- who was wholly dependent on the employee at the time of his death in harness.

Note II - "Regular Employee" for the purpose of these instructions means any person appointed on regular basis and not one working on daily wage or casual or apprentice or ad-hoc or contract etc.

3) AUTHORITY COMPETENT TO MAKE APPOINTMEN ON COMPASSIONATE GROUNDS:

The competent authority as per the Delegation of Powers and/or as per Recruitment Rules of concerned PSU shall be competent to make the compassionate appointment, subject to fulfillment of all essential conditions and satisfaction as to the indigent circumstances of the family of the deceased employee.

4) POST TO WHICH SUCH APPOINTMENT CAN BE MADE:

Group 'C' and 'D' post against the direct recruitment quota.

5) ELIGIBILITY: -

- (a) The family should be indigent and should deserve immediate assistance for relief from financial destitution; and
- (b) Applicant for compassionate appointment should be eligible and suitable for the post in all respects under the provisions of the relevant Recruitment Rules.
- (c) In all cases, where one or more members of the family are already in Government service or in defence or Para Military Forces or in employment of Autonomous bodies/Boards/Corporations etc., of the State/Central Government, employment assistance should not under any circumstances be provided to the second or third member of the family. In cases, however, where the widow to the deceased claims that her employed sons/daughters are not supporting her, the request of employment assistance may be considered only in respect of the widow. Such matter should be finally got decided from the Director in-charge of HR or any other Competent Authority as may be prescribed for this purpose from time to time.

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- (d) In the case of deceased who had taken loans/advances from the concerned PSU or where there is any other pending liability to the PSU etc., the employment assistance to eligible dependent family member will be provided only after obtaining an undertaking from him/her, to refund the entire amount of loan together with interest, which the deceased employee had taken.

6) APPOINTMENT(S) TO BE PROSPECTIVE: -

Compassionate employment will be prospective and thus, no retrospective benefit under any circumstances be given in this regard.

7) EXTENT OF RELAXATION AND POWER TO RELAX: -

- (1) While providing employment on compassionate grounds, the following shall be deemed to be relaxed: -

- a) Upper age could be relaxed wherever found to necessary as per the Recruitment stipulations of the concerned PSU or any other, existing guidelines as applicable. The lower age limit should, however, in no case be relaxed below 18 years of age.

Note I Age eligibility shall be determined with reference to the date of application and not the date of appointment;

Note II Authority competent to take a final decision for making compassionate appointment in a case shall be competent to grant relaxation of upper age limit also for making such appointment.

- b) Recruitment procedure with respect to notification of vacancies to employment exchange.

8) DETERMINATION/ AVAILABILITY OF VACANCIES: -

- (a) Compassionate appointments may be made up to a maximum of 5% of vacancies under direct recruitment quota in Group 'C' & 'D' posts in a recruitment year. The appointing authority may hold back up to 5% of vacancies in the aforesaid categories to be filled by direct recruitment so as to fill such vacancies by appointment on compassionate grounds. A person selected for appointment on compassionate grounds should be adjusted in the recruitment roster against the appropriate category viz. SC/ST/ OBC/General etc. depending upon the category to which he/she belongs.

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- (b) The ceiling of 5% of direct recruitment vacancies for making compassionate appointment should not be exceeded by utilising any other vacancy e.g. sports quota vacancy etc.
- (c) The concerned PSU may constitute a Committee to consider cases of compassionate appointment. The Committee constituted for considering a request for appointment on compassionate grounds should limit its recommendation to appointment on compassionate grounds in really deserving case and only if the vacancy meant for appointment on compassionate grounds is available within a year in the concerned PSU, within the ceiling of 5% of vacancies falling under Direct Recruitment [DR] quota, in Group 'C' & Group 'D' posts.
- (d) For the purpose of calculation of vacancies for compassionate appointment, fraction of a vacancy, either half or exceeding half, but less than one, may be taken as one vacancy.
- (e) Eligible dependent of family of a deceased employee died due to accident 'arising out of and in the course of employment' shall be considered for immediate compassionate employment without reference to availability of immediate vacancy. However, such employment is to be reckoned in the 5% ceiling that may arise subsequently.

