

## **42. SCHEME FOR COMPASSIONATE APPOINTMENT TO A DEPENDENT FAMILY MEMBER OF A DECEASED EMPLOYEE/EMPLOYEE RETIRED ON MEDICAL GROUNDS**

The Scheme for Compassionate Appointment to a dependent family member of a deceased employee/employee retired on medical grounds due to incapacitation before reaching the age of 55 years was circulated vide PAD circular No. 236 dated 25.09.2014 as per Government guidelines, in terms of approval accorded by the Board in its meeting held on 19.09.2014.

The Scheme covers all cases where death of the employee occurs while in service on or after 05.08.2014.

2. Subsequently, in terms of Government letter dated 05.12.2014 forwarded by IBA permitting all Public Sector Banks to have both the option i.e Compassionate Appointment or Payment of Lump sum Ex-gratia amount, the same was approved by the Board in its meeting held on 23.12.2014 and circulated vide PAD Circular No. 244 dated 3<sup>rd</sup> January 2015.

3. In order to bring an element of objectivity in assessment of proposal and to maintain uniformity and transparency in assessing the financial condition of a family, it is decided to set a standardized formula for assessing the financial condition of a family at minimum 60% of the last drawn gross salary (net of taxes) of the employee concerned.

3.1 A copy of the Revised Scheme is enclosed as **Annexure – A**.

3.2 Application for employment of dependent of a bank employee dying while in service/ retired on medical grounds is enclosed as **Annexure –B, B1**.

3.3 Proposal to be compiled by the Branch/Circle Office is enclosed as **Annexure – C, C1**.

3.4 A check-list for submission of proposal under the Scheme is enclosed as **Annexure – D**.

4. Circle office will forward the said applications duly recommended to the respective Zonal Offices, keeping in view the eligibility criteria with regards to age/ qualification and also financial condition of the family and Zonal Offices will forward the case along with the recommendations of Zonal Managers.

**1. NAME OF THE SCHEME:**

The Scheme is to be called the “**SCHEME FOR COMPASSIONATE APPOINTMENT TO A DEPENDENT FAMILY MEMBER OF A DECEASED EMPLOYEE/ EMPLOYEE RETIRED ON MEDICAL GROUNDS DUE TO INCAPACITATION BEFORE REACHING THE AGE OF 55 YEARS**”.

**2. OBJECT OF THE SCHEME:**

To enable family of a deceased employee/employee retired on medical grounds due to incapacitation before reaching the age of 55 years, tide over the sudden financial crisis.

**3. DEFINITIONS UNDER THE SCHEME :**

- ii) ‘Employee’ would mean and include only a confirmed regular employee who was serving full time or part-time on scale wages, at the time of death/retirement on medical grounds, before reaching age of 55 years. The term does not include any one engaged on contract/temporary/casual or any person who is paid on commission basis.
- iii) ‘Bank’ means Punjab National Bank.
- iv) ‘Board’ means Board of Directors of Punjab National Bank.
- v) ‘Competent Authority’ means an Official as approved by the Board in terms of the Scheme.
- vi) ‘Executive Director’ would mean Executive Director of Punjab National Bank.
- vii) ‘General Manager’ would mean General Manager of Punjab National Bank, an Executive of the Bank designated as such, and would include an Executive who may work or officiate in a stop-gap arrangement as such, irrespective of his actual designation.
- vii) ‘Scheme’ would mean “SCHEME FOR COMPASSIONATE APPOINTMENT TO A DEPENDENT FAMILY MEMBER OF A DECEASED EMPLOYEE/ EMPLOYEE RETIRED ON MEDICAL GROUNDS DUE TO INCAPACITATION BEFORE REACHING THE AGE OF 55 YEARS”

#### **4. COVERAGE**

- 4.1 To a dependent family member of a permanent employee of the Bank who -
- a) dies while in service (including death by suicide)
  - b) is retired on medical grounds due to incapacitation before reaching the age of 55 years. (Incapacitation is to be certified by a duly appointed Medical Board in a Government Medical College/Government District Head Quarter Hospitals/Panel of Doctors nominated by the Bank for the purpose).
- 4.2 For the purpose of the Scheme, “employee” would mean and include only a confirmed regular employee who was serving full time or part-time on scale wages, at the time of death/retirement on medical grounds, before reaching age of 55 years and does not include any one engaged on contract/temporary/casual or any person who is paid on commission basis.

