

NINETEENTH REPORT

COMMITTEE ON PETITIONS

(SEVENTEENTH LOK SABHA)

MINISTRY OF STEEL

(Presented to Lok Sabha on 22.3.2021)



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COMPOSITION OF THE COMMITTEE ON PETITIONS

(2020-21)

Dr. Virendra Kumar - *Chairperson*

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2. Shri Anto Antony
3. Shri Hanuman Beniwal
4. Dr. Sukanta Majumdar
5. Shri Sanjay Sadashivrao Mandlik
6. Smt. Anupriya Patel
7. Dr. Bharati Pravin Pawar
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9. Shri Brijendra Singh
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14. Vacant
15. Vacant

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1. Shri T.G. Chandrasekhar - Joint Secretary
2. Shri Raju Srivastava - Director
3. Shri G.C. Dobhal - Additional Director
4. Shri Harish Kumar Sethi - Committee Officer

(ii)

CONTENTS

	PAGES
COMPOSITION OF THE COMMITTEE ON PETITIONS.....	(ii)
INTRODUCTION.....	(iii)

REPORT

Representation of Shri Swapn Das and others of Rourkela Steel Plant Widows' Association regarding welfare of legal heirs of deceased workers of Rourkela Steel Plant (RSP).

1

ANNEXURE

Representation of Shri Swapn Das and others

29

APPENDICES

(i) Minutes of the 15th sitting of the Committee held on 18.2.2021

31

(i)

NINETEENTH REPORT OF THE COMMITTEE ON PETITIONS

(SEVENTEENTH LOK SABHA)

INTRODUCTION

I, the Chairperson, Committee on Petitions, having been authorised by the Committee to present on their behalf, this Nineteenth Report (Seventeenth Lok Sabha) of the Committee to the House on the representation of Shri Swapan Das and others of Rourkela Steel Plant Widows' Association regarding welfare of legal heirs of deceased workers of Rourkela Steel Plant (RSP).

2. The Committee considered and adopted the draft Nineteenth Report at their sitting held on 18 February, 2021.

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

NEW DELHI;
18 February, 2021

DR. VIRENDRA KUMAR,
Chairperson,
Committee on Petitions.

REPORT

REPRESENTATION OF SHRI SWAPAN DAS & OTHERS OF ROURKELA STEEL PLANT WIDOWS' ASSOCIATION REGARDING WELFARE OF LEGAL HEIRS OF DECEASED WORKERS OF ROURKELA STEEL PLANT (RSP).

Shri Swapan Das & others of Rourkela Steel Plant Widows' Association had forwarded a representation dated 01.11.2018 addressed to Hon'ble Chairperson, Committee on Petitions regarding welfare of legal heirs of deceased workers of Rourkela Steel Plant (RSP).

2. The representationists on behalf of 18 families, in their representation, *inter-alia* stated that injustice has been done with them by the management of Rourkela Steel Plant (RSP) as the family members of the deceased workers have not been provided any compassionate appointment in RSP in spite of the recommendation made by the Committee on Labour (Fifteenth Lok Sabha) in its 37th Report presented to Lok Sabha and laid in Rajya Sabha on 6.5.2013. It has further been stated that legal heirs of the deceased workers had no choice except to go for a fast unto death. They had, therefore, requested to kindly look into the matter by examining the issues raised in the representation.

3. The Committee on Petitions (Sixteenth Lok Sabha) took up the representation for examination under Direction 95 of the Directions by the Speaker, Lok Sabha. Accordingly, the representation received from Shri Swapan Das & others was forwarded to the Ministry of Steel for furnishing their preliminary comments on the issues raised therein.

4. In response thereto, the Ministry of Steel *vide* their communication dated 10.5.2019 furnished their detailed comments in the matter as under:-

"The matter has been examined in consultation with SAIL. Shri Swapan Kumar Das has alleged in his representation that there was no policy for compassionate appointment at Rourkela Steel Plant (RSP) of SAIL during the period 21.11.1992 to 31.12.1995 and RSP has selectively given employment on compassionate ground to few dependents after preparing a policy during the period. Shri Swapan Das has cited cases of 18 dependants who have been

allegedly denied employment on compassionate ground in RSP. Provisions pertaining to compassionate appointment at RSP are as under:-

- (i) Prior to 22.11.1992, following types of cases were covered for Compassionate Employment as per the Circulars/Guidelines in vogue -
 - (a) 1st priority- Death due to accident arising out of and in course of employment including extension to road accident cases.
 - (b) 2nd priority- Removal on account of permanent medical unfitness under Standing Orders (Discontinued w.e.f., 21/11/1992 on extension of Employees Family Benefit Scheme (EFBS) to cover medical unfit cases).
 - (c) 3rd priority- Cases of natural death (Discontinued w.e.f., 21/11/1992 after introduction of EFBS).
 - (d) 4th priority- Superannuation- Discontinued w.e.f., April, 1978, on account of objection raised by the State Government.
- (ii) From 22.11.1992 to 31.08.2011-Employment to only 1st priority cases were covered as given below:-
 - (a) Death due to accident arising out of and in course of employment including extension to road accident cases.
 - (b) Sickness in shop floor shifted to IGH followed by death.
 - (c) IOW cases leading to Permanent Total Disablement as provided for in NJCS Agreement of 1995. Cases of IOW leading to loss of earning capacity of 50% and above but less than 100% if found to be not re-deployable.
 - (d) Cases of death due to any of the 3 listed diseases, i.e., Cancer, Heart Stroke and Kidney failure vide Circular dated 1.1.1996. Such cases occurring during 22.11.1992 to 31.12.1995 were retrospectively covered through a Tripartite Agreement dated 18.12.1998.
- (iii) From 1.09.2011- In order to bring about uniformity in the matter of providing employment on compassionate grounds, uniform Guidelines

were issued by SAIL Corporate Office for adoption by the Plants/Units. The said Guidelines were implemented in RSP w.e.f., 1.9.2011. The cases covered for providing compassionate employment are as follows:-

- (a) Death/Permanent Total Disablement due to accident arising out of and in course of employment including extension to road accident cases.
- (b) Sickness on duty followed by death with causal connection with work.
- (c) Medical invalidation due to listed debilitating diseases.
- (iv) The uniform Guidelines for dealing with compassionate cases in SAIL have been implemented at RSP w.e.f., 1.9.2011 and the earlier Scheme prevalent at RSP w.e.f., 22.11.1992 was dispensed with.
- (v) SAIL is also operating an Employee Family Benefit Scheme (EFBS) wherein, dependants may opt for benefits on monthly payment instead of employment. Under the Scheme, monthly payment equal to last drawn Basic Pay and DA of the deceased/total permanently disabled employee is provided to ex-employee/his dependents till normal date of superannuation of the ex-employee subject to depositing an amount equivalent to PF and Gratuity. The deposited amount is returned after completion of the benefits under the Scheme.

RSP Widow Association has been citing 18 cases of dependents of ex-employees of RSP, who are seeking employment on compassionate grounds vide its earlier representations and the instant representation. The position in the 18 cases is as follows:-

- (i) Thirteen (13) cases are of natural death after 21.11.1992 and not covered within the three listed diseases applicable at RSP.
- (ii) In one (1) case of natural death (prior to 21.11.1992), the employee had not completed minimum 10 years of service as required under the Scheme.

