

**TWENTY FIRST REPORT
COMMITTEE ON PETITIONS**

(SIXTEENTH LOK SABHA)

MINISTRY OF STEEL

(Presented to Lok Sabha on 9 December, 2016)



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COMPOSITION OF THE COMMITTEE ON PETITIONS (2016-2017)

Shri Bhagat Singh Koshyari - *Chairperson*

MEMBERS

2. Shri Suresh C. Angadi
3. Shri Om Birla
4. Shri Jitendra Chaudhury
5. Shri Ram Tahal Choudhary
6. Dr. K. Gopal
7. Shri Chhedi Paswan
8. Shri Kamlesh Paswan
9. Shri Arjun Charan Sethi
10. Shri Kodikunnil Suresh
11. Shri Dinesh Trivedi
12. Shri Rajan Vichare
13. Shri Dharmendra Yadav
14. Vacant
15. Vacant

SECRETARIAT

- | | | |
|----------------------------|---|---------------------|
| 1. Shri Shiv Kumar | - | Joint Secretary |
| 2. Shri Raju Srivastava | - | Additional Director |
| 3. Shri Anand Kumar Hansda | - | Executive Assistant |

(iii)

TWENTY FIRST REPORT OF THE COMMITTEE ON PETITIONS

(SIXTEENTH LOK SABHA)

INTRODUCTION

I, the Chairperson, Committee on Petitions, having been authorised by the Committee to present the Report on their behalf, present this Twenty First Action Taken Report (Sixteenth Lok Sabha) of the Committee to the House on the Action Taken on the recommendations of the Committee on Petitions made in Eighth Report on the representation received from Shri Saurabh Kumar regarding employment in CCSO/SAIL, Dhanbad on compassionate grounds.

2. The Committee considered and adopted the draft Twenty First Action Taken Report at their sitting held on 29 November, 2016.

3. The observations/recommendations of the Committee on the above matters have been included in the Report.

NEW DELHI;

29 November, 2016

8 Agrahayana, 1938 (Saka)

BHAGAT SINGH KOSHYARI
Chairperson,
Committee on Petitions

(v)

REPORT

ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS OF THE COMMITTEE ON PETITIONS (SIXTEENTH LOK SABHA) MADE IN THEIR EIGHTH REPORT ON THE REPRESENTATION OF SHRI SAURABH KUMAR REGARDING EMPLOYMENT IN CCSO/SAIL, DHANBAD ON COMPASSIONATE GROUNDS.

The Committee on Petitions (Sixteenth Lok Sabha) presented their Eighth Report to Lok Sabha on 11 August, 2015 on the representation received from Shri Saurabh Kumar regarding employment in the Central Coal Supply Organisation (CCSO)/Steel Authority of India Limited (SAIL), Dhanbad on compassionate grounds.

2. The Committee had made certain observations/recommendations in the matter and the Ministry of Steel were asked to implement the recommendations and furnish their action taken notes thereon for consideration of the Committee.

3. Action Taken Notes have been received from the Ministry of Steel in respect of all the recommendations contained in the Report. The recommendations made by the Committee and the replies furnished thereto by the Ministry of Steel are detailed in the succeeding paragraphs.

4. In para(s) 17, 18 and 19 of the Report, the Committee had observed/recommended as follows:-

“In the representation, the Petitioner Shri Saurabh Kumar had stated that his father Late R.B Sahay was an employee in CCSO/ SAIL for 35 years. However, during the last 15 years of his service, due to prolonged exposure to pollution in the collieries, he contacted severe health ailments. His late father, approached the Management time and again to transfer him to a desk job and also to consider his son, the Petitioner, for employment in his place. The Management, however, did not consider his request and forced him to continue to work in the collieries. In view of his father's deteriorating health and physical condition, the Management, at last, transferred him to the Head office in Dhanbad to work in the Generator Room where he again got exposed to toxic fumes emanating from the generator. The Petitioner further submitted that his father appeared before the Medical Board to declare him medically invalid and thus, consider his son for compassionate appointment.