#### **5. DEPENDENT FAMILY MEMBER**

- 5.1 Spouse; or
- 5.2 Wholly dependent son(including legally adopted son); or
- 5.3 Wholly dependent daughter (including legally adopted daughter); or
- 5.4 Wholly dependent brother or sister in the case of unmarried employee

#### **6. AUTHORITY COMPETENT TO MAKE COMPASSIONATE APPOINTMENT**

- 6.1 Chairman & Managing Director.
- 6.2. Executive Director holding current charge of Chairman & Managing Director.
- 6.3. Board of Directors in special types of cases.
- 6.4. While dealing with proposals for appointment on compassionate grounds in otherwise eligible cases, where disciplinary action was pending against the deceased employee/employee retired on medical grounds or if the deceased employee was involved in serious financial irregularities, embezzlement of funds, committing frauds, etc., bank will continue to abide by the guidelines issued by the Government of India, requiring consideration and decision in each case by the Board of the Bank/Authority appointed by the Board.

#### **7. POSTS TO WHICH APPOINTMENTS CAN BE MADE**

- 7.1 The appointment shall be made in the **clerical** and **sub-staff cadre** only.

## **8. ELIGIBILITY**

8.1 The family is indigent and deserves immediate assistance for relief from financial destitution.

To ensure this the compassionate appointment is to be granted only if the monthly income of the family from all sources is less than 60% of the last drawn monthly salary (net of taxes) of the employee.

### **Calculation of monthly Income**

#### **(A) Terminal Benefits**

- a. Provident Fund
- b. Gratuity
- c. Leave Encashment
- d. Any other amount paid under Bank's Scheme(s) /NPS

#### **Sub-total (A)**

#### **(B) Liabilities:**

- a. Loans taken from bank and/or other financial institutions with the prior approval of the bank.
- b. If death is on account of prolonged illness and hospitalization, any unreimbursed expenses can be considered as liabilities.
- c. Personal borrowing from friends/ relatives can be considered under liabilities if the same was taken through proper Banking Channels but not prior to one year from the date of death and proof of the said transfer of the respective amounts is shown to the satisfaction of the bank.

#### **Sub-total (B)**

(C) Net corpus of terminal benefits ( C ) ( $C = A - B$ )

#### **(D) Investments**

- a. Deposits
- b. NSCs
- c. PPF
- d. LIC Policies
- e. Others

#### **Sub-total (D)**

(E) Details of movable property, if any, held and monthly income derives there from.

(F) Details of immovable property, if any, held and monthly income derives there from.

(G) Monthly income of the family from all sources

- a. Monthly interest at the bank's maximum term deposit rate on the net corpus of terminal benefits at staff rate prevailing on date of death (C )
- b. Monthly income from investments (D)
- c. Monthly income from movable and immovable property
- d. Monthly income of dependent family members
- e. Any other monthly income.

**Total monthly income of the family (G)**

(H) Salary (net of taxes) of deceased employee:

- a. Notional Gross salary of the employee for the complete month in which he/she has expired.
- b. Amount of notional tax on (a) above.
- c. Notional monthly salary (net of taxes) (a-b)
- d. Amount to be taken into account (notional eligible amount i.e **60% of H (c )**)

**Eligibility to be considered:**

If the total monthly income of the family arrived at in (E) above is less than 60% of the last drawn /payable monthly gross salary (net of taxes) of the employee, compassionate appointment may be granted.

For arriving at Gross Salary, net of taxes, monthly tax liability will be worked out as per the Income Tax provisions of the immediately preceding financial year from the date of death/medical retirement due to incapacitation.

8.2 Applicant for compassionate appointment should be eligible and suitable for the post in all respects under the provisions of the relevant Recruitment Rules.

**9. EXEMPTIONS**

9.1 Compassionate Appointment under the Scheme are exempted from observance of the following requirements:

9.1.1 Normal Recruitment Procedure i.e., without the agency of selection like IBPS/Employment Exchange, Recruitment Board of Bank, etc.

9.1.2 The ban orders on filling up of posts issued by Government of India or any controlling authority.

**10. RELAXATIONS**

10.1 Upper age limit may be relaxed wherever found to be necessary. The lower age limit should, however, in no case be relaxed below 18 years of age.

**(Note-1:** Age eligibility shall be determined with reference to the date of application and not the date of appointment;

**Note-2:** Authority competent to take a final decision for making compassionate appointment in a case shall be competent to grant relaxation of age limit also for making such appointment).

## **11. TIME LIMIT FOR CONSIDERING APPLICATIONS**

11.1 Application for employment under the Scheme from eligible dependent should normally be considered upto five years from the date of death or retirement on medical grounds and decision to be taken on merit in each case.

11.2 However, Bank can consider request for compassionate appointment even when the death or retirement on medical grounds of the employee took place long back, even five years ago. While considering such belated requests, it should, however, be kept in view that the concept of compassionate appointment is largely related to the need for immediate assistance to the family of the employee in order to relieve it from economic distress. The very fact that the family has been able to manage somehow all these years should normally be taken as adequate proof that the family had some dependable means of subsistence. Therefore, examination of such cases would call for a great deal of circumspection. The decision to make appointment on compassionate grounds in such cases may, therefore, be taken only at the Board level.