- (iii) In one (1) case of natural death (prior to 21.11.1992), the widow did not possess the minimum qualification of matriculation as required in the Scheme. After a gap of 19 years, request has been received to provide employment to matriculate son.
- (iv) Remaining two (2) are the cases of medical invalidation after 21.11.1992 and not covered in the Scheme operative after 21.11.1992.
- (v) Another case of Shri Mahendra Kumar Sahoo, s/o Late R. N. Sahoo, who expired on 24.9.1974 (more than 37 years back), has been added to the list of 17 dependents seeking compassionate employment under the banner of RSP Widow Association.

Some dependants of the ex-employees have also filed Writ Petitions before the Hon'ble High Court of Odisha, which are sub-judice either in High Court of Orissa or CAT, Cuttack.

Review by Parliamentary Standing Committee on Labour:-

- (i) The matter was taken up by Shri Hemanand Biswal, Hon'ble Member of Parliament from Sundergarh time and again.
- (ii) The issue was reviewed by the Parliamentary Standing Committee on Labour on 30.1.2012 followed by submission of information by SAIL in the form of a questionnaire as desired by the Standing Committee. Further evidence was taken by the Committee on the matter on 2.5.2012 and 23.8.2012 wherein, they have repeatedly impressed to consider the case of the above 18 dependants for providing employment. It was informed to the Committee that it would not be possible to provide employment but possibility would be explored for covering the eligible cases under EFBS.
- (iii) Accordingly, the proposal for extending EFBS to 15 eligible dependents of ex-employees of Rourkela Steel Plant was recommended by the Committee on Remuneration and HR of SAIL Board in its meeting held on 1.8.2012, as a one-time special case, subject to withdrawal of Court Cases. In the meantime, the Parliamentary Standing Committee on Labour again adduced evidence in the matter in its sitting held on 12.12.2012.
- (iv) Subsequently, the proposal for extending Employees Family Benefit

Scheme to 15 eligible dependants of ex-employees of RSP as one time dispensation, not to be taken as precedent, and considering the observations of the Parliamentary Standing Committee on Labour was approved by SAIL Board in its 390th meeting held on 12.2.2013. As also approved, the proposal was forwarded to the Hon'ble Parliamentary Standing Committee on Labour for their consideration and consent before implementation.

- (v) Recommendations of Parliamentary Standing Committee on Labour:- In the 37th Report of 15th Lok Sabha, Parliamentary Standing Committee on Labour, presented on 6.5.2013, on "Welfare of legal heirs of deceased workers of RSP", the Committee recommended to consider favorably all the 18 cases, with directions to Ministry of Steel for issuing suitable instructions to SAIL within three months. The comments of SAIL on the Report were forwarded to the Ministry of Steel on 28.6.2013. Action taken on the observations/recommendations contained in the Report of the Committee (37th) was provided in July, 2015. SAIL has reiterated that employment on compassionate ground has been provided to the eligible dependent of the ex-employees as per the extant guidelines in vogue at the time of death/medical unfitness of the employees. The said Guidelines are uniformly applied to avoid ambiguity and to ensure fairness and equity. In case employment is provided in the cases under reference, there would be demand for employment from similar such cases.

Against the directions of Parliamentary Standing Committee on Labour to the Ministry of Steel for issuing suitable instructions to SAIL within three months to consider favourably all the 18 cases, the Ministry of Steel vide O.M. dated 2.12.2015 had submitted the following Action Taken to its Parliament Cell with the approval of Secretary (Steel):-

SAIL being a Maharatna Company, has been granted autonomy by way of delegation of powers. The delegation of powers are governed as per Guidelines laid down vide Department of Public Enterprises (DPE) O.M. No.22(1)/2009-GM dated 4.2.2010. The highest decision making body of the Company in its Board of Directors, which also has two Government Directors. In view of this, views of the Ministry of Law and Justice (Department of Legal Affairs) were sought as to whether Presidential Directive can be issued to SAIL in light of the recommendation of the Hon'ble Parliamentary Committee. The Ministry of Law and Justice (Department of Legal Affairs) opined that for issuance of directives, there

must be some law to support the same. The Department of Public Enterprises, the nodal Department in respect of CPSEs, has informed that it has not issued any Guidelines on the issue of appointment on compassionate grounds in CPSEs. Such matters are decided by the Management of the respective CPSEs as they are empowered to formulate the policy for recruitment/appointment for below Board level posts.

Moreover, any direction to provide employment on compassionate grounds in specific cases will be discriminatory, having direct bearing on many other cases which are pending in various Courts/Tribunals on the matter. Besides, the impact of issuance of Government directive on similarly placed cases cannot be lost sight of.

In the 10th Report of 16th Lok Sabha, Hon'ble Parliamentary Standing Committee on Labour, presented on 12.8.2015, the Committee again recommended to consider the cases for employment on compassionate grounds. ATN on the recommendations contained in 10th Report has also been provided to the Ministry of Steel during September-October 2014. Certain clarifications sought by the Ministry of Steel were also provided in December, 2014 and March, 2016.

It has been reiterated to the Parliamentary Standing Committee on Labour that all the 18 cases are not covered for compassionate employment in terms of the extant Guidelines and coverage of such cases at this stage would lead to demand for compassionate employment in all such cases which were not covered under the extant Guidelines. It may also give rise to similar demands in all past settled cases across the Company.

Further, it has been informed that the Hon'ble Supreme Court in the case of V Sivamurthy & other vs. 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. Rourkela Steel Plant is accordingly ensuring that the extant Rules are uniformly applied in all cases of compassionate employment.

It is evident from above that the 18 cases cited by the RSP Widow Association are not covered for compassionate employment in terms of the extant Guidelines. Further, some dependants of the ex-employees have also filed Writ Petitions before the Hon'ble High Court of Orissa, which are presently sub-judice either in High Court of Orissa or CAT, Cuttack. As such, the request of the RSP Widow Association in this regard cannot be acceded to."

5. On this issue, the Committee on Petitions, Lok Sabha also undertook an on-the-spot Study Visit to Kolkata on 15 January, 2021 to have a realistic assessment of the issues raised in the representation and the action taken/proposed to be taken by the Ministry of Steel and Steel Authority of India Limited. The salient aspects arising out of informal discussion with the representatives of Steel Authority of India Limited and Rourkela Steel Plant were as under:-

- The request pertains to providing employment to the dependants of ex-employees who separated from the rolls of the Company on account of death/medical unfit almost 25 years back or more.
- In the past, the Group had submitted its request to the Hon'ble Parliamentary Committee on Labour.
- Request for employment to the dependants had/has been examined in light of the extant Guidelines.
 - *The provisions as per the Rules/Guidelines on compassionate employment at RSP prevailing at the time of separation of the concerned employees could not cover the said cases.*
 - *Employee/dependants had been apprised of this fact and were requested to instead opt for benefits under "Employee Family Benefit Scheme" based on eligibility under the Scheme (EFBS). However, the said dependants chose not to avail the benefits available under the EFBS.*
- Principles of compassionate employment as per judgement of Hon'ble Supreme Court.
 - In State Bank of India v/s. Somvir Singh

"Compassionate appointment can only be in accordance with the Scheme framed by it and no discretion, as such, is left with any of the Authorities to make compassionate appointment. In our considered opinion, the claim for compassionate appointment and the right, if any, is traceable only to the Scheme, executive Instructions, Rules, etc., framed by the employer in the matter of providing employment on compassionate grounds. There is no right of whatsoever nature to claim compassionate appointment on any ground other than the one, if any, conferred by the employer by way of Scheme or Instructions as the case may be."