However, the Medical Board declared him medically not invalid, thereby, debarring his son's eligibility for the compassionate appointment. The Petitioner further submitted that his father, after a period of one year, appealed for the review of the medical report but before any action could be taken, he passed away. He had therefore, sought intervention of the Committee in the matter of his compassionate appointment in SAIL."

"The Committee note from the written submission of the Ministry of Steel that as per the Steel Authority of India Limited (SAIL), the case under reference is not covered under the Company's provisions for providing compassionate appointment and the same has been conveyed by the Company to the family of the deceased with the advice to opt for Employee Family Benefit Scheme (EFBS) under which financial help is provided to the deceased."

"The Committee note that as per the guidelines currently, in vogue, in all the Plants/Units of SAIL, the compassionate appointment to dependents of the employee are granted in cases of (i) Death/permanent total disablement of the employee due to accident arising out of and in course of employment-cases covered under NJCS agreement; and (ii) Medical Invalidation of the employee caused due to suffering from certain listed chronic debilitating diseases."

5. In their action taken reply, the Ministry of Steel have stated:-

"Late R.B. Sahay joined SAIL on 6 May, 1977 and was working as Senior Inspector I/C (Coal) at CCSO, Dhanbad. Late R.B. Sahay was a 'Habitual Smoker' as evident from the treatment records of Christian Medical College & Hospital, Vellore where he was treated for Chronic Obstructive Pulmonary Disease (COPD) with Lower Respiratory Infection and was advised to stop smoking. Further while examination at Apollo, Kolkata also in February 2012 he was referred as ex-smoker for 5 years.

On verbal request of Shri Sahay, he was redeployed from Patherdih Command Area HQRs at Jhorapokhar to CCSO Head Quarters Dhanbad Office and joined his new place of posting on 19 September, 2011. He was regular in his duties and performed 304, 281, 296 and 275 days of duty during 2008, 2009, 2010 and 2011 respectively. Shri Sahay was never posted in the Generator Room.

Late Sahay applied for medical invalidation vide application dated 3 June, 2010 under uniform guidelines for dealing with compassionate cases citing ill health due to suffering from COPD with Cor Pulmonale, BP & Blood Sugar. After giving him opportunities thrice i.e., on 19 January, 2011, 16 February, 2011 and 30 April, 2011 for submission of required documents, his case was taken up by the Medical Board of Bokaro General Hospital on 30 April, 2011 and the Board, on the basis of relevant documents of treatment and clinical investigation, did not find him medically invalid in terms of the scheme. He subsequently continued to attend his office duties at CCSO, Dhanbad and after almost one year i.e. on 26 March, 2012, Late Sahay submitted an application for reconsideration of his case for medical invalidation which could not be considered as by the time the same was received by Bokaro General Hospital on 9 April, 2012, Late Sahay had expired on 7 April, 2012”

“For consideration under the Guidelines for dealing with compassionate cases, under incapacitative respiratory disease, the employee should be suffering from COPD with Cor Pulmonale (which is a chronic debilitating condition seen in advanced COPD). COPD alone cannot fulfill the criteria for medical invalidation. As Shri Sahay was not found to be suffering from Cor Pulmonale, he was not declared medically invalid by the Medical Invalidation Board of BGH.

In terms of the Guidelines, if the employee dies due to disease or otherwise before declaration of Medical Invalidation by the duly constituted Committee, then, such cases shall be considered as natural death and shall not be considered for compassionate employment. The dependent family members may opt for benefits under Employee Family Benefit Scheme (EFBS) which provides for monthly payment equal to last drawn Basic Pay and DA of the deceased/total permanently disabled employee to the ex-employee/ his dependent till notional date of superannuation of the ex-employee, subject to depositing an amount equivalent to PF and gratuity. Benefit under EFBS was offered to the family however, they did not opt for it.”

