

	<b>Bank of India Head Office</b>	<b>Human Resources Department, Industrial Relations Division.</b>
<b>Branch Circular No. : 101 / 150</b>		<b>Sub : Human Resources/ 2007-08 / 16</b>
<b>Sub-subject : Staff matters / 2</b>		
<b>Ref : HR: IR: KVVSP:22</b>		<b>Date: 06.11.2007</b>

**CIRCULAR TO ALL BRANCHES / OFFICES**

Scheme for payment of Ex-gratia lump-sum amount in lieu of appointments on compassionate grounds and scheme for appointment of dependents of deceased employees on compassionate grounds in exceptional cases  
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Please refer to Branch Circular No. 98/212 dated 15.01.2005, in terms of which Bank's Scheme for payment of Ex-gratia Lump-sum amount in lieu of appointment on compassionate grounds to the dependents of employees, who die in harness or who seek premature retirement due to total incapacitation for work, was circulated.

02. We now wish to advise that the said Scheme has since been replaced by another Scheme called "***Scheme for payment of Ex-gratia Lumpsum amount in lieu of appointment on compassionate grounds and Appointment of Dependents of Deceased Employees on Compassionate Grounds in exceptional cases***" as per the approval granted by the Board of Directors during the meeting held on 27.09.2007.

03. The salient features of the new Scheme, a copy of which is enclosed as Annexure to the Circular, are as follows :-

(I) **The Scheme for grant of Ex-gratia will be applicable in the following cases of employees :-**

- a) Employee dying in harness (other than due to injury while performing official duty as result of violence, terrorism, robbery or dacoity);
- b) Employee dying due to injury sustained while performing official duty within or outside office premises (other than due to violence, terrorism, robbery or dacoity and excluding travel from residence to place of work and back);
- c) Employee seeking pre-mature retirement due to incapacitation before reaching the age of 55 years.

(II) **The Scheme of Compassionate Appointment will be applicable in the following cases of employees :-**

- (a) Employee dying while performing his official duty as a result of violence, terrorism, robbery or dacoity;

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- (b) Employee dying within five years of his first appointment or before reaching the age of 30 years, whichever is later, leaving a dependent spouse and / or minor children.
- (III) In the eligible cases, Ex-gratia compensation will be payable on compassionate grounds at the rate of 60% of the last drawn gross salary (net of taxes) for each month of remaining service of the deceased / incapacitated employee, subject to the following cadre-wise ceilings :-

**Cadre-wise ceiling on Ex-gratia Amount -**

<u>Category</u>	<u>Maximum Amount</u> <u>(Rs. in lakhs)</u>
Officers	10.00
Clerical Staff	8.00
Subordinate Staff	6.00

- (IV) Appointment on Compassionate Grounds under the Scheme shall be made in the Clerical / Subordinate cadre depending upon the qualification and other circumstances of the person seeking compassionate appointment. No compassionate appointment shall be considered by the Bank in Officers' Cadre under this Scheme.
- (V) Payment of Ex-gratia lump-sum amount or Compassionate Appointment as the case may be, will be considered, if eligible, provided a request to this effect, is made within 6 months from the date of death of the employee;
- (VI) Payment of Ex-gratia lump-sum amount or Appointment on compassionate grounds as the case may be, will not be considered in case the disciplinary proceedings against the employee was on account of financial irregularities of vigilance nature, i.e. forgery, fraud, misappropriation of Bank's / customers' funds, etc.

04. While the Scheme for payment of Ex-gratia lump-sum amount has come into force with effect from 27.09.2007, the Scheme for appointment of dependents of deceased employees on compassionate grounds in exceptional cases shall come into force with effect from 31.07.2004.