9) TIME LIMIT FOR SUBMISSION OF APPLICATIONS FOR COMPASSIONATE APPOINTMENT:

Requests for grant of employment assistance should be received in the concerned PSU within one year of the death of the regular employee. In case where none of the eligible dependent member sons/daughters of the deceased regular employee have attained majority (age of 18 years) at the time of the death of the regular employee, the time limit for receipt of request for employment assistance in concerned PSU will be attainment of age of 19 years by the eldest son/un-married daughter. Any application for compassionate appointment may be considered without any time limit and decision taken on merit (In this regard, DOPT instructions issued from time to time may be followed.)

10) WIDOW APPOINTED ON COMPASSIONATE GROUNDS GETTING REMARRIED:

A widow appointed on compassionate grounds will be allowed to continue in service even after re-marriage.

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11) SENIORITY OF APPLICATIONS:

- (a) For disposal of compassionate employment cases by the concerned PSU, the seniority of the applicants for considering appointment will be determined with reference to the date of death and not from date of receipt of application. This means that even if an application of a dependent of a deceased is received earlier to another application, but the date of death in the earlier case is later than that of the latter case, the latter's application will be considered senior for purposes of compassionate appointment, provided the earlier applicant has not already been offered employment, before the latter's application.
- (b) It is not essential that a son or a daughter or a widow of a deceased Group 'D' employee should be considered for employment against Group 'D' post only. She/he can be appointed against the lowest rung of Group 'C' post as indicated in Para 4 & 5 above for which he is educationally qualified and has the skills required as per R & P Rules, provided a vacancy in Group 'C' is available.

12) WHERE THERE IS AN EARNING MEMBER

- i) In deserving cases even where there is already an earning member in the family, a dependent family member may be considered for compassionate appointment with prior approval of the Competent Authority who, before approving such appointment, will satisfy himself that grant of compassionate appointment is justified having regard to number of dependents, assets and liabilities left by the regular employee, income of the earning member as also his liabilities including the fact that the earning member is residing with the family of the regular employee and whether he should not be a source of support to other members of the family.
- ii) However, request of widow of the deceased employee may be considered for employment as specified in Para 5(c) as an exception to above conditions.
- iii) In cases where any member of the family of the deceased regular employee is already in employment and is not supporting the other members of the family of the regular employee, extreme caution has to be observed in ascertaining the economic distress of the members of the family of the regular employee so that the facility of appointment on compassionate

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ground is not circumvented and misused by putting forward the ground that the member of the family already employed is not supporting the family.

13) HOW TO ASSESS INDIGENCY:

Indigency means a level of poverty in which real hardship and deprivation is suffered and the comforts of life are wholly lacking. Following criteria shall be adopted to assess indigency of the family of the deceased regular employee while examining compassionate cases.

Sr.No.	Source of Income	Total Annual Income
01	Income from pension	
02	Agricultural Income	
03	Income from Rent	
04	Income from Business	
05	Income from Interest	
06	Income from other sources	
	TOTAL ANNUAL INCOME	

Income Criteria will be an important criteria to determine indigency. The maximum ceiling of total family income to assess indigency may be assessed by the Committee (as prescribed in para 15). As a matter of guidelines regarding the maximum ceiling of the total family income per annum the following options may be considered and adopted to assess the indigency by the concerned PSU.

- i) The initial Basic Pay + DA + HRA of the lowest rung of Group 'C'
Or
ii) The minimum wages notified by Central Government for highly skilled labour for the concerned area where the plant is located.
Or
iii) Annual income ceiling fixed for economically weaker section under Prime Minister's Awas Yojana.
Or
iv) Any other methodology / criteria as may be decided by the concerned PSU.

14) REQUEST FOR CHANGE IN POSTS:

When a person has accepted a compassionate appointment to a particular post, it shall be treated as final. No request for change in, posts will be allowed. However, this does not bar the incumbents applying and competing for jobs within PSU or outside employment, if they have

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better prospects there. However, such application should be forwarded to outside employment as per the laid down policy of concerned PSU.