“SAIL is having uniform Guidelines across its Plants and Units for dealing with compassionate cases, as follows:-

- (i) *Employment is provided to one of the eligible dependents, i.e., spouse/son/ daughter:-*
 - a. *In case of death/permanent total disablement of the employee due to accident arising out of and in course of employment - cases covered under NJCS Agreement. National Joint Committee for the Steel Industry (NJCS) is an apex level bi-partite forum at SAIL which comprises of members from 4 Central Trade Unions, Unions operating at Plants/Units and Management representatives.*
 - b. *In case of Medical Invalidation due to suffering from certain listed debilitating diseases in terms of the Guidelines.*
- (ii) *The dependent, instead of employment, may opt for "Employee Family Benefit Scheme (EFBS)" which provides for monthly payment equal to last drawn Basic Pay & DA of the deceased/total permanently disabled employee to the ex-employee/his dependent till notional date of superannuation of the ex-employee, subject to depositing an amount equivalent to PF and Gratuity. The deposited amount is returned after cessation of the benefits under the scheme."*

6. In para 20 of the Report, the Committee had observed/recommended as follows:-

"In the context of the instant case, the Committee find that Late Sahay had applied for medical invalidation on 3.10.2010, in terms of the Guidelines of the Company regulating the cases of compassionate appointment citing ill health, as he was suffering from COPD with Cor Pulmonale, BP & Blood Sugar. The Committee observe that his case was taken up by the Medical Invalidation Board (MIB) of Bokaro General Hospital (BGH) on 30.4.2011 and, on the basis of relevant documents of treatment & clinical investigation, the Board did not find him medically invalid in terms of the Scheme. Consequently, he continued to attend his duties at CCSO, Dhanbad."

7. In their action taken reply, the Ministry of Steel have stated:-

“Late Sahay, vide application dated 3 June, 2010 had applied for medical invalidation under the guidelines for dealing with compassionate cases citing ill health due to suffering from Chronic Obstructive Pulmonary Disease (COPD) with Cor Pulmonale, BP & Blood Sugar. As CCSO does not have a captive medical hospital, the application was duly forwarded by CCSO to Bokaro General Hospital for examination by its Medical Invalidation Board (MIB).

He appeared before the Medical Invalidation Board of BSL on the following three occasions:

19.1.2011	<i>Appeared without investigations; advised to come with investigations.</i>
16.2.2011	<i>Inspite of advise, he again came without investigations. Diagnostic tests done at BGH.</i>
30.4.2011	<i>Diagnostic reports like ECG, Echocardiography, X-Ray (chest) & HRCT thorax, PFT and blood investigations were examined .</i>

It is evident from above that Shri Sahay was accorded sufficient opportunities by the Medical Board. As per Guidelines, under chronic debilitating lung diseases, COPD has to be accompanied by Cor Pulmonale (which is a chronic debilitating condition seen in advanced COPD) for fulfilling the criteria for medical invalidation. COPD alone cannot fulfill the criteria for medical invalidation, As Shri Sahay was not found to be suffering from Cor Pulmonale, as claimed by him, he was not declared medically invalid by the Medical Invalidation Board of BGH.”

8. In para(s) 21 and 22 of the Report, the Committee had observed/recommended as follows:-

“The Committee are constrained to observe that the medical condition of Late Sahay was known to the Management of CCSO, Dhanbad as he was suffering from certain chronic disease such as COPD with Cor Pulmonale, high BP and diabetes for which he was undergoing treatment. Although, the request of Late Sahay for medical invalidation was not considered by the Medical Invalidation Board of Bokaro

General Hospital on 30 April, 2011, his second request for medical invalidation was not considered by the Management of the Company with the desired element of urgency required in the matter which is evident from the fact that Late Sahay, in his deteriorating health condition, applied for Medical Invalidation on 26 March, 2012 which was received by the said hospital on 9 April, 2012. Thus, the Management took about two weeks to forward the request of Late Sahay to the Hospital. The Committee are therefore inclined to conclude that Management of the Company caused delay in forwarding the request of Shri Sahay to BGH as a consequence thereof, Shri Sahay could not be medically examined by the MIB and he expired on 7 April, 2012, i.e., just two days before his second request for Medical Invalidation even could be considered by the MIB in the light of fresh medical factual information it contained.”