- In V Sivamurthy v/s. State of Andhra Pradesh

"Compassionate appointment can neither be claimed, nor be granted, unless the rules governing the service permit such appointments. Such appointments shall be strictly in accordance with the scheme governing such appointments."

- In Union Of India And Anr. v/s. V.R. Tripathi on 11 December, 2018

"Compassionate appointment, in other words, is not founded merely on parentage or descent, for public employment must be consistent with equality of opportunity which Article 16 of the Constitution guarantees. Hence, before a claim for compassionate appointment is asserted by the family of a deceased employee or is granted by the State, the employer must have Rules or a Scheme which envisage such appointment. It is in that sense that it is a tried principle of law that there is no right to compassionate appointment. Even where there is a Scheme of compassionate appointment, an application for engagement can only be considered in accordance with and subject to fulfilling the conditions of the Rules or the Scheme. The submission which has been urged on behalf of the Union of India by the learned Additional Solicitor General is premised on the basis that there is no right to compassionate appointment. There can be no doubt about the principle that there is no right as such to compassionate appointment but only an entitlement, where a Scheme or Rules envisaging it exist, to be considered in accordance with the provisions".

- Director of Education (Secondary) v/s. Pushpendra Kumar and V Sivamurthy v/s. State of Andhra Pradesh

"The claim for compassionate appointment is therefore, traceable only to the Scheme framed by the employer for such employment and there is no right whatsoever outside such Scheme. An appointment under the Scheme can be made only if the Scheme is in force and not after it is abolished/withdrawn. It follows, therefore, that when a Scheme is abolished, any pending application seeking appointment under the Scheme will also cease to exist, unless saved. The mere fact that an application was made when the Scheme was in force, will not by itself create a right in favour of the applicant."

6. On being enquired by the Committee as to whether the employees of Rourkela Steel Plant (RSP) received some awards in the past, the representatives of the Ministry of Steel/SAIL submitted, as under:-

I. The details of awards received by Rourkela Steel Plant(RSP) are as follows:-

(a) The Hot Strip Mill and Energy Management Department comprising of 5 employees each of RSP have received the Vishwakarma Rashtriya Puraskar for the Performance Year-2017.

(b) For the first time, the following four Departments of RSP are certified with the prestigious ISO 50001:2018 EMS (Energy Management System) w.e.f., 02/01/2020:-

- (i) New Plate Mill*
- (ii) Power and Blowing Station (PBS)*
- (iii) Coke Ovens (Battery # 6)*
- (iv) Blast Furnace # 5*

(c) RSP bagged the prestigious 'Gold award' for 'Internal Communication Campaign' in the 14th Global Communication Conclave.

II. Participation and winning of awards, including those as enumerated above, helps in building a better employer-employee relationship, building a better employee experience, sense of pride and gratification for recognition of the job which translates into their zeal to do better, boosts the morale/motivates the employees, inspires other team members for doing

their best leading to healthy competition and further nurturing their skills and talents. This leads to enhancement of sense of ownership and pride amongst the employees, their dependents, peers and community at large. The positive vibes reaching out of such awards and recognitions ultimately adds to their productivity enabling SAIL/RSP to fulfill the targets as a team effort. Increased profits enable SAIL/RSP to allocate more funds for the welfare of the local people through CSR Schemes. SAIL always considers and firmly believes in its Human Resource as an asset and the key driver to Company's bottom line. These are a reflection/culmination of sound personnel policies, meeting the expectations of the employee within the ambit of Company's policies, formulated in terms of government guidelines, etc. One such Policy is the Uniform Guidelines for dealing with compassionate employment cases adopted in SAIL Plant/units including RSP."

7. The Committee, thereafter, desired to know the details of all the 18 dependants of ex-employees of RSP referred to by Shri Swapan Das in his representation. The representatives of the Ministry of Steel/SAIL submitted, as under:-

Sl. No	Name of the dependant & age	Name of the ex-employee and date of Death/Discharge	Date on which the dependant submitted application and other documents for compassionate appointment in RSP (as per available records/documents)
1.	Jayanta Kumar Mohanty	Late D.K.Mohanty, Pl.No. 24960, Ex- Helper, Repair Shop (Elec) Date of Death- 15/12/1985	06/03/1986
2.	Pradeep Kumar Mohanty	Late Udaynath Mohanty Pl. No.43741 Ex-Khalasi, SMS (Opn.) Date of Death- 01/03/1986	01/12/1994
3.	Arun Naik	Late Khali Naik Pl. No. 4196, Ex-Operator, Plate Mill (O) Date of Death- 20/02/1993	18/07/2000
4.	Pravat Kumar Mallick	Late Jaydeb Mallick Pl. No.1110 Ex-Sr. Optv, Coal Chem. (O) Date of Death- 03/07/1993	26/07/1993
5.	Susanta Kumar Mohanty	Late Adwaita Charan Mohanty Pl. No.1573	17/07/2000

		Ex-Sr. Optr (Cranes), BF (O) Date of Death- 22/07/1993	
6.	Anu Kiran Sanga	Late Mahadeo Sanga PI. No. 7834, Ex-Chargeman, Foundries (O) Date of Death- 22/09/1993	02/02/1999
7.	Anil Tirkey	Late Sitaram Tirkey PI. No. 55031, Ex-Serv Asst, Canteen Date of Death- 03/11/1993	10/01/1994
8.	Rashmi Ranjan Panda	Late Bhaskar Panda PI. No. 8119, Ex-Jr. Refra Inspector, Refrac Date of Discharge- 13/08/1994	28/12/1993
9.	Ashok Kumar Rout	Late Khali Rout PI. No.9220 Ex-Techn/Fitter, SMS (Elect.) Date of Death- 23/10/1994	17/11/1994
10.	Swapan Das	Late D.N.Das PI. No.6291 Ex-SSW, Communication Engg. Date of Discharge- 31/10/1994	04/11/1994
11.	Bhima Moharana	Late Banchhanidhi Maharana PI. No. 9236, Ex-Technician, T & RM Date of Death- 12/12/1994	18/08/2000
12.	Pramod Kumar Ray	Late N. K. Ray PI. No. 20849, Ex-Office Attdt, CO&CC (M) Date of Death- 19/12/1994	27/11/1999
13.	Sandip Singh	Late Samuel Singh PI. No. 62928, Ex-Tech/Painter, T.E (Elect.) Date of Death- 16/08/1995	--
14.	Ramesh Biswakarma	Late Kailash Mistry PI. No. 12048, Ex-Sr. Technician, R.S. (Mech.) Date of Death- 06/06/1996	01/11/1999
15.	Saroj Sahoo	Late Alekha Mohan Sahoo PI.No.8944 Ex-Sr. Loco Operator, T&RM Date of Death- 24/01/1997	10/03/1997
16.	Nausad Ahmed	Late Jahangir Ansari PI.No.19470 Ex-Operator (Cranes), SPP (O) Date of Death- 24/01/1998	17/03/1998
17.	Mrutunjoy Bose	Late Atul Ch. Bose PI. No. 16895, Ex- Store Keeper, RS (Elect.) Date of Death- 22/08/1998	27/11/1998
18.	Mahendra Kumar Sahoo	Late R.N. Sahoo PI.No. 24207 Ex- Khalasi, ERWPP Date of Death- 24/09/1974	17/03/1980

8. On being enquired by the Committee as to whether all the applicants had already been rejected by RSP/SAIL Management on various technical grounds without taking into account their financial position and means of subsistence, the representatives of the Ministry of Steel/SAIL submitted, as under:-

"The above cases could not be accommodated as the cases did not fulfil/qualify to any of the Schemes of SAIL/RSP. As and when the above request was received, the cases were examined by various Authorities as per the Rules in vogue then."