15) PROCEDURE

- (a) The proforma as in Form-I to Form-VI may be used by concerned PSU for ascertaining necessary information and processing the cases of compassionate appointment.
- (b) The Welfare Officer / HR Executive of concerned PSU should meet the members of the family of the regular employee in question immediately after his death to advise and inform the available provisions on company's policy on appointment on compassionate grounds as well as other options such as Ex-gratia in lieu of compassionate appointment. The applicant should be called in person at the very first stage and advised in person about the requirements and formalities to be completed by him.
- (c) An application for appointment on compassionate grounds should be considered in the light of the instructions issued from time to time by the concerned PSU on the subject by a committee of officers consisting of three officers – one Chairman of the rank of E-6 and above and two Members of the rank of E-4 and above Grade in the PSU. The Welfare Officer or Officer from HR may also be made as Member/Co-ordinator of the committee. The committee may meet periodically to consider cases. The applicant may also be granted personal hearing by the committee, if necessary, for better appreciation of the facts of the case.
- (d) Recommendation of the committee should be placed before the competent authority for a decision.

16) UNDERTAKING FOR MAINTENANCE OF THE FAMILY OF THE DECEASED EMPLOYEE:

A person appointed on compassionate grounds under the scheme should give an undertaking in writing as in prescribed application format that he/she will maintain properly other family members, who were dependent on the deceased and in case it is proved subsequently (at any time) that the family members are being neglected or are not being maintained properly by him/her, his/her appointment may be terminated forthwith. It should be incorporated as one of the additional conditions in the offer of appointment in the case of appointment on compassionate grounds.

17) SENIORITY:

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A person appointed on compassionate ground in a particular year may be placed at the bottom of all the candidates recruited/appointed through direct recruitment, promotion etc. in that year, irrespective of the date of joining of the candidate on compassionate ground.

18) REQUEST FOR CHANGE IN POST/PERSON

When a person has been appointed on compassionate grounds to a particular post, the set of circumstances, which led to such appointment, should be deemed to have ceased to exist. Therefore, --

- (a) He/she should strive in his/her career like his/her colleagues for future advancement and any request for appointment to any higher post on considerations of compassion should invariably be rejected.
- (b) An appointment made on compassionate grounds cannot be transferred to any other person and any request for the same on considerations of compassion should invariably be rejected.

19) TERMINATION OF SERVICE

The compassionate appointments can be terminated on the ground of non-compliance of any condition stated in the offer of appointment after providing an opportunity to the compassionate appointee by way of issue of show cause notice asking him/her to explain why his/her services should not be terminated for non-compliance of the condition(s) in the offer of appointment and it is not necessary to follow the procedure prescribed in the CDA Rules / Standing Orders of any other applicable of concerned PSU for this purpose.

In order to check its misuse, it has also been decided that this power of termination of services for non-compliance of the condition(s) in the offer of compassionate appointment should vest only with the Appointing Authority in the concerned PSU.

20) GENERAL:

- (a) Enclosed Application Proforma-Part-A^{to D} may be used by the candidates and the concerned PSU respectively for processing the cases of compassionate appointments which may be authenticated/verified by a committee, constituted by the Competent Authority of concerned PSU who is empowered to make such appointment, after verifying the facts relating to that particular case.
- (b) Appointments made on grounds of compassion should be done in such a way that persons appointed to the post do have the essential educational

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and technical qualifications and experience required for the post consistent with the requirement of maintenance of efficiency of administration.

- (c) It is not the intention to restrict employment of a family member of the deceased Group 'D' regular employee to an erstwhile Group 'D' post only. As such, a family member of such erstwhile Group 'D' regular employee can be appointed to a Group 'C' post for which he/she is educationally qualified, provided a vacancy in Group 'C' post exists for this purpose.
- (d) Over the years, a number of welfare measures have been introduced by the PSU which have made a significant difference in the financial position of the families of the regular employee dying in harness. An application for compassionate appointment should, however, not be rejected merely on the ground that the family of the regular employee has received the benefits under the various welfare schemes. While considering a request for appointment on compassionate ground a balanced and objective assessment of the financial condition of the family has to be made taking into account its assets and liabilities (including the benefits received under the various welfare schemes mentioned above) and all other relevant factors such as the presence of an earning member, size of the family, ages of the children and the essential needs of the family, etc.