“The Committee further note that such cases of natural death are not covered for compassionate appointment but can be considered for enrolment under the Employee Family Benefit Scheme (EFBS) under which the legal heir can deposit an amount equal to PF and Gratuity amount with the Company and he/she will receive the last drawn Basic Pay and Dearness Allowance drawn till the normal date of superannuation on a month-to-month basis. After the normal date of superannuation, the amount so deposited would be released to the legal heir.”

9. In their action taken reply, the Ministry of Steel have stated:-

“The medical ailment of Late Sahay was known to the Management of CCSO. As CCSO does not have a captive hospital, Late Sahay was extended proper Medical & Health Care by way of referrals/reimbursement for treatment taken locally from doctors/physicians of his choice. As per the treatment record, Late Sahay was a habitual smoker. Shri Sahay was treated at Christian Medical College & Hospital, Vellore in 1999 for Chronic Obstructive Pulmonary Disease (COPD) with Lower Respiratory Infection and was advised to stop smoking.

During the hospital admission/course of treatment, prior to his death on 18 March, 2012, the Echo report at time of admission was normal (LVEF) 56%. He was suffering from fever and the culture report was positive which is suggestive of infection. The infection is an acute condition which can occur in any case of COPD

causing sudden death. Moreover, the medical condition of Late Sahay was not debilitating in nature, though he was suffering with COPD but not Cor Pulmonale as evident by the Discharge Summary of Apollo Gleneagles Hospital dated 24 February, 2012 also. Even after nine months of MIB, Pulmonary Function Tests (PFT) was not prescribed by the Hospital in case of Late Sahay. Thus, he was not suspected of having Cor Pulmonale.

It may be reiterated that CCSO does not have a captive medical hospital and the application for earlier Medical Examination of Shri Sahay and the application for review were duly forwarded by CCSO to Bokaro General Hospital for examination by its Medical Invalidation Board (MIB). The request by Late Sahay dated 20 March, 2012 for review of the earlier MIB decision was received on 26 March, 2012 and was processed for consideration of MIB but, unfortunately, he expired on 7 April, 2012 before the MIB could be held.”

“As per the applicable Guidelines for dealing with compassionate cases, if an employee dies due to disease or otherwise before declaration of Medical Invalidation by the High Powered Committee constituted for the purpose, then such death shall be considered as natural death and shall not be considered for compassionate employment. The dependant family members may avail benefits under Employee Family Benefit Scheme (Clause 5.3.3 read with clause 5.3.2 & 9.1). The family was offered benefits under EFBS, but the same was not opted by them.”

10. In para(s) 23, 24 and 25 of the Report, the Committee had observed/recommended as follows:-

“The Committee are of the view that the policy of providing financial help under the EFBS can only partially mitigate the financial problems of the bereaved family. The Committee, therefore, feel that in cases, such as the present one, a lump sum amount under the EFBS should be provided to the family of the deceased to enable them to take care of their immediate financial need.”

“In the present context, the Committee note and would also like to specifically point it out that on one hand the medical board prescribed incapacitative respiratory disease as one of the seven debilitating diseases, which merits the case for being

considered for compassionate appointment on the grounds of medical invalidation, while on the other hand, death of an employee due to COPD is not reckoned as incapacitative respiratory disease. The Committee find it extremely insensitive on part of SAIL authorities to cite a technical classification of COPD with Cor Pulmonale and not merely COPD as an incapacitative respiratory disease and overlooked the fact that the death was caused due to COPD.”