9. On being further enquired by the Committee to as to whether the post(s)/grade(s) on which these 18 persons would have been appointed on compassionate grounds are being filled up on contract basis by RSP/SAIL, the representatives of the Ministry of Steel/SAIL submitted, as under:-

"There is no such Scheme to engage persons on contract basis. RSP awards job contracts to Contractors and the Contractors engage their manpower on their own as per the job requirements."

10. The Committee, then, desired to know about the extant policy of Compassionate Appointments in Rourkela Steel Plant/Steel Authority of India Limited and how far the extant policy is different from the earlier policies, the representatives of the Ministry of Steel/SAIL submitted, as under:-

Guidelines/ Rules framed for providing employment on compassionate grounds

Prior to 22/11/1992	From 22/11/1992 to 31/08/2011	From 01/09/2011
<p>Separation on account of the following reasons were considered for providing employment under compassionate grounds:-</p> <p>1st Priority:</p> <p>Death due to accident arising out of and in course of employment including extension to road accident cases.</p>	<p>Separation on account of the following reasons were considered for providing employment under compassionate grounds :-</p> <p>(a) Death due to accident arising out of and in course of employment including extension to road accident cases.</p> <p>(b) Sickness in Shop floor</p>	<p>In order to bring uniformity in the matter of compassionate employment across all the Plants/Units of SAIL, the Guidelines for dealing with compassionate employment cases was circulated vide letter No. PER/IR&W/2009 dated 28/08/2009 of ED (P&A), SAIL Corporate Office for implementation. These</p>

<p>2nd Priority: Removal on account of permanent medical unfitness under Standing Orders. Discontinued w.e.f. 21-11-92 on extension of Employees' Family Benefit Scheme (EFBS) to cover medical unfit cases.</p> <p>3rd Priority: Cases of natural death. Discontinued w.e.f. 07-08-91 when EFBS was introduced. However after Hon'ble High Court's order in Shanti Bhattacharjee case, such deaths between 07-08-91 and 21-11-92 were considered.</p> <p>4th Priority: Superannuation. Discontinued w.e.f. April'78, on account of objection raised by State Government.</p>	<p>shifted to IGH followed by death.</p> <p>(c) IOW cases leading to Permanent Total Disablement as provided for in NJCS Agreement of 1995.</p> <p>(d) Cases of IOW leading to loss of earning capacity of 50% and above but less than 100% if found to be not re-deployable.</p> <p>(e) Cases of death resulting from any of 3 specific diseases – Cancer, Heart Stroke and Kidney Failure vide a Scheme circulated on 01-01-1996. This scheme has been extended retrospectively through a Tripartite Agreement dated 18-12-98 to cover such disease death cases from 22-11-1992 up to 31-12-1995.</p>	<p>guidelines have been implemented at RSP w.e.f.01/09/2011.</p> <p>The cases covered for providing compassionate employment are -</p> <ol style="list-style-type: none"> 1. Death/Permanent total Disablement due to accident arising out of and in course of employment including extension to road accident cases. 2. Sickness on duty and death with causal connection with work. 3. Medical Invalidation due to listed debilitating diseases.
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11. On being enquired by the Committee as to whether the extant policy of Compassionate Appointments is more regressive vis-a-vis earlier liberal policies of RSP/SAIL for consideration of dependants of deceased employees for giving employment in RSP even by exhibiting extreme compassion, the representatives of the Ministry of Steel/SAIL submitted, as under:-

"The extant policy of compassionate employment is not regressive vis a vis the earlier policy. RSP has been following the Corporate Policy from 01/09/2011 and it may be seen that the present policy has increased the coverage of medical invalidations due to debilitating diseases. SAIL/RSP has started providing employment to the eligible dependents of contract labours who die in accidents arising out of and in course of employment inside the Plant. The compassionate employment policy has evolved with the changing business environment and judicial pronouncements."

12. The Committee thereafter, desired to know as to whether the Management of RSP also share similar views that welfare and the inherent ethics of looking after the dependents family members of the deceased employees are more important rather than framing of stringent rules devoid of residuary powers and preferring giving employment through Public Notice(s), the representatives of the Ministry of Steel/SAIL submitted, as under:-

"Employment through Public Notice(s) is in compliance of the requirements in line with the Government guidelines arising out of judicial pronouncements. In addition, with an objective of providing relief/benefit to dependent family members of the employees in cases of death, permanent total disablement and medical invalidation, RSP has been following the guidelines of compassionate employment consistently and uniformly in line with the Corporate Policy applicable for all SAIL Plants/Units across the Country. In the last five years RSP has provided 174 nos. of employment on compassionate grounds."

13. On being enquired by the Committee as to whether it is a fact that had the Management of RSP/SAIL appointed all these 18 representationists on compassionate grounds, these persons would have been accommodated at an extremely lower-level positions in the Organization, if so, the post(s)/position(s) and gross monthly emoluments offered by RSP/SAIL while giving employment on compassionate grounds in terms of uniform Guidelines of 1 September, 2011. The representatives of the Ministry of Steel/SAIL submitted, as under:-

"The grade and monthly emoluments of the candidates joining under compassionate employment depends upon qualification of the candidate. The details of 13 dependants joined in 2020 are as under:-

Compassionate employment provided during the year 2020 (in terms of PP Circular No. 1007 dated 30.08.2011)

Sl. No.	Name	Pl. No	Qualification	Grade	Date of joining	Stipend	Remarks
1.	Amit Kumar Jena	220142	Matric	S01	20/07/2020	Rs. 8600/- 1st Yr Rs. 10000/- 2nd Yr	Regularised after completion of 02 years training Scale of pay- Rs. 15830-3%-22150

2.	Draupadi Mahanta	220150	Matric	S01	05/08/2020	Rs. 8600/- 1st Yr Rs. 10000/- 2nd Yr	Regularised after completion of 02 years training Scale of pay- Rs. 15830-3%-22150
3.	Nitu Mahato	220157	10+2 Arts	S01	28/08/2020	Rs. 8600/- 1st Yr Rs. 10000/- 2nd Yr	Regularised after completion of 02 years training Scale of pay- Rs. 15830-3%-22150
4.	Anshuman Mohanta	220160	10+2 Sc.	S01	01/09/2020	Rs. 8600/- 1st Yr Rs. 10000/- 2nd Yr	Regularised after completion of 02 years training Scale of pay- Rs. 15830-3%-22150
5.	Anup Roshan Bage	220161	Matric, ITI	S01	02/09/2020	Rs. 8600/- 1st Yr Rs. 10000/- 2nd Yr	Regularised after completion of 02 years training Scale of pay- Rs. 15830-3%-22150
6.	Satabadi Sahu	220164	Matric	S01	04/09/2020	Rs. 8600/- 1st Yr Rs. 10000/- 2nd Yr	Regularised after completion of 02 years training Scale of pay- Rs. 15830-3%-22150
7.	Sadasiva Sahoo	220166	Matric, ITI	S01	24/09/2020	Rs. 8600/- 1st Yr Rs. 10000/- 2nd Yr	Regularised after completion of 02 years training Scale of pay- Rs. 15830-3%-22150
8.	Sripradha Badaik	220173	B.Tech.	S06	04/11/2020	Rs. 13000/- 1st Yr Rs. 14400/- 2nd Yr	Regularised after completion of 02 years training Scale of pay- Rs. 17500-3%-30070
9.	Manisha Tudu	220174	10+2 Sc.	S01	16/11/2020	Rs. 8600/- 1st Yr Rs. 10000/- 2nd Yr	Regularised after completion of 02 years training Scale of pay- Rs. 15830-3%-22150
10.	Maheswata Bisoi	220178	B.A.	S03	16/12/2020	Rs. 10700/- 1st Yr Rs. 12200/- 2nd Yr	Regularised after completion of 02 years training Scale of pay- Rs. 16800-3%-24110