21) IMPORTANT COURT JUDGEMENTS RELATING TO COMPASSIONATE APPOINTMENTS:

The Court rulings contained in the following judgements may be kept in view while considering cases of compassionate appointment: -

- (a) The Supreme Court in its judgement dated April 8, 1993 in the case of Auditor General of India and others vs. G. Ananta Rajeswara Rao [(1994) 1 SCC 192] has held that appointment on grounds of descent clearly violates Article 16(2) of the Constitution; but if the appointment is confined to the son or daughter or widow of the Government servant who died in harness and who needs immediate appointment on grounds of immediate need of assistance in the event of there being no other earning member in the family to supplement the loss of income from the bread winner to relieve the economic distress of the members of the family, it is unexceptionable.
- (b) The Supreme Courts judgement dated May 4, 1994 in the case of Umesh Kumar Nagpal vs. State of Haryana and others [JT 1994(3) S.C. 525] has laid down the following important principles in this regard:

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- (i) Only dependents of an employee dying in harness leaving his family in penury and without any means of livelihood can be appointed on compassionate ground.
 - (ii) The posts in Group 'C' and 'D' (formerly Class III and IV) are the lowest posts in non-manual and manual categories and hence they alone can be offered on compassionate grounds and no other post i.e. in the Group 'A' or Group 'B' category is expected or required to be given for this purpose as it is legally impermissible.
 - (iii) The whole object of granting compassionate Appointment is to enable the family to tide over the sudden crisis and to relieve the family of the deceased from financial destitution and to help it get over the emergency,
 - (iv) Offering compassionate appointment as a matter of course irrespective of the financial condition of the family of the deceased or medically retired Government servant is legally impermissible.
 - (v) Neither the qualifications of the applicant (dependent family member) nor the post held by the deceased or medically retired Government servant is relevant. If the applicant finds it below his dignity to accept the post offered, he is free not to do so. The post is not offered to cater to his status but to see the family through the economic calamity.
 - (vi) Compassionate appointment cannot be granted after lapse of a reasonable period and it is not a vested right which can be exercised at any time in future.
 - (vii) Compassionate appointment cannot be offered by an individual functionary on an ad-hoc basis.
- (c) The Supreme Court has held in its judgement dated February 28, 1995 in the case of the Life Insurance Corporation of India vs. Mrs Asha Ramchandra Ambekar and other [JT 1994(2) S.C. 183] that the High Courts and Administrative Tribunals cannot give direction for appointment of a person on compassionate grounds but can merely direct consideration of the claim for such an appointment.
- (d) The Supreme Court has ruled in the cases of Himachal Road Transport Corporation vs. Dinesh Kumar [JT 1996(5) S.C. 319] on May 7, 1996 and

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Hindustan Aeronautics Limited vs. Smt. A. Radhika Thirumalai [JT 1996 (9) S.C. 197] on October 9, 1996 that appointment on compassionate grounds can be made only if a vacancy is available for that purpose.

- (e) The Supreme Court has held in its judgement in the case of State of Haryana and others vs. Rani Devi and others [JT 1996(6) S.C.646] on July 15, 1996 that if the scheme regarding appointment on compassionate ground is extended to all sorts of casual, ad-hoc employees including those who are working as Apprentices, then such scheme cannot be justified on Constitutional grounds.
- (f) The Hon'ble Supreme Court in its judgment dated 05.04.2011 in Civil Appeal No.2206 of 2006 filed by Local Administration Department vs. M. Selvanayagam @ Kumaravelu has observed that "an appointment made many years after the death of the employee or without due consideration of the financial resources available to his/her dependents and the financial deprivation caused to the dependents as a result of his death, simply because the claimant happened to be one of the dependents of the deceased employee would be directly in conflict with Articles 14 & 16 of the Constitution and hence, quite bad and illegal. In dealing with cases of compassionate appointment, it is imperative to keep this vital aspect in mind".
- (g) The Hon'ble Supreme Court of India in its judgement in Civil Appeal No. 988 of 2019 (Arising out of SLP (C) No. 7079 of 2016) titled State of Himachal Pradesh & Anr versus Shashi Kumar, has laid down the following important principles in this regard;
- (i) The Writ Petition (CWP Na. 3652 of 2015) filed by the respondent before the High Court shall stand dismissed and the direction of the High Court for reconsideration of the application for compassionate appointment shall stand set aside;
- (ii) The direction issued by the High Court to the appellants to desist from taking into account the family pension and other terminal benefits is unsustainable in law and is accordingly set aside;
- (iii) While we confirm the decision of the State Government to fix income limits in order to satisfy the terms of eligibility for compassionate appointment, we expect that the State

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Government shall, in compliance with the Policy, revisit the income limits at intervals of three years or earlier and consider whether a revision is warranted having regard to the cost of living, inflation and other relevant facts and circumstances.