“The Committee further feel that the Authorities dealing with the case of Late R.B. Sahay did not consider his plea(s) with the desired level of sensitivity, urgency and compassion. The Committee are of considered opinion that prescribing a squeezed list of diseases for considering the case of compassionate appointment is unjustified. The Committee are aware that the working conditions in collieries and adjoining areas are prone to heavy air pollution causing significant damage to the human health and therefore, it is difficult to attribute a cause of illness to a particular reason. The Committee, therefore, recommend that this list of debilitating diseases should be reviewed in light of the prevailing conditions of the work sphere.”

11. In their action taken reply, the Ministry of Steel have stated:-

“Employee Family Benefit Scheme (EFBS) was introduced with effect from 1.1.1989 in order to help the dependent family overcome the urgent financial crisis arising due to sudden Death/Permanent Total Disablement of the earning member of the family.

Under EFBS, the family continues to get the last Basic Pay & DA of the ex-employee without anyone working for the Company, and the family continues to get the financial support as was the case when the employee was working. The EFBS has been accepted well by the employees/their dependents as the case may be and has provided sustenance to the employee/his dependents in case of Permanent Total Disablement/Death of an employee.

In the instant case, apart from the payments towards PF and Gratuity, the family has been paid around Rs. 10.84 Lakh towards Leave encashment, SAIL Employees Superannuation Benefit Fund (SESBF), etc. at the time of final settlement, to mitigate the immediate financial crisis.”

“The Guidelines for consideration for compassionate cases including the list of the chronic debilitating diseases were prepared by experts for uniformly applying the criteria in whole organization of SAIL. COPD with Cor Pulmonale is a chronic debilitating condition and has been kept as one of the diseases under the list of such chronic diseases.

In terms of the chronic debilitating diseases listed for consideration under the Guidelines for dealing with compassionate cases, under incapacitative respiratory disease, the employee should be suffering from COPD with Cor Pulmonale (which is a chronic debilitating condition seen in advanced COPD). COPD alone cannot fulfill the criteria for medical invalidation. As Shri Sahay was not found to be suffering from Cor Pulmonale, he was not declared medically invalid by the Medical Invalidation Board of BGH which comprised of Medical experts in terms of the Guidelines.”

“Prior to 2011, different Plants/Units of SAIL were offering employment on Compassionate Grounds in cases of terminal illnesses like kidney failure, cancer, heart strokes, paralysis etc. apart from providing employment in cases of death/Permanent Total Disablement due to accident arising out of and in course of employment (NJCS cases).

With a view to providing relief/benefits to dependant family members in cases of medical invalidation, an expanded list of debilitating diseases was framed in 2009. The list of debilitating diseases for dealing with compassionate cases in SAIL was expanded after considering all the possible debilitating medical conditions leading to loss of capability to work/invalidment. The coverage of diseases under medical invalidation was discussed at length by the Heads of Personnel and Chief Executives of Plants before finalization. The expanded list of debilitating diseases increased the coverage of medical invalidation.

A review of Guidelines was undertaken in 2010 with the deliberations held at the level of Functional Directors of SAIL and Managing Director(s) of the Plants. Accordingly, amended Guidelines were implemented across the Company in 2011.

Any dilution in the enlisted debilitating diseases in SAIL Guidelines may lead to ambiguity in determining medical invalidation. In addition, it may also lead to demand for compassionate appointments for other such diseases also which are not debilitating in nature which may create Industrial Relations problems at Plants/Units and may disturb the congenial environment of industrial peace and harmony evolved over a long period of time.”

12. In para 26 of the Report, the Committee had observed/recommended as follows:-

“The Committee have reasons to believe that in a case of similar nature in terms of the Guidelines followed by the Government of India, the Petitioner would have perhaps been granted compassionate appointment for the very fact that his father had passed away while in the employment. The Committee, thus, feel that while considering the instant case, the humanitarian ground and subsistence of the dependant(s) should be the prime concern rather than denying it on some technical grounds. The Committee would further recommend that in the larger interest of the families of the deceased employees, it is imperative to ensure that a uniform set of standard Rules/Guidelines for examining cases of compassionate appointments are followed in SAIL.”