11.	Pabitra Mahanandia	220179	10+2 Sc., ITI	S01	17/12/2020	Rs. 8600/- 1st Yr Rs. 10000/- 2nd Yr	Regularised after completion of 02 years training Scale of pay- Rs. 15830-3%-22150
12.	Satnam Singh	220180	Matric	S01	28/12/2020	Rs. 8600/- 1st Yr Rs. 10000/- 2nd Yr	Regularised after completion of 02 years training Scale of pay- Rs. 15830-3%-22150
13.	Goutam Bisoi	220181	Diploma Engg.	S03	29/12/2020	Rs. 10700/- 1st Yr Rs. 12200/- 2nd Yr	Regularised after completion of 02 years training Scale of pay- Rs. 16800-3%-24110

14. The Committee, thereafter, desired to know the broad contours of Employee Family Benefit Scheme (EFBS) being operated by RSP/SAIL in their establishments and the number of dependants of deceased employees have opted for benefits offered under the Scheme instead of employment. The representatives of the Ministry of Steel/SAIL, submitted, as under:-

"The broad contours of the SAIL Employees' Family Benefit Scheme are as follows:-

- (i) It is a Voluntary Scheme.
- (ii) The objective of the Scheme is to provide monetary benefit to an employee in case of permanent total disablement and to his family in case of his death while in service of the Company.
- (iii) The Scheme will cover all regular employees including employees recruited through Management Trainees route in executive cadre and through Trainee route in non-executive cadre.
- (iv) Eligibility - Employees who suffer death/permanent disablement will be eligible for the benefit under this Scheme.
- (v) Effective Date - This Scheme is effective from 1.1.89. In cases of death/permanent total disablement which have occurred from 1.1.89 till the date the scheme is notified, a period of six months from the date the Scheme is notified will be allowed to the nominee/employee as the case

may be, to deposit the PF and Gratuity dues in case he/she opts for the Scheme.

- (vi) *Benefit - On the separation of an employee from the service of the Company on account of death or permanent total disablement, his nominee/the employee, as the case may be, on depositing with the Company the entire PF and gratuity amounts of the employee, would be entitled to monthly payment equivalent to his basic plus DA last drawn as per the Scheme. Such monthly payment shall continue till the normal date on which the employee concerned would have attained the age of Superannuation, had the employee been in the service of the Company.*

In some cases, the employees may have affected temporary/permanent withdrawals from the Provident Fund or may like to retain part of such Funds to meet their family commitments. In such cases, the monthly payment admissible under clause 4.1 of the Scheme will be reduced in the same proportion, which the shortfall in the PF accumulation at the time of death of the employee bears to the total of the Gratuity and notional PF which would have accrued, had the withdrawal not been made.

Provided that an employee or his nominee as the case may be, may make good the shortfall resulting from withdrawals by depositing the difference to get full benefit under this Scheme. This option will be available to him only at the initial stage at the time of volunteering for this Scheme.

- (vii) *Deposit of Amounts (PF & Gratuity) - Employee/Nominee shall deposit PF and Gratuity amounts in one lump sum with the Company within a maximum period of six months from the date of permanent total disablement/death.*
- (viii) *Termination of Benefit - On the notional date of Superannuation of the separated employee, the monthly payments under this scheme would cease and the amount deposited with the Company under this scheme would be refunded to the employee or his/her nominee, as the case may be. Under the scheme, no interest on the PF and Gratuity deposits will be admissible for the period of deposits.*

If the employee/nominee desires to permanently withdraw the PF and Gratuity amount deposited with the Company under the Scheme at any point of time, he/she will be allowed to do so. In such cases, the

employee/nominee would cease to receive the benefit, from the date of such withdrawal, under the Scheme and also would not be entitled to any other benefit, whatsoever. No partial withdrawal of the PF and Gratuity amount deposited with the Company would be allowed.

- (ix) Conditions for being a beneficiary under the Scheme - The employee/nominee will get the benefit under this Scheme only after vacation of the Company's quarters.
- (x) Nominations - All employees opting for the Scheme will be required to make their nominations for receiving the benefits under the Scheme in case of their death. Not more than one nominee will be accepted.
 - (a) The person nominated to receive the benefit under this Scheme shall be one of the nominees under the PF Rules.
 - (b) An employee separated on account of permanent total disablement and joining the Scheme, shall himself draw the amount under the Scheme notwithstanding any nomination made by him. In the event of his death prior to the normal date of Superannuation, then his/her nominee shall receive the benefit under the Scheme.
 - (c) In the absence of nomination, under the Scheme, the nomination made by the employee for the purpose of payment of Provident Fund dues would be treated as the nomination under this Scheme. In case of more than one nominee the first nominee will be taken as nominee for the Scheme. In case nomination of PF is also not given, then the problem of nomination would be resolved as done in case of PF.
 - (d) The nominee of the deceased employee will be required to nominate the person who will receive the benefit under the Scheme in the event of his/her death.
 - (e) In the event of the nominee predeceasing the employee, the employee will be required to make a fresh nomination.
- (xi) Modalities - Each Plant/Unit shall supervise administration and operation of the Scheme in so far it relates to their employees through a Committee

headed by Head of Personnel of the Plant/Unit with a representative each from Finance and Operation.

The deposits under the Scheme shall be made by the employee/nominee, as the case may be, by an A/C payee Cheque/bank draft along with an application on the prescribed format. Alternatively with the concurrence of the concerned PF Trust on due settlement of his account with them, the amount may be directly transferred by the Trust and similarly the Gratuity amount may be got transferred from the Plant/Unit for deposit under the Scheme by a letter of authority by the concerned employee/nominee. Plant/Unit will issue a receipt for the deposit made by the employee or his nominee, as the case may be.

So far 1561 numbers of the dependants of the deceased employees have opted for the benefit offered under the SAIL Employees' Family Benefit Scheme."

15. The Committee, thereafter, specifically desired to know the number of cases wherein the deposited amount has been returned to the dependants by RSP/SAIL, till date, the representatives of the Ministry of Steel/SAIL submitted, as under:-

"As per the provision of the SAIL Employees' Family Benefit Scheme, the deposited amount is returned to the beneficiaries after completion of the benefits under the scheme. Till now, in 1009 numbers of cases, the deposited amount has been returned to the beneficiaries by SAIL/ RSP."

16. The Committee when asked about the current status in regard to the proposal for extending the Employees Family Benefit Scheme to 15 eligible dependants of ex-employees of RSP as one-time dispensation, not to be taken as precedent, the representatives of the Ministry of Steel/SAIL submitted, as under:-

"Considering the observations of Hon'ble Parliamentary Standing Committee on Labour, the proposal for extending EFBS to dependent of ex employees of RSP was approved, even though the time period of 06 months from the date of separation was lapsed and notional dates of superannuation in case of the 15 eligible ex employees had already lapsed, i.e., the actual period of payment under EFBS had lapsed. The consent of Hon'ble Committee was sought."