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Form-I to Form-VI [Ref: Point No. 15
of Annexure-I]

**CHECKLIST FOR EXAMINING/DECIDING PRESENT/PENDING CASE(S)
SEEKING EMPLOYMENT ASSISTANCE ON COMPASSIONATE GROUNDS**

1. The dependent of the deceased regular employee must apply for job on compassionate grounds on the prescribed format within the specified time limit of 1(one) year from the date of death of the deceased. In case of minor applicants, he/she should apply within 1 year after their attaining the age of 18 years.
2. He/she must have the minimum educational qualification(s) as per the R & P Rules for the posts for which he/she has applied;
3. Since, such appointments are to be made against the direct recruitment quota, every PSU shall ensure 5% cap on such appointments against available vacancies in a calendar year.
4. None of the family member of the deceased should be either in Government or semi Government job(s) except in special circumstances as specified in the policy.
5. No objection Certificate(s) are required to be obtained from the other members of the family in favour of the applicant who applied for job on compassionate grounds;
6. The income of the family of the deceased regular employee shall be reckoned with specific reference to the assets viz. immovable and movable properties, saving resulting in income, number of the dependents especially unmarried daughters, aged parents etc. as per the enclosed format(s) I, II, III, IV, V & VI. It may however, be noted that the information on these 06 formats is to be supplied/declared by the applicant concerned, only accurate information be given. In case of any fake information detected later on, a case under Criminal Act would be registered against him by the PSU.
7. Besides, a legal heirs certificate, non-employment certificate, death certificate of the deceased, character certificate in respect of the applicant are also needed.
8. A certificate to the effect that he/she would owe the entire liability of his/her deceased parent is also required.

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FORM NO: I

STATEMENT OF THE IMMOVABLE PROPERTY AS ON 31-12-20__
(i.e. LANDS, HOUSE, SHOPS, and OTHER BUILDING ETC.)

Sr. No.	Description property	Precise location (Name of District, Division, Tehsil and Village in which the property is situated and also its distinctive number etc.	Area of land (in case of land & Building	Nature of land (in case of landed property)	Ex-tent of interest	If not own name state in whose name held & his /her relationship if any, with theregular employee	Date of Acquisition	How acquired (whether by purchase, mortgage, lease inheritance gift or otherwise) & name with details of person(s) from whom acquired (address and connection of the regular employee if any, with the person/persons concerned please see note 1 below	Value of property (See note 2 below)	Particulars of sanctions prescribed authority, if any	Total annual income from the property
1	2	3	4	5	6	7	8	9	10	11	12

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Date:-

Signature: _____ Name :

Note:-

- For purpose of column 9 of the term (Lease would on a lease of immovable property from year to year or for any term exceeding one year or reserving a yearly rent. Where however, the lease of immovable property is obtained from a person having official dealings with the regular employee, such a lease should be shown in this in respect of the term of the lease whether it is short term or long term and periodically of the payment of the rent.
- In Col. No. 10 should be shown (a) where the property has been acquired by purchase, mortgage or lease. the price or premium paid for such acquisition (b) where it has been acquired by lease the total annual rent thereof also.

Form No.-II

STATEMENT OF LIQUID ASSETS ON 31-12-20__

i.) Cash and Bank Balance
 ii.) Deposits, loans advances and investments. (Such as shares, securities and debentures etc.)

Sr. No.	Description	Name and addresses of Company, Bank etc.	Amount	If not in own name and address of persons in whose name held and his/her relationship with the regular employee	Annual Income derived	Remarks
1	2	3	4	5	6	7

*Officer to DCI
29/12/20*

Date:-

29/12

Signature: _____ Name :

Note:-

1. In column 7, particulars regarding sanctions obtained or report made in respect of the various transactions may be given.
2. The term "emoluments" means the pay and allowances received by the regular employee