05. Please bring the contents of this Circular to the notice of all staff members in the Branch / Office.

**(JAGDISH PAI K.L.)  
GENERAL MANAGER  
(HUMAN RESOURCES)**

**ENCL: AS ABOVE.**

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*Doing nothing for others is the undoing of ourselves !*

**SCHEME FOR PAYMENT OF EX-GRATIA LUMP SUM AMOUNT IN LIEU OF APPOINTMENT ON COMPASSIONATE GROUNDS AND APPOINTMENT OF DEPENDENTS OF DECEASED EMPLOYEES ON COMPASSIONATE GROUNDS IN EXCEPTIONAL CASES**

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1. **NAME :**

This Scheme shall be called "**Bank of India Scheme for Payment of Ex-gratia Lumpsum amount in lieu of appointment on Compassionate Grounds and Appointment of Dependents of Deceased Employees on Compassionate Grounds in exceptional cases**".

2. **OBJECT :**

The object of the Scheme is to enable the family of the deceased employee / employee who sought premature retirement due to total incapacitation for work, to tide over the sudden crisis arising on account of the employee's demise/premature retirement, i) by providing appropriate **financial relief**, in lieu of appointment, on compassionate grounds, to the dependants of those employees who die in harness and to those employees who seek pre-mature retirement due to total incapacitation for work before reaching the age of 55 years and ii) by providing **employment** to the dependent of the employee dying a) while performing his official duty as a result of violence, terrorism, robbery or dacoity and b) within five years of his first appointment or before reaching the age of 30 years, whichever is later, leaving a dependent spouse and / or minor children.

3. **DEFINITION :**

**Unless the context, otherwise require, in this Scheme :-**

- a) 'Bank' means Bank of India;
- b) 'Board' means Board of Directors of Bank of India;
- c) 'Chairman & Managing Director' means Chairman & Managing Director of Bank of India;
- d) 'Executive Director' means Executive Director in charge of Human Resources Department of Bank of India;
- e) 'General Manager (H.R.)' means Executive designated as such and / or who is in charge of Human Resources Department at Head Office of the Bank and will include an executive who is officiating as such, irrespective of his actual designation;
- f) 'Employee' means and includes only a confirmed regular employee who was serving full-time or part-time on scale wages, at the time of death / premature retirement and does not include any one engaged on contract / temporary / casual / part-time on consolidated wages or any person who is paid on commission basis.

4. **APPLICABILITY :**

- A) The Scheme for grant of Ex-gratia will be applicable in the following cases of employees :-
- (i) Employee dying in harness (other than due to injury while performing official duty as result of violence, terrorism, robbery or dacoity);
  - (ii) Employee dying due to injury sustained while performing official duty within or outside office premises (other than due to violence, terrorism, robbery or dacoity and excluding travel from residence to place of work and back);
  - (iii) Employee seeking pre-mature retirement due to incapacitation before reaching the age of 55 years.
- B) The Scheme of Compassionate Appointment will be applicable in the following cases of employees :-
- (i) Employee dying while performing his official duty as a result of violence, terrorism, robbery or dacoity;
  - (ii) Employee dying within five years of his first appointment or before reaching the age of 30 years, whichever is later, leaving a dependent spouse and / or minor children.

5. **PAYMENT OF EX-GRATIA AMOUNT :**

- (A) Ex-gratia Amount will be paid to the family of the deceased employee or to the employee seeking premature retirement due to incapacitation, **if eligible**, provided a request to this effect, is made within 6 months from the date of death of the employee or seeking premature retirement. The family shall be in indigent or penurious circumstances.

“Family” for this purpose would mean and include spouse, wholly dependant children (son, including legally adopted son / unmarried daughter including legally adopted unmarried daughter). In case of unmarried employee, parents who are wholly dependant on the employee will constitute `family`

The family of the deceased employee or the employee seeking premature retirement due to incapacitation will be eligible for Ex-gratia, subject to the ceilings specified in para 5 ( C ) below, if the monthly income of the family from all sources, as stated in para 5 (B) below, is less than 60% of the last drawn gross salary (net of taxes) of the employee.

The Ex-gratia relief under the above Scheme is not an entitlement but may be granted at the sole discretion of the Bank looking into the financial conditions of the family and in deserving and eligible cases only. Notwithstanding anything contained in the Scheme, the Chairman & Managing Director or the Executive Director or the General Manager (H.R.) may decline any request for payment of Ex-gratia under the Scheme, after recording reasons for the same. The Ex-gratia amount in eligible cases will be paid within 3 months of receipt of application, complete in all respects.