13. In their action taken reply, the Ministry of Steel have stated:-

“Department of Personnel & Training vide its OM dated 25.3.2013 regarding recommendation of the Departmentally Related Parliamentary Standing Committee on Compassionate Appointment has mentioned that Department of Public Enterprises in its Action Taken Reply to the recommendations of the Committee vide its letter No. 2(63)07-DPE (GM) dated 11.3.2008 informed that Vittal Committee has reviewed the Guidelines issued by them in the matter of compassionate appointment. CPSEs were given autonomy to frame their own guidelines on compassionate appointment keeping in view their operational/ business requirements. The ATRs were accepted by the Committee which decided not to pursue the matter further.

The Hon’ble Supreme Court in the case of V Sivamurthy & Anr v/s. State of Andhra Pradesh (Civil Appeal No. 4210 of 2003) has held that compassionate employment

can neither be claimed, nor granted, unless the rules governing the service permit such appointments. Such appointments shall strictly be in accordance with the scheme governing such appointments and against existing vacancies.

Compassionate Appointments at Plants/Units of SAIL are regulated in terms of the uniform Guidelines for dealing with compassionate cases, in vogue, which specifically covers death or permanent total disablement of employee due to accident arising out of and in course of employment and cases of Medical Invalidation due to suffering from listed debilitating diseases for compassionate appointment. In terms of the Guidelines, if the employee dies due to disease or otherwise before declaration of Medical Invalidation by the duly constituted Committee, then, such cases shall be considered as natural death and shall not be considered for compassionate employment. The dependent family members may avail benefits under Employee Family Benefit Scheme.”

Observations/Recommendations

Delay in medical/clinical examination of Late R.B. Sahay

14. During the examination of the Petition of Shri Saurabh Kumar, it came out that his father, Late R.B. Sahay had applied for medical invalidation citing ill health, as he was suffering from COPD with Cor Pulmonale, BP and Blood Sugar. After giving him opportunities, i.e., on 19 January and 16 February 2011, for submission of required documents, his case was finally taken up by the Medical Board of the Bokaro General Hospital on 30 April, 2011. The Medical Board, on the basis of relevant documents of treatment and clinical investigation, did not find him medically invalid in terms of the uniform Guidelines/ Scheme for dealing with compassionate cases. The Committee also noticed that on 20 March, 2012, Shri Sahay had submitted another application for reconsideration of his case for medical invalidation which could not be considered as by the time the same had been received by the Bokaro General Hospital, i.e., on 9 April, 2012, Late Sahay had expired on 7 April, 2012. Keeping in view the delay in forwarding the request of Late Sahay for reconsideration of his case for medical invalidation, the Committee had observed that the Management of Central Coal Supply Organisation/ Steel Authority of India Limited should have treated his request with the desired level of urgency required in the matter. The Committee are not satisfied with the chronology of events and the manner in which the request of a terminally-ill person for holding of a second medical examination was handled by the Management of Steel Authority of India Limited, which is one of the leading '*Maharatna*' Central Public Sector Enterprises (CPSEs). In the considered opinion of the Committee, the delay of around 20 days in permitting Late Sahay for appearing for the second medical examination had brought irrevocable misfortune and agony

for him as well as his family. The Committee, therefore, desire the Ministry to issue necessary directives to all the CPSEs to accord utmost importance and also exhibit due sensitivity while dealing with such cases in future. The Committee would like to be apprised of the action taken in this regard within three months after the presentation of this Report to the House.