17. On a specific query by the Committee that since the aforementioned proposal was approved by SAIL Board in its 390th meeting held way back in the year 2013, what is the possibility of implementing the said proposal now, the representatives of the Ministry of Steel/SAIL submitted, as under:-

"The date of notional superannuation of all the 15 cases is over. However, we solicit guidance of the Hon'ble Committee, taking into account the provisions of Employee Family Benefit Scheme and the approval accorded by SAIL Board (as a special dispensation in respect of the 15 cases) as conveyed to Hon'ble Parliamentary Committee as mentioned above."

18. The Committee, thereafter, desired to know as to when these dependants of ex-employees moved to Courts and filed cases against RSP and the current status of these Court cases and wanted to know all the relevant details, the representatives of the Ministry of Steel/SAIL submitted, as under:-

"Out of 18 dependants of the ex-employees, 08 dependants have filed cases before Hon'ble High Court of Orissa/Central Administrative Tribunal, Cuttack Bench and the status is as under:-"

Cases pending before the High Court of Orissa/Central Administrative Tribunal, Cuttack

Sl. No.	Name, PL. No., Designation, Department of Ex-Employee	Date of Death/ Removal	Remarks
1	Late Udaynath Mohanty Pl. No.43741 Ex-Khalasi SMS (Opn.)	01/03/1986	Sri Pradeep Kumar Mohanty, s/o Late Udaynath Mohanty has filed a writ petition bearing WP(C) No.10118/08 in the Hon'ble High Court of Orissa. Disposed off by Hon'ble High Court and transferred to CAT, Cuttack (TA 45/2017). The case dismissed on 26/09/2019.
2.	Late Jaydeb Mallick Pl. No.1110 Ex-Sr. Operative Coal Chem. (Opn.)	03/07/1993	Sri Pravat Kumar Mallick, s/o Late Jaydeb Mallick has filed a writ petition bearing WP (C) No.14938/2004 in the Hon'ble High Court of Orissa. The case is presently sub-judice.
3.	Late Bhaskar Panda Pl. No. 8119, Ex-Jr. Ref. Inspector Refractories.	13/08/1994	Smt. Swarna Prabha Panda, w/o Sri Bhaskar Panda has filed a writ petition bearing WP (C) No.4483/2005 in the Hon'ble High Court of Orissa. Disposed off by Hon'ble High Court and transferred to CAT, Cuttack (TA 27/2014). The case is presently sub-judice.

4.	Late D.N.Das PI. No.6291 Ex-SSW Communication Engg.	31/10/1994	Sri Swapan Kumar Das, s/o D.N. Das has filed a writ petition bearing OJC No.7704/95 in the Hon'ble High Court of Orissa. Disposed off by Hon'ble High Court and transferred to CAT, Cuttack (TA 20/2015). The case is presently sub-judice.
5.	Late Samuel Singh PI. No. 62928, Ex-Techn-cum-Painter T.E (Elect.)	16/08/1995	Smt. Rupabati Singh, w/o. Late Samuel Singh has filed a writ petition bearing OJC No.13999/96 in Hon'ble High Court of Orissa. Disposed off by Hon'ble High Court and transferred to CAT, Cuttack (TA 04/2017). The case is presently sub-judice.
6.	Late Alekha Mohan Sahoo PI.No.8944 Ex-Sr. Loco Operator T&RM	24/01/1997	Smt. Monorama Sahoo, w/o Late A.M. Sahoo has filed a writ petition bearing OJC No. 5943/01 in the Hon'ble High Court of Orissa. Dismissed by Hon'ble High Court of Orissa vide order dtd.17.02.2016.
7.	Late Jahangir Ansari PI.No.19470 Ex-Operator (Cranes) SPP (Opn.)	24/01/1998	Smt. Fatima Khatoon, w/o Late J. Ansari has filed a writ petition in the Hon'ble High Court of Orissa and subsequently transferred to CAT, Cuttack. The matter is sub-judice in the Hon'ble High Court of Orissa.
8.	Late Atul Ch. Bose PI. No. 16895, Ex- Store Keeper, Repair Shop (Elect.)	22/08/1998	Smt. Gita Bose, w/o. Late Atul Ch. Bose has filed a writ petition bearing OJC No. 1747/2000 in the Hon'ble High Court of Orissa. Disposed off by Hon'ble High Court of Orissa and matter was transferred to CAT, Cuttack. CAT, Cuttack subsequently disposed off vide order dated.18.01.2019.

19. On being enquired by the Committee as to whether the RSP/SAIL also endorse the views of the Committee on Petitions, Lok Sabha that notwithstanding various judgement pronounced/observations made by Courts, every Organization /Establishment should exhibit extreme compassion and sensitivity in dealing with cases of appointment on compassionate grounds, primarily, on the premise that these are the dependants of their own employees who had served the Organization but unfortunately demised and the dependant families have no other source of livelihood. The representatives of the Ministry of Steel/SAIL submitted, as under:-

"SAIL/RSP has been showing compassion and sensitivity in handling compassionate employment cases. As mentioned earlier, RSP has provided compassionate employment to 174 dependents in last five years. However, in cases where the deceased employee's dependent is not eligible for compassionate employment, he/she has the option of joining the EFBS which

ensures that the last drawn salary of the deceased employees is paid to the dependent subject to fulfillment of certain conditions."

20. During the informal discussion at Kolkata, the Committee on Petitions urged the representatives of Steel Authority of India Limited and Rourkela Steel Plant to explore the possibility of extending the benefits of Employees Family Benefit Scheme to the eligible dependents of the deceased workers of Rourkela Steel Plant.

21. In response thereto, Steel Authority of India Limited vide their communication dated 1.2.2021 informed the Committee, as under:-

"It is to inform that extension of benefits under Employee Family Benefit Scheme as submitted in reply to the List of Points on the representation as mentioned above, submissions made by representatives of the Ministry of Steel and SAIL during informal discussion during the Study Visit of the Hon'ble Committee on Petitions at Kolkata on 15.1.2021 and the directive of Hon'ble Committee on Petitions to extend the same to the eligible cases and dependents was placed before SAIL Board in its 478th meeting held on 29.1.2021.

Accordingly, it is submitted that in pursuance of the directive of Hon'ble Committee on Petitions, the benefit under EFBS, as approved by SAIL Board in its 390th meeting held on 12.2.2013 and submitted before Hon'ble Parliamentary Committees, is being extended to the eligible dependents as a special and one time dispensation and not to be cited as a precedence, in future."

OBSERVATIONS/RECOMMENDATIONS

Policies/Guidelines to safeguard the dependent family members of the deceased workers for providing hassle-free appointments on compassionate grounds

22. The Committee on Petitions, Lok Sabha while examining the representation received from Shri Swapan Das & others of Rourkela Steel Plant Widows' Association, regarding welfare of legal heirs of deceased workers of Rourkela Steel Plant (RSP) find that instant case is almost 25 years old. Earlier, the widows/dependents of ex-employees of RSP also represented before the Parliamentary Standing Committee on Labour. The entire issue was examined by the Committee on Labour during the year 2012 and oral evidence of the Ministry of Steel/SAIL was taken by the Committee on 2.5.2012 and 23.8.2012 for favourably considering the case of all the 18 dependants of deceased family members for giving appointment on compassionate grounds. At that time, it was *inter alia* informed to the Committee on Labour that it would not be possible to provide employment to these dependents, but possibility would be explored for covering the eligible cases under the Employees Family Benefit Scheme (EFBS). Accordingly, the proposal for extending the benefit of EFBS to 15 eligible dependents of ex-employees of Rourkela Steel Plant was recommended by the Committee on Remuneration and HR of the SAIL Board, in its meeting, held on 1.8.2012, as a special case, subject to withdrawal of Court Cases. Subsequently, the said proposal was approved by the SAIL Board in its 390th meeting held on 12.2.2013. However, due to certain administrative delays, the proposal for extending the benefit of EFB Scheme did not fructify.