**(B) CALCULATION OF MONTHLY INCOME :**

(I) **Terminal Benefits :**

- a) Provident Fund
- b) Gratuity
- c) Leave Encashment
- d) Any other amount paid under Bank's Schemes  
(excluding the amount received under -
  - (i) Bank's Staff Benevolent Scheme
  - (ii) any of the Staff Welfare Schemes  
(presently Death Relief Scheme &  
Group Savings Linked Insurance Scheme)

**Sub-Total (A)** \_\_\_\_\_

(II) **Liabilities :**

Loans taken from Bank and / or other financial institutions  
with prior approval of the Bank

**Sub-Total (B)** \_\_\_\_\_

If the total liabilities of the employee is less than Rs.7.50 lac in the case of Officers, Rs.4.50 lac in the case of Clerical Staff and Rs.3.00 lac in the case of Subordinate Staff, then the employee's liability will be notionally taken as Rs.7.50 lac; Rs.4.50 lac & Rs.3.00 lac, respectively.

(III) **Net Corpus of Terminal Benefits ( C = A-B )** \_\_\_\_\_

(IV) **Investments :**

- Deposits
- NSCs
- PPF
- LIC Policies
- Others

**Sub-Total (D)** \_\_\_\_\_

(V) Details of movable property, if any, held and monthly income derived therefrom.

(VI) Details of immovable property, if any, held and monthly income derived therefrom.

(VII) **Monthly Income of the family from all sources :**

- (i) Monthly interest at the Bank's maximum Term Deposit Rate on the Net Corpus of Terminal Benefits **(C)**
  - (ii) Monthly income from investments
  - (iii) Monthly income from movable and immovable property
  - (iv) Monthly income of dependent family members (spouse, unmarried son / daughter)
  - (v) Monthly amount of Family Pension
  - (vi) Any other monthly income \_\_\_\_\_
- TOTAL MONTHLY INCOME OF THE FAMILY** \_\_\_\_\_

(C) **AMOUNT OF EX-GRATIA :**

(I) **Cases of Deceased Employees :**

If the total monthly income of the family, calculated in terms of para 5 (B) above, is less than 60% of the last drawn gross salary (net of taxes) of the deceased employee, Ex-gratia Amount will be payable **at the rate of 60% of the last drawn gross salary (net of taxes) for each month of remaining service** of the deceased employee (i.e. up to the age of superannuation), subject to the following cadre-wise ceiling of "Maximum Amount" :-

**Cadre-wise ceiling on Ex-gratia Amount -**

<b><u>Category</u></b>	<b><u>Maximum Amount (Rs. in lac)</u></b>
Officers	10.00
Clerical Staff	8.00
Subordinate Staff	6.00

(II) **Cases of employees seeking pre-mature retirement due to total incapacitation for work :**

The Ex-gratia payable to the employee seeking pre-mature retirement due to total incapacitation for work would be equivalent to the amount calculated at the rate of 60% of the last drawn gross salary (net of all taxes) for each month of his remaining service, i.e. up to the age of his superannuation in terms of the extant service rules / conditions, provided the monthly income of the family, including the employee concerned, is less than 60% of the last drawn gross salary (net of taxes) of the employee. The Ex-gratia payment would however be subject to the cadre-wise ceilings, as stated above. Moreover, the Ex-gratia would be payable to such an employee only if all the extant provisions for such retirement are fully satisfied and the retirement has been approved by the Competent Authority specified therefor.

D) **Date of implementaion of the Scheme**

The scheme for Payment of Ex-gratia Lumpsum amount in lieu of Compassionate Appointment has come into force with effect from 27.09.2007.