Review of the list of debilitating diseases for medical invalidation

15. The Committee note that prior to the year 2011, different Plants/Units of the Steel Authority of India Limited were offering employment on compassionate grounds in cases of terminal illnesses apart from providing employment in cases of death/permanent total disability, due to accident arising out of and in the course of employment. The Committee further note that with a view to providing relief/benefits to dependant family members, in cases of medical invalidation, Guidelines along with an expanded list of debilitating diseases were framed, thereby increasing the grounds for medical invalidation. The Ministry of Steel had also informed that any dilution in the enlisted debilitating diseases in the relevant Guidelines of Steel Authority of India Limited may lead to ambiguity in determining medial invalidation. It may also lead to demand for compassionate appointments for other such diseases also which are not debilitating in nature and which may create problems in Industrial Relations at Plant/Units and may disturb the congenial environment of industrial peace and harmony evolved over a long period of time. The Committee are astonished at the fact that their recommendation for reconsidering the request of Shri Saurabh Kumar for a suitable employment in CCSO/AIL on compassionate grounds was primarily based on a technical classification made out by the Management of the Steel Authority of India Limited to the effect that Chronic Obstructive Pulmonary Disease (COPD) needs to be accompanied by Cor Pulmonale for fulfilling the criteria for medial invalidation and since Late Sahay was found to be

suffering only from COPD, his request for medical invalidation was rejected. Moreover, the Committee have not been given any information as to whether there exist any discretionary powers to relax the relevant Guidelines on the basis of which the request of Shri Saurabh Kumar for his appointment on compassionate grounds could be considered, as a special case. Notwithstanding this, now that the Ministry have emphatically averred that any further dilution in the enlisted debilitating diseases in the Steel Authority of India Limited Guidelines could disturb the congenial environment of industrial peace and harmony, the Committee do not wish to enter into the internal working apparatus of the CPSE with a firm cognition that the relevant Guidelines had been uniformly applied in all such cases and there had been no other case when discretionary powers to relax the Guidelines had ever been exercised by the top Management of the Company. The Committee would like to be apprised of the position as obtaining in this regard.

Compassionate appointment vis-a-vis benefits under EFB Scheme

16. While observing that had Late R.B. Sahay worked in the Government of India and died while in service, one of his family members would have been considered for appointment on compassionate grounds, in terms of their Guidelines on the subject, without going in for any technicality as to whether the death is attributable to any enlisted debilitating disease or an accident, the Committee had recommended to the Ministry to consider the request of Shri Saurabh Kumar, son of Late Sahay on humanitarian grounds and ensuring the subsistence of the dependants. The Ministry of Steel have informed that in terms of the relevant Guidelines of the Steel Authority of India Limited, if any employee dies or otherwise before declaration of medical invalidation by the duly constituted Committee, then, such cases are considered as natural deaths and are not considered for compassionate employment. The family

members of the dependant may, however, opt for benefits under the Employee Family Benefit Scheme (EFBS) which provides for monthly payment equal to the last Basic Pay drawn and Dearness Allowance till the notional date of superannuation of the deceased employee - subject to depositing an amount equivalent to the Provident Fund and Gratuity. The amount so deposited by the dependants would also be released after the normal date of superannuation of the deceased employee. The Ministry have also informed that apart from the payments towards the Provident Fund and Gratuity, the family of Late Sahay had been paid around Rs. 10.84 lakh towards Leave Encashment and SAIL Employees' Superannuation Benefit Fund (SESBF). The Ministry have further informed that though the benefit under the EFB Scheme was offered to the family, they did not opt for it. After making a comparative analysis of the finer points of compassionate appointment and the benefits receivable by the family members of the deceased employee under the EFB Scheme, the Committee find that the EFB Scheme is no less beneficial for the family of the deceased employee in view of the underlying fact that even without serving the Steel Authority of India Limited, the dependant family would be getting a regular monthly payment equal to the last Basic Pay drawn and Dearness Allowance till the notional date of superannuation of the deceased employee. However, meanwhile, the Committee would like the Ministry of Steel to advise the Management of Steel Authority of India Limited to again invite Shri Saurabh Kumar, son of Late Sahay, and persuade him only if he agrees thereto for understanding the benefits of the EFB Scheme and for obtaining his consent in the matter. The Committee would like to be apprised of the action taken by the Ministry on this count as well separately.

NEW DELHI;
29 November, 2016
8 Agrahayana, 1938 (Saka)

BHAGAT SINGH KOSHYARI
Chairperson,
Committee on Petitions