[Signature]
29/12

FORM NO-III
STATEMENT OF MOVABLE PROPERTY AS ON 31-12-20__

Sr. No.	Description of item	Price of value at the time of acquisition and /or the total payment made upto the date of return, as the case may be, in the case of articles purchased on hire a purchase of installment basis.	If not in own name, name and address of the persons in whose name and his/her relationship with regular employee	How acquired with approximate date of acquisition	Remarks
1	2	3	4	5	6

Arto K. P. C.
29/12/20

29/12

[Signature]
29/12

Date:- _____
 Signature: _____
 Name : _____

Note:-

1. In this form/information may be given regarding items like (a) Jewellery owned by him (total value) (b) Silver and other precious metals and precious stones owned by him not forming part of jewellery (total value), (c) (i) Motor Cars (ii) Scooters/Motor Cycles (iii) Refrigerators/Air-Conditions (iv) Radios/Radiograms/Television sets and any other articles, the value of which individually exceeds Rs. 1000/- (d) Value of items of movable property individually worth less than Rs. 1000/- other than articles of daily use such as clothes, utensils, books, crockery etc. added together as lump sum.
2. In column 5 may be indicated whether the property was acquired by purchase, inheritance gift or otherwise.
3. In column 6 particulars regarding sanctions obtained or report made in respect of various transactions may be given.

FORM NO-IV

STATEMENT OF PROVIDENT FUND AND LIFE INSURANCE POLICY (As on 31st December 20__)

PROVIDENT FUND									
Sr. No.	Insurance Policy No. and date of policy	Name & Insurance Company	Sum Insured / date of maturity	Amount of Annual Premium	Type of provident funds/GPF/C PF Account No.	Closing balance as last reported by the Audit / A.O along with date of such balance	Contribution made subsequently	Total	Remarks (if there is dispute regarding closing balance the figure according to the regular employee should be mentioned in this column)
1	2	3	4	5	6	7	8	9	10

Office of the Director

Date: 29/12

[Handwritten Signature]
29/12

Signature: _____
Name : _____

FORM NO-V
STATEMENT OF DEBTS AND OTHER LIABILITIES (As on 31-12-20)

Sr. No.	Amount	Name and address of creditor	Date of incurring liability	Detail of transaction	Remarks
1	2	3	4	5	6

Officer in Charge
 29/2/20

Date:-

Signature: _____
 Name :

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 29/2

Note:-

1. Individual items of loans not exceeding three months emoluments of Rs. 1000/- whichever is less need be included.
2. In column 6, information regarding permission, if any, obtained from or report made to the competent authority may also be given.
3. The term "emoluments" means pay and allowances received by the regular employee.
4. The statement should also include various loans and advances available to regular employee like advance for purchase of conveyances, house-building advance etc. (other than advances of pay and travelling allowance) advances from the G. P. Fund and loans on Life Insurance policies and fixed deposit.

[Signature]
 29/2/20

FORM NO. VI

STATEMENT OF INCOME FROM ALL SOURCE(S) OTHER THAN FAMILY PENSION AND RETIRAL BENEFITS IN RESPECT OF THE FAMILY OF THE DECEASED EMPLOYEE(S) ON THE DATE OF SUBMISSION OF APPLICATION FOR COMPASSIONATE EMPLOYMENT.

Sr. No.	Source (s) of Income	Annual Income	Remark(s) if any
1	2	3	4
1.	Agriculture		
2.	Rent		
3.	Business		
4.	Interest		
5.	Other Sources		

Date
Place

Signature
Name

Officer K. P. M.
29/2/20

29/2

[Handwritten Signature]
29/2

PRESCRIBED FORMAT FOR APPLICATION FOR EMPLOYMENT TO ELIGIBLE DEPENDENTS OF EMPLOYEES DYING WHILE IN SERVICE		
PART-A (INFORMATION ABOUT EMPLOYEE)		
01.	(a)	Name of the deceased Employee
	(b)	Post Held lastly
	(c)	Date of birth of the Employee as per service record
	(d)	Date of joining
	(e)	Date of death
	(f)	Date of retirement
	(g)	Total length of service rendered
	(h)	Total leftover service
	(i)	Category to which belongs - General/SC/ST/OBC
PART-B (INFORMATION ABOUT THE APPLICANT)		
02.	(a)	Name of the Applicant for compassionate employment
	(b)	His/Her Relationship with the employee
	(c)	Date of birth supported by documentary evidence
	(d)	Academic educational qualification(s)
	(e)	Professional/Technical qualification(s)
	(f)	Proof of identity viz. Voter Id, Aadhar Card etc
	(g)	Post for which employment is sought
PART-C (INFORMATION ABOUT PENSION & OTHER RETIRAL BENEFITS)		
03.	(a)	Family pension
	(b)	Gratuity
	(c)	P.F
	(d)	Life Insurance/Postal/any other insurance
	(e)	Moveable and Immovable Properties & annual income earned there from by the family
	(f)	Group Insurance Amount
	(g)	Encashment of leave