23. The Committee further note from the submissions made by SAIL/RSP that with a view to ensuring uniformity in the matter of providing employment on compassionate grounds, uniform Guidelines were issued by SAIL Corporate

Office for its adoption by the Plants/Units. The said Guidelines were implemented in Rourkela Steel Plant w.e.f., 1.9.2011 and the earlier Scheme prevalent at RSP w.e.f., 22.11.1992 was dispensed with. As a matter of fact, there were certain conditions/stipulations of coverage in the Guidelines/Rules framed from time to time for providing employment on compassionate grounds. The Committee also note that with an objective of providing relief/benefit to dependent family members of the employees in cases of death, permanent total disablement and medical invalidation, RSP has been following the Guidelines of compassionate employment consistently and uniformly in line with the Corporate Policy applicable for all SAIL Plants/Units across the Country from 01.09.2011 and the extant policy has further increased the coverage of medical invalidations due to debilitating diseases. SAIL/RSP has started providing employment to the eligible dependents of Contract Labourers who die in accidents arising out of and in the course of employment inside the Plant. The compassionate employment policy has evolved with the changing business environment and various judicial pronouncements. During the last five years, RSP has considered giving appointment to 174 persons on compassionate grounds.

24. The Committee observe that the aspect of providing employment on compassionate grounds to the family members of the deceased employees is not being looked after by SAIL/RSP Management with the desired level of compassion, perhaps, due to self-devised intricate terms and conditions of the old as well as the new Policy, Guidelines, etc. The Committee, therefore, strongly recommend the Ministry of Steel to initiate a time-bound quick study, in consultation with the Department of Personnel & Training, to assess the impact of their Policy/ Guidelines in providing employment on compassionate grounds,

particularly, in the context of their subsistence in the absence of any permanent employment and fragile financial condition.

25. The Committee also recommend the Ministry of Steel to render all possible assistance to the Steel Authority of India Limited to find out easy, flexible and hassle-free mechanism for providing compassionate appointments to the family members of their deceased employees to obviate recurrence of such prolonged impasse in future. The Committee would like to be apprised of the action taken in this regard within three months of the presentation of this Report to the House.

Extending the facility of Employee Family Benefit Scheme (EFBS) to the dependent family members of the deceased workers

26. The Committee note from the submissions made by the Ministry of Steel that the Employee Family Benefit Scheme (EFBS) is being operated by RSP/SAIL in their establishments. The objective of the Scheme is to provide monetary benefit to an employee in case of permanent total disablement and to his family in case of his death while in service of the Company. The Scheme cover all regular employees including the employees recruited as Management Trainees in the Executive as well as Non-Executive Cadre(s). Besides, the employees who suffer permanent disablement are also eligible for the benefit under this Scheme.

27. The Committee also find that this Scheme is in operation in RSP/SAIL with effect from 1.1.1989. In cases of death/permanent total disablement which have occurred from 1.1.89 till the date, the Scheme has been notified, a period of six month will be allowed to the nominee/employee as the case may be, to deposit the Provident Fund and Gratuity dues in case he/she opts for the Scheme. On the separation of an employee from the service of the Company on account of death or permanent total disablement, his nominee or the employee, as the case may be,

on depositing with the Company the entire Provident Fund and gratuity amounts of the employee, would be entitled to a monthly payment equivalent to his basic *plus* Dearness Allowance last drawn as per the Scheme. Such monthly payment shall continue till the normal date on which the employee concerned would have attained the age of superannuation, had the employee been in the service of the Company. In some cases, if an employee has withdrawn money from the Provident Fund or decide to retain a part of his Provident Fund accumulated deposit(s) to meet the family commitments, the monthly payment admissible under Clause 4.1 of the Scheme would be proportionately reduced. Alternately, such employee or his nominee as the case may be, may make good the shortfall resulting from withdrawals by depositing the difference to get full benefit under the Scheme. However, this option is made available to the employee only at the initial stage, i.e., at the time of opting for this Scheme. The employee/nominee are required to deposit the Provident Fund and Gratuity amounts, in one lump sum, with the Company within a maximum period of six months from the date of permanent total disablement/death. On the notional date of superannuation of the separated employee, the monthly payments under this Scheme would cease and the amount deposited with the Company under the Scheme would be refunded to the employee or his/her nominee, as the case may be. Under the scheme, no interest on the Provident Fund and Gratuity deposits will be admissible for the period of deposit(s). If the employee/nominee desires to permanently withdraw the Provident Fund and Gratuity amount deposited with the Company under the Scheme at any point of time, he/she will be allowed to do so. In such cases, the employee/nominee would cease to receive the benefit, from the date of such withdrawal under the Scheme and also not be entitled to any other benefit, whatsoever. No partial withdrawal of the Provident Fund and Gratuity amount deposited with the Company would be allowed. The employee/nominee will get the

benefit under this Scheme shall be one of the nominees under the Provident Fund Rules. An employee separated on account of permanent total disablement and joining the Scheme, shall himself draw the amount under the Scheme notwithstanding any nomination made by him. In the event of his death prior to the normal date of Superannuation, then his/her nominee shall receive the benefit under the Scheme. In the absence of nomination, under the Scheme, the nomination made by the employee for the purpose of payment of Provident Fund dues would be treated as the nomination under this Scheme. In case of more than one nominee, the first nominee would be taken as 'nominee' for the Scheme. In case nomination of Provident Fund is also not given, then the impasse of nomination would be resolved as done in case of Provident Fund. The nominee of the deceased employee would be required to nominate another person who will receive the benefit under the Scheme in the event of his/her death. In the event of the nominee pre-deceasing the employee, the employee will be required to make a fresh nomination.

28. The Committee also note that each Plant/Unit shall supervise the administration and operation of the Scheme so far as it relates to their employees through a Committee headed by the Head of Personnel Department of the Plant/Unit with a representative each from Finance and Operation Divisions. The deposits under the Scheme shall be made by the employee/nominee, as the case may be, by an Account payee Cheque/Bank Draft along with an application on the prescribed format. Alternately, with the concurrence of the concerned Provident Fund Trust, on due settlement of his account with them, the amount could be directly transferred by the Trust and similarly the Gratuity amount would be got transferred from the Plant/Unit for deposit under the Scheme by a 'Letter of Authority' by the concerned employee/nominee. Plant/Unit would issue a receipt for the deposit(s) made by the employee or his nominee, as the case may be. So

far, 1561 dependants of the deceased employees have opted for the benefit offered under the Employees' Family Benefit Scheme of the Steel Authority of India Limited.

29. The Committee further note that in cases where the dependent of deceased employee is not eligible for compassionate employment, he/she has the option of joining the EFBS which ensures that the last drawn salary of the deceased employees is paid to the dependent subject to fulfillment of certain conditions.

