

THE STATE TRADING CORPORATION OF INDIA LTD: NEW DELHI
INDUSTRIAL RELATIONS GROUP

October 27th, 2015

CIRCULAR NO: IR/16/2015

Subject: Scheme of Compassionate Appointment for Managers/Staff of STC

The Memorandum of Settlement on Promotion Policy for Staff under S.18(1) and S.2(p) of the Industrial Disputes Act, 1947, was signed between the representatives of STC Management and representatives of Federation of STCEUs on 23rd of December, 2014. The Promotion Policy was made effective from 01.01.2015 and valid for a period of 10 years i.e. upto 31.12.2024. The Promotion Policy for Staff got ratified by the Board of Directors of STC in its 598th meeting held on 11.02.2015.

2. Clause 15 of the Settlement on Promotion Policy mentions about the Compassionate Appointment Policy wherein it was agreed that the Policy needs to be reviewed separately.

3 Accordingly, the reviewed Scheme of Compassionate Appointment shall replace Clause 15 of the Promotion Policy for Staff signed on 23.12.2014 and shall remain valid upto 31.12.2024.

This issues with the approval of the Competent Authority.



(Samit Mohapatra)
General Manager(Pers)

- Exe. Secy. to CMD
- Exe. Secys. to Director/CVO
- All CGMs
- All divisional Heads/All BMs
- JGM(A&E)
- SG, Fed. of STCEUs, New Delhi
- SG, Fed of STCOAs, New Delhi
- SG, All India Fed. of STC SC/ST Emp. Association, New Delhi
- Notice Board

THE STATE TRADING CORPORATION OF INDIA LTD: NEW DELHI

REVIEWED POLICY GUIDELINES ON COMPASSIONATE APPOINTMENT IN STC

1. OBJECTIVE

A Scheme to grant appointment on compassionate grounds/VRS compensation in lieu thereof to a dependent family member of an employee of STC dying in harness, thereby leaving his family in distress and without any means of livelihood, to provide relief to the family of the concerned employee from financial destitution and to help get over the emergency.

2. APPLICABILITY

The Scheme is applicable to a dependent family member, as defined in Para 3 below, of an employee of STC, who dies while in service (but does not include death by suicide).

3. DEPENDENT FAMILY MEMBER

Dependent family member means a

- i. Spouse; or
- ii. Son/step son/legally adopted son; or
- iii. Unmarried daughter/step daughter/legally adopted daughter

of the deceased employee of STC at the time of his/her death in harness.

Provided however that such appointment shall be subject to fitness ascertained by a Medical Authority.

4. AUTHORITY COMPETENT TO MAKE COMPASSIONATE APPOINTMENT

CMD shall be the authority competent to make appointments on compassionate ground



5. POSTS TO WHICH APPOINTMENT CAN BE MADE

Appointment on compassionate ground shall be made only to the posts of Grade-I, in the Scale of I-A or I-B or Junior Assistant, depending upon the qualification possessed by the dependent family member of the deceased employee, as per Clause 6(v), to whom the offer of appointment would be offered.

6. CONDITIONS FOR GRANT OF COMPASSIONATE APPOINTMENT

- i. The offer of compassionate appointment would be first offered to the dependent spouse, provided the spouse is not gainfully employed.
- ii. Where the dependent spouse is gainfully employed, no offer of compassionate appointment/VRS benefits shall be offered. In case the dependent spouse is not gainfully employed at the time of death of the employee and accepts the offer of compassionate appointment, the dependent spouse of the deceased employee shall be required to submit an affidavit, stating that he/she is not gainfully employed elsewhere. If at a later stage, it is found that the dependent spouse was gainfully employed at the time of death of the employee or he/she has provided any forged/fabricated information, his/her appointment shall be summarily terminated forthwith.
- iii. In case the dependent spouse of the deceased employee declines the offer of employment, he/she shall be offered VRS benefits (as per last Voluntary Retirement Scheme) of ex-gratia payment as per latest VRS Scheme of the Corporation as allowed to VRS optees, provided that he/she is not gainfully employed at the time of death of the employee. The spouse of the deceased employee opting for VRS benefits will be eligible for medical facilities as available to the spouse of a retired employee under the STC (Retired Employees') Medical Benefit Scheme, as amended from time to time.
- iv. The dependent spouse who is not gainfully employed may also choose to nominate his/her son/unmarried daughter, aged above 18 years, to be appointed on compassionate grounds in his/her place, provided he/she is not gainfully employed and is a Graduate from a recognized Indian University. The consent of the spouse in writing will be required, indicating that he/she would prefer the employment to be offered to his son/unmarried daughter in his/her place, as the case may be.