Office of the DA
28/2/20

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	(h)	Death relief fund / benevolent fund	
	(i)	Any other assets	
		TOTAL	
04.		Brief particular(s) of liability, if any	

PART-D
(PARTICULARS OF ALL THE DEPENDENTS OF THE REGULAR EMPLOYEE (IF SOME ARE EMPLOYED, THEIR INCOME AND WHETHER THEY ARE LIVING TOGETHER OR SEPARATELY)

Sr. No.	Name & age	Relationship with the deceased employee	Employed or not particular of the employment and emoluments
1.			
2.			
3.			
4.			
5.			
6.			

DECLARATION/UNDERTAKING:-

- (i) I hereby declare that the facts given by me above, are to the best of my knowledge, correct. If any of the facts herein mentioned are found to be incorrect/false at future date, my services may be terminated.
- (ii) I also undertake to refund the entire amount of loan/advance taken from the company by my husband/father in the event of employment being provided to me together with the interest on the loan/advance.
- (iii) I also undertake that I shall maintain properly, other family members, who were dependent on the deceased employee and in case it is proved subsequently (at any time) that the family members are being neglected, or are not being maintained properly by me, my appointment may be terminated forthwith.

DATE: _____ Signature of the applicant
Place: _____ Complete Home Address:- _____

I have certified that the facts mentioned by the candidate above are correct.
Signature of the Head of Office

Name :-
Address:-

Recommendation of the Head of Department.
Signature of the Head of Office

Name :-
Address:-

Office K. P. M. 29/2/20
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M. A. 29/2/20

UNIFORM SCHEME FOR GRANT OF PAYMENT OF EX-GRATIA TO THE FAMILIES OF PSUs (ECIL, IREL & UCIL) EMPLOYEES WHO DIE WHILE IN SERVICE

1.0 OBJECTIVE

- 1.1 The Scheme envisages grant of ex-gratia to the families of PSU (ECIL, IREL & UCIL) employees who die while in service.
- 1.2 With the introduction of this scheme, the dependent family member of PSU employee dying in harness will have an option to opt for one-time Ex-gratia Financial Assistance in lieu of Compassionate Appointment, subject to the basic condition that the family of the deceased is left in indigent circumstances, requiring immediate means of subsistence.

2.0 DEFINITIONS

2.1 "Dependent Family Member" means:

- (a) spouse; or
 (b) son (including adopted son / married); or
 (c) daughter (including adopted daughter / married); or
 (d) parents, in case the deceased employee is not survived by spouse and children
 (e) brother or sister in the case of unmarried employee

-- who was wholly dependent on the employee at the time of his death in harness.

- 2.2 "Regular Employee" for the purpose of these instructions means any person appointed on regular basis and not one working on daily wage or casual or apprentice or ad-hoc or contract etc or as defined in applicable CDA Rules / Standing Orders.**

3.0 APPLICABILITY

This Scheme shall apply to all regular employees of the company.

Officer HR
28/2/20

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4.0 Amount of Ex-gratia payable under the Scheme

The amount of ex-gratia payable to the family of an employee who dies while in service who is certified to be eligible to receive the ex-gratia, in accordance with the criteria laid down in the Scheme will be as detailed below:

Ex-gratia based on the service period left to serve by the employee dying in harness	
Up to 15 Years	Above 15 Years
Rs.20,00,000/- *	Rs.25,00,000/- *

* Or an amount equal to total pay (Basic Pay + Dearness Allowance) the deceased would have drawn had he / she been alive and in service till his/her retirement, whichever is less.

4.1 Dependent family member eligible to receive the ex-gratia

The Dependent family member eligible to receive the ex-gratia is defined at clause 2.1, in the order of preference. If the dependent family member eligible to receive the assistance, according to this criteria, is a minor, the assistance may be given to the Guardian on behalf of the minor.