## **12. DETERMINATION/AVAILABILITY OF VACANCIES**

12.1 Appointment on compassionate grounds shall be made only on regular basis and that too, only if regular vacancies meant for that purpose are available.

12.2 Compassionate appointment shall be made upto a maximum of 5% of vacancies falling under direct recruitment quota in clerical cadre or vacancies identified in the sub-staff category. The Bank shall hold back 5% of vacancies in the aforesaid categories to be filled by appointment on compassionate grounds. A person selected for appointment on compassionate grounds should be adjusted in the recruitment roster against appropriate category, viz., SC/ST/OBC/General Category, depending upon the category to which he/she belongs.

12.3 Widow appointed on compassionate ground upon re-marriage will be allowed to continue in service, even after re-marriage.

## **13. MISSING EMPLOYEE**

Cases of missing employees are also covered under the scheme for compassionate appointment subject to the following conditions:-

- 13.1 A request to grant the benefit of compassionate appointment can be considered only after a lapse of at least 2 years from the date from which the Employee has been missing, provided that:
- (i) an FIR to this effect has been lodged with the Police,
  - (ii) the missing person is not traceable, and
  - (iii) the competent authority feels that the case is genuine;
- 13.2 This benefit will not be applicable to the case of an Employee:-
- (i) who had less than two years to retire on the date from which he has been missing; or
  - (ii) who is suspected to have committed fraud, or suspected to have joined any terrorist organization or suspected to have gone abroad.
- 13.3 Compassionate appointment in the case of a missing employee also would not be a matter of right as in the case of others and it will be subject to fulfillment of all the conditions, including the availability of vacancy, laid down for such appointment under the scheme;
- 13.4 While considering such a request, the results of the Police investigation should also be taken into account; and
- 13.5 A decision on any such request for compassionate appointment should be taken only at the level of the Chairman & Managing Director of the Bank.”

#### **14. PROCEDURE**

- a) The prescribed proforma for ascertaining necessary information and processing the cases of compassionate appointment is enclosed as per **Annexure-B & C**. Check list is available at **Annexure- D**.
- b) Some suitable Officer from the concerned Branch/Circle/HO Division, as the case may be, would meet the members of the family of the employee in question immediately after his death to advise and assist them in getting appointment on compassionate ground. The applicant should be called in person at the very first stage and advised in person about the requirements and formalities to be completed by him/her.
- c) An application for appointment on compassionate ground shall be considered by the Committee of officers consisting of three officers as under:
  - General Manager – HRMD in his absence GM-HRDD– Chairman of the Committee
  - Deputy General Manager or Asst. General Manager– HRMD– Member

- Deputy General Manager or Asst. General Manager– HRDD – Member

The Committee shall meet during the second week of every month to consider cases received during the previous month. The applicant may also be granted personal hearing by the committee, if necessary, for better appreciation of facts of the case. The recommendation of the committee shall be placed before the Competent Authority for a decision. If the Competent Authority disagrees with the committee's recommendation, such cases may be referred to the Board for decision.

#### **15. UNDERTAKING FOR MAINTENANCE OF THE FAMILY OF THE DECEASED EMPLOYEE**

The person appointed on compassionate grounds under the Scheme, shall give an undertaking in writing as per **Annexure-B** that he/she will maintain properly the other family members who were dependent on the deceased employee in question, and in case it is proved subsequently (at any time) that the family members are being neglected or are not maintained properly by him/her, his or her appointment may be terminated forthwith. This clause shall be incorporated as one of the conditions in the offer of appointment applicable only in the case of appointment on compassionate ground.

#### **16. REQUEST FOR CHANGE IN POST/PERSON**

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

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

#### **17. 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.



## **18. TERMINATION OF SERVICE**

The compassionate appointment 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 Disciplinary Action and Procedure therefor.

In order to check misuse of this provision, the power of termination of service for non-compliance of the conditions in the offer of compassionate appointment shall vest only with the Chairman & Managing Director of the Bank.

## **19. GENERAL**

- i) Appointment made on grounds of compassion shall be done in such a way that persons appointed to the post do have the essential educational and technical qualifications and experience required for the post consistent with the requirement of maintenance of efficiency of administration.
  - ii) It is not the intention to restrict employment of a family member of the deceased or medically retired sub-staff employee to an erstwhile sub-staff post only. As such, a family member of such erstwhile sub-staff employee can be appointed to a clerical post for which he/she is educationally qualified, provided a vacancy in clerical post exists for this purpose.
  - iii) Compassionate appointment shall be made available to the person concerned if there is a vacancy meant for compassionate appointment and he or she is found eligible and suitable under the scheme.
  - iv) Requests for compassionate appointment consequent on death or retirement on medical grounds of erstwhile sub-staff may be considered with greater sympathy by applying relaxed standards depending on the facts and circumstances of the case.
  - v) Compassionate appointment will have precedence over absorption of surplus employees and regularization of temporary employees.
-