- v. The compassionate appointment shall be made only to the posts detailed hereunder as per the level of qualification possessed by the spouse/dependent children:

Sr No.	Qualification possessed	Compassionate appointment to be made to the post of	The Dependent family member of the deceased employee to whom the appointment shall be offered
1	Below Matriculate	Grade I, Scale I-A	Spouse
2	Matriculate	Grade I, Scale I-B	Spouse
3	Graduation and above	Junior Assistant	Spouse/Children

- vi. The cases where the employee is having equal to or less than 5 years of service left at the time of death shall not be considered for compassionate appointment..

7. PROCEDURE FOR APPLYING FOR COMPASSIONATE APPOINTMENT

- i. The spouse of the deceased employee desirous of compassionate appointment shall apply in prescribed proforma provided at the Annexure to the General Manager, Personnel Division, STC, Corporate Office within a reasonable time from the date of death of the employee.
- ii. The cases for grant of compassionate appointment shall be processed as per the date of application.
- iii. In case more than one application is received on the same day, the cases shall be processed as per the date of death of the deceased employee.

8. UNDERTAKING FOR MAINTENANCE OF THE FAMILY OF THE DECEASED EMPLOYEE

A person appointed on compassionate grounds under the Scheme should give an undertaking in writing that he/she will maintain properly the other family members who were dependent on the employee and in case it is proved subsequently (at any time) that the family members are being neglected or are not being maintained properly by him/her, his/her appointment may be terminated forthwith.



9. SENIORITY

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

10. NUMBER OF COMPASSIONATE APPOINTMENTS IN A YEAR

The number of compassionate appointments will be restricted to a maximum of two(2) appointments in a calendar year. If employees expire between January and June, the appointment will be given to the dependent child/spouse after 1st July and if an employee expires between July and December, the appointment will be given after 1st January. However, in the event, in any calendar year, if there is no death, the number of vacancies will not be carried forward. It will be on year to year basis with the restriction of two appointments on compassionate grounds in a calendar year.

11. TERMINATION OF SERVICE

The compassionate appointments can be terminated on the ground of non-compliance of any condition stated in the offer of appointment after providing an opportunity to the compassionate appointee by way of issue of show cause notice asking him/her to explain why his/her services should not be terminated for non-compliance of the condition(s) in the offer of appointment and it is not necessary to follow the procedure prescribed in the STC of India Limited Employees' (Conduct, Discipline & Appeal) Rules, 1975 for this purpose.

12. GENERAL

- i. Cases not enumerated under Clause 6 of the Scheme/any complications arising out of the Scheme shall be referred to a Committee comprising of CGM(Personnel)/GM(Personnel) and CGM(Finance)/GM(Finance). The Committee shall consider the cases on merit and place its recommendation before the CMD. The decision of the CMD in the matter would be final.
- ii. Neither the qualification of the applicant (dependent family member) nor the post held by the deceased or medically retired employee is relevant. If the applicant finds it below his/her dignity to accept the post offered,



he/she is free not to do so. The post is not offered to cater to his status but to see the family through the economic calamity.

13. VALIDITY

The Scheme will have effect from 01.01.2015 and shall remain valid for a period of 10 years i.e. upto 31.12.2024.

14. POWER TO MODIFY/RELAX/AMEND

CMD may at any time amend/modify/relax any of the provisions of the Policy in view of the financial performance of the Corporation, its affordability to pay and relevant business needs. However, in no cases, the lower age limit for grant of compassionate appointment can be relaxed below 18 years of age.