4.2 Competent authority to accord approval for grant of ex-gratia in the individual cases

CMD's of PSU shall be the competent authority to consider the applications and accord approval for grant of ex-gratia.

4.3 Mode of disbursement of the ex-gratia payment

The ex-gratia amount will be deposited with the Bank /Post Office as a term deposit for a period of 10(ten) years or till the scheduled date of retirement, whichever is earlier and the interest accrued on the deposit will be received by the dependent family member of the deceased on monthly basis. In case of extreme difficult situation, if the family requests to withdraw the deposited ex-gratia amount, the same may be forwarded to Corporate Office with detailed justifications by the Units. CMD/PSU will approve such request on case to case basis to ensure that the financial assistance is effectively utilized by the family for their subsistence. For this purpose, a tripartite agreement may be entered amongst the dependent family members, management and Bank / Post Office. The individual PSUs may appropriately devise any other mechanism, as considered appropriate.

4.4 Procedure to be followed

a) The payment of ex-gratia to the dependent family members of the employees, subject to the basic condition that the family of the deceased is

Officer K. P. 28/2/22

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left in indigent circumstances, requiring immediate means of subsistence and for this purpose assessment of indigence will be done as per para 13 (reproduced below) of the proposed uniform policy for Compassionate Appointment.

Quote

Para (13) - How to Assess Indigency:

Indigency means a level of poverty in which real hardship and deprivation is suffered and the comforts of life are wholly lacking. Following criteria shall be adopted to assess indigency of the family of the deceased regular employee while examining compassionate cases.

Sr.No.	Source of Income	Total Annual Income
01	Income from pension	
02	Agricultural Income	
03	Income from Rent	
04	Income from Business	
05	Income from Interest	
06	Income from other sources	
	TOTAL ANNUAL INCOME	

Income Criteria will be an important criteria to determine indigency. The maximum ceiling of total family income to assess indigency may be assessed by the Committee (as prescribed in para 15). As a matter of guidelines regarding the maximum ceiling of the total family income per annum the following options may be considered and adopted to assess the indigency by the concerned PSU.

- i) The initial Basic Pay + DA + HRA of the lowest rung of Group 'C'
Or
- ii) The minimum wages notified by Central Government for highly skilled labour for the concerned area where the plant is located.
Or
- iii) Annual income ceiling fixed for economically weaker section under Prime Minister's Awas Yojana.
Or
- iv) Any other methodology / criteria as may be decided by the concerned PSU.

Unquote

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The application format (Part-A to D) to be used for this purpose will be the same as specified in the Uniform Policy for Compassionate Appointment.

- b) The proforma as in Form-I to Form-VI may be used by concerned PSU for ascertaining necessary information and processing the cases of compassionate appointment.
- c) The Welfare Officer / HR Executive of concerned PSU should meet the members of the family of the regular employee in question immediately after his death to advise and inform the available provisions on company's policy on appointment on compassionate grounds and as well as other options such Ex-gratia in lieu of compassionate appointment. The applicant should be called in person at the very first stage and advised in person about the requirements and formalities to be completed by him/her.
- d) An application for appointment on compassionate grounds should be considered in the light of the instructions issued from time to time by the concerned PSU on the subject by a committee of officers consisting of three officers – one Chairman of the rank of E-6 and above and two Members of the rank of E-4 and above Grade in the PSU. The Welfare Officer or an Officer from HR may also be made as Member/Co-ordinator of the committee. The committee may meet periodically to consider cases. The applicant may also be granted personal hearing by the committee, if necessary, for better appreciation of the facts of the case.
- e) Recommendation of the committee should be placed before the competent authority (CMD) for a decision.
- f) Based on approval accorded by CMD, appropriate communication will be issued for grant of ex-gratia.

5.0 INTERPRETATION

If any doubt arises as to the interpretation of any of the provisions of this Scheme, the decision of the Chairman and Managing Director of the concerned PSU shall be final.

6.0 AMENDMENTS

PSU reserves to itself the right to alter and/or amend any part of the Scheme or to withdraw the Scheme altogether at its discretion without any notice or without assigning any reasons therefor.

The powers for making amendments to the Scheme vest with the Board of Directors.

Officer K.P.C.
28/2/20

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