30. The Committee also find that considering the observations of Parliamentary Standing Committee on Labour, though the proposal for extending the EFB Scheme to the dependents of 15 deceased employees of RSP was approved by the SAIL/RSP, this benefit could not be extended to them, primarily, due to lapse of the prescribed period of six months for availing this special benefit.

31. The Committee are satisfied that on the behest of the Committee on Petitions, Lok Sabha, the aspect of extending the benefit under the EFB Scheme has now been extended to all the eligible dependents as a special and one time dispensation by the SAIL Board in its 478th meeting held on 29.1.2021. However, the Committee recommend the Ministry of Steel to ensure that a 'Special Committee' consisting of senior officials of RSP/SAIL be constituted to ensure that all these dependents are now extended the benefit of this Scheme in a time bound manner. In case, the dependents have any financial distress due to prolonged litigation and are not in a condition to deposit the initial amount as required under the Scheme, some practical way out be devised to overcome this impasse. The Committee would like to be apprised of the final outcome in this regard within three months of the presentation of this Report to the House.

NEW DELHI;

DR. VIRENDRA KUMAR,
Chairperson,
Committee on Petitions

18 February, 2021

To
The Hon'ble Speaker of Lok Sabha, New Delhi,
Govt. of India,
New Delhi.

12/11

HE

विषय : राउरकेला स्टील प्लांट (आर.एस.पि) प्रबंधन कि गलत नितियों एवं भेदभावों के कारण इन 18 कर्मचारी के सदस्य की परिवार गण 26 साल तक दुःख कष्ट से जीवन जापन कर रहि है । सर्वोच्च न्यायालय, उच्च न्यायालय और संसदीय स्थायी श्रम समिती द्वारा दिनांक 06/05/2013 एवं 12/08/2015 को अनुकम्पा आधार पर नौकरी दिया जाय, दो बार सिफारीश करने का बावजूद इन 18 गरीब परिवार के उत्तराधिकारियों को न्याय नहीं मिलने के कारण दिनांक 14/11/2018 (बुधवार)से राउरकेला स्टील प्लांट के बिश्रा चौक के सामने आमरण अनसन करने जा रहें है ।

माननीय महोदय,

इन 18 परिवार के सदस्य गण कि बितर्क है की अगर ईस देश में सर्वोच्च न्यायालय, उच्च न्यायालय और संसदीय स्थायी श्रम समिती द्वारा अनुकम्पा आधार पर नौकरी दिआजाय आदेश के बावजूद न्याय नहीं मिल पा रहा है तो क्या पाकिस्थान और आफगानीस्थान से इन 18 परिवार के सदस्य गण न्याय मांगने जाए गा क्या ? ईस विषय को लेकर माननीय इस्पात मन्त्री श्री चौधुरी बिरेन्द्र सिंह को दृष्टि आकर्षण करने के बावजूद आजतक न्याय नहीं मिल पा रहा हे । राउरकेला स्टील प्लांट (आर.एस.पि) प्रबंधन कि गलत निति एवं भेदभावों के कारण इन 18 परिवार के सदस्य गण 26 साल तक दुःख कष्ट से जीवन जापन कर रहि है । और इस्पात मन्त्रालय ने राउरकेला स्टील प्लांट के प्रबंधक को बचा रहि हे, ऐसे करने से इन 18 परिवार गण के उत्तराधिकारियों को काहाँ से न्याय मिलेगा ? जब सर्वोच्च न्यायालय की आदेश है, जिस परिवार की आर्थिक परिस्थितियाँ खराब है और रहने के लिए घरद्वार, जमीन जायदाद नहीं है इस आधार पर कर्मचारी के परिवार की एक सदस्य को अनुकम्पा आधार पर नौकरी मिलना चाहिए और नौकरी देना जरुरी हे, लेकिन राउरकेला स्टील प्लांट के प्रबंधन ने पलिसि का वाहाना देखा रहि हे, जब 21/11/1992 से 31/12/1995 के बिच अनुकम्पा मुलक नौकरी देने का कोइभि पलिसि न्हिं था, बाद में

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राउरकेला स्टील प्लाण्ट के प्रबंधक ने पलिसि बना कर (21/11/1992 से 31/12/1995) के बिच कुछ कर्मचारी के परीवार के एक सदस्य को नौकरी दि या गया, उस समय 21/11/1992 से 31/12/1995 बिच कुछ कर्मचारी के परीवार की सदस्य गण का केश ओडिशा के उच्च न्यायालय में पि.आई.एल. के आधार पर केश चल रहा था । दोबारा 01/09/2011 से अक्षम हो चुके कर्मचारीओं के क्षेत्रों के लिए फिरसे अनुकम्पा नौकरी दिआ जा रहा है, तो इन 18 परिवार सदस्यों के साथ अन्याय किउं हो रहा है, जब सर्वोच्च न्यायालय, उच्च न्यायालय और संसदीय स्थायी श्रम समिती द्वारा अनुकम्पा आधार पर नौकरी दिआजाना आदेश रहते हुए न्याय नहिं मिल पा रहा है, इस कारण बश इन 18 परिवार के सदस्य गण दिनांक 14/11/2018(बुधवार) से आमरण अनशन करने जा रहें है ।

दिनांक : 1/11/2018
Rourkela

भवदीय,
रघुवीर शर्मा
आर.एस.पि. के विधवाओं का संगठन
क्वाटर नं. डी/27, सेक्टर-15,
पोष्ट : राउरकेला-769 003
जिल्ला – सुन्दरगड़ (ओडिशा)
दूरभाष – 9438445905
7377488096

Encl: Xerox Copy of

1. List of the 18 (Eighteen) effected families
2. Judgement of Supreme Court of India
3. 1996 Medical Unfit case of Odisha High Court Order
4. 37th Report of 2013 & 10th report of 2015 Parliamentary Standing Committee on Labour.
5. O.J.C. No.13228 of 1997 (Satyapriya Sahu & Son's Vs State of Orissa Son's)

Copy to: 1. The Hon'ble Prime Minister of India,
2. The Hon'ble President of India
4. The Hon'ble Speaker of Rajya Sabha, New Delhi
5. The Hon'ble Minister of Steel & Mines, New Delhi
6. The Hon'ble Minister of Tribal Affairs (MP) New Delhi
7. The Chairman of SAIL,

**MINUTES OF THE FIFTEENTH SITTING OF THE COMMITTEE ON PETITIONS
(SEVENTEENTH LOK SABHA)**

The Committee met on Thursday, 18 February, 2021 from 1200 hrs. to 1230 hrs. in Committee Room 'B', Parliament House Annexe, New Delhi.

PRESENT

Dr. Virendra Kumar - Chairperson

MEMBERS

2. Dr. Bharati Pravin Pawar
3. Shri Brijendra Singh
4. Shri Manoj Tiwari
5. Shri Rajan Vichare

SECRETARIAT

1. Shri Raju Srivastava - Director
2. Shri G. C. Dobhal - Additional Director

2.	X	X	X
3.	X	X	X
4.	X	X	X
5.	X	X	X

6. The Committee then considered the Draft Report on the representation of Shri Swapan Das and others of Rourkela Steel Plant Widows' Association regarding welfare of legal heirs of deceased workers of Rourkela Steel Plant (RSP). After detailed discussion, the Committee adopted the said Draft Report without any modification(s). The Committee also authorised the Chairperson to finalise the Draft Report and present the same to the House.

7.	X	X	X
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The Committee, then, adjourned.