A handwritten signature in black ink, appearing to be 'Anis', written over a horizontal line.

PROFORMA FOR APPLYING FOR COMPASSIONATE APPOINTMENT/VRS COMPENSATION IN LIEU THEREOF

(To be filled in by the spouse)

PART A

1	Name of the deceased STC employee	
2	Designation of the deceased employee at the time of death	
3	Date of birth of the deceased employee	
4	Date of death of the deceased employee	
5	Remaining service left for notional retirement	

PART B

1	Name of spouse	
2	Date of birth	
3	Highest Educational Qualification possessed	
4	Whether any other dependent family members have been appointed on Compassionate grounds? If Yes, please furnish particulars.	

PART C

Please tick your preference (any one of the three):

1	Applying for compassionate appointment	2	Applying for VRS Benefits	3	I prefer the appointment to be given to my son/daughter in my place

** In case of option 3, please submit an affidavit as provided at Annexure – B. Duly filled in form at Annexure – C also needs to be filled up and submitted by the dependent child to whom the appointment is preferred.

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PART D

Particulars of all dependent family members of the deceased employee. If some are employed, their income and whether they are living together or separately.

S. No	Name(s)	Relationship with the deceased employee	Age	Address	Whether employed or not(Y/N)	If employed, Please specify income
1						
2						
3						
4						
5						

DECLARATION/UNDERTAKING

1. I hereby declare that the facts given by me above are, to the best of my knowledge, correct. If any of the facts herein mentioned are found to be incorrect or false at a future date, my services may be terminated.
2. I hereby also declare that I shall maintain properly the other family members who were dependent on _____ (name of the deceased employee of STC) and in case if it is proved at any time that the said family members are being neglected or not being properly maintained by me, my appointment may be terminated.

Date	
Signature of the spouse	
Name of spouse	
Address	

WITNESS

Date		Date	
Signature		Signature	
Name		Name	
Address		Address	
Contact No.		Contact No.	

** Proof of age, residential address, qualification to be provided by the spouse if he/she opts for appointment on compassionate ground

M

ANNEXURE - B

AFFIDAVIT FOR GRANT OF COMPASSIONATE APPOINTMENT TO CHILDREN IN PLACE OF THE SPOUSE(To be furnished in a Non-judicial stamp paper of Rs 100)

I,(Name of the Spouse), widow/widower of Late Shri
.....(Name of deceased STC Employee) R/O
.....
.....(Residence Address), do hereby solemnly affirm
and declare as under:

- i. That I forego my candidature and nominate my son/daughter
.....(name of the child) age years for compassionate
appointment in STC in my place
- ii. That I will not claim for grant of compassionate appointment in STC at a later stage
- iii. That I will not claim for VRS compensation/benefits from STC at any point in time.

(SIGN)

(DEPONENT)

VERIFICATION

I hereby declare that the contents of the above paras are correct and true to the best of my knowledge and belief and nothing has been concealed or suppressed.

Verified at(Place) on this(Date)

M

PROFORMA FOR APPLYING FOR COMPASSIONATE APPOINTMENT BY DEPENDENT CHILD ON NOMINATION BY SPOUSE

(To be filled in by the dependent child)

PART A

1	Name	
2	Date of birth	
3	Age in Years	
4	Highest Educational Qualification possessed	

DECLARATION/UNDERTAKING

1. I hereby declare that the facts given by me above are, to the best of my knowledge, correct. If any of the facts herein mentioned are found to be incorrect or false at a future date, my services may be terminated.
2. I hereby also declare that I shall maintain properly the other family members who were dependent on _____ (name of the deceased employee of STC) and in case if it is proved at any time that the said family members are being neglected or not being properly maintained by me, my appointment may be terminated.

Date	
Signature of the spouse	
Name of spouse	
Address	

WITNESS

Date		Date	
Signature		Signature	
Name		Name	
Address		Address	
Contact No.		Contact No.	

** Proof of age, residential address, qualification to be provided by the child.

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