6. **COMPASSIONATE APPOINTMENT**

(A) **Appointment under the Scheme** :

- (i) The Bank may, at its discretion, appoint in the Bank, an eligible dependant of the deceased employee, subject to the terms and conditions laid down for such appointment in the Scheme.
- (ii) Appointment under the Scheme shall be made in the subordinate or clerical cadre depending upon the qualification and other circumstances of the person seeking compassionate appointment. No compassionate appointment shall be considered by the Bank in Officers' Cadre under this Scheme.
- (iii) Appointment under the Scheme shall not be made without prior sanction of the Chairman and Managing Director or the Executive Director in charge of Human Resources Department or the General Manager (H.R.).
- (iv) 'Dependant' means a widow, a son including adopted son, unmarried daughter including legally adopted daughter who is not married, unmarried brother or sister of the deceased employee who was not married, or any other close relative, nominated by the widow on whom she shall be wholly dependent. In case of deceased female employee, her husband who was wholly dependent on his wife and is incapable of maintaining himself.

**NOTE** :

In case of appointment of any relative other than the spouse, the appointment will be subject to the condition that he or she gives an irrevocable undertaking to the Bank that he or she would look after the family of the deceased employee and is nominated by the widow of the deceased employee for compassionate appointment in the Bank. A widow of the deceased employee shall be permitted to nominate relatives other than children of the deceased employee only when the deceased employee had no children or the children are not eligible for such appointment.

- (v) In case of a widow, son or daughter already in employment in the Bank or elsewhere, the Bank may, at its discretion, consider giving employment to another son or daughter, after taking into account the individual circumstances of each case i.e. income of the family already employed, the size of the family, the Assets & Liabilities of the family and other relevant considerations, provided that in case there is no other son or daughter eligible for such appointment, the widow or son or daughter employed elsewhere and is otherwise eligible for appointment in the Bank under the Scheme may be given option for joining the Bank.

(B) **Eligibility (as on the death of the employee) :**

- (i) Applicant must be an Indian citizen.
- (ii) Age : The minimum age limit in all the cases shall be 18 years. The upper age limit shall be as prescribed for other general candidates from time to time. Where no dependants of the deceased employee within the prescribed age limit is available for employment, the Chairman & Managing Director or the Executive Director or the General Manager (H.R.) may at his discretion, relax the upper age limit upto the maximum of 5 years, provided, however, that in the case of widow of the deceased employee, there will be no upper age limit. In case of dependant belonging to SC/ST, the existing concession for SC/ST for the upper age limit will continue to apply, but in any case it shall not exceed 5 years.

(C) **Qualifications :**

- (i) For appointment in Clerical cadre, the minimum educational qualification shall be a pass in SSC / SSLC / Matriculation or any equivalent examination from a recognised Board / University. The Bank shall not insist on higher education or higher standards from the dependants of the deceased employee for their employment on compassionate ground. It is further clarified that amongst other things, pass in SSC / SSLC / Matriculation / any equivalent examination from a recognised Board / University would be required, for all types of dependants including widows, as the eligibility condition for their consideration of employment on compassionate grounds in Clerical cadre of the Bank.
- (ii) For appointment in Subordinate cadre, a dependant who can prove to the satisfaction of the Appointing Authority that he possesses a simple knowledge of reading and writing English or any other regional language should be eligible for appointment in Subordinate cadre and requirement of his having passed any higher examination in school shall not be insisted upon. This relaxation would equally apply to widow also while considering her appointment in Subordinate cadre, provided she can perform the duties of this cadre.

(D) **Method of appointment :**

- (i) Request for appointment under the Scheme should be made to the Bank at the earliest, in any case, not later than six months from the date of death of the employee.
- (ii) In case the dependant is a minor or does not possess suitable minimum qualification, his / her case be considered at the discretion of the Bank within four years of the death of the employee to enable him / her to so qualify in terms of age and / or educational qualification, provided a request to the Bank within one year of the death of the employee and satisfactory documentary evidence of the date of birth of the minor is submitted to the Bank.
- (iii) There shall be no written test for appointment under this Scheme. However, in the case of employment as typist / telex operator / telephone operator etc., the applicant will have to undergo test in the respective field.



(E) **Interview** :

- (i) The applicant will be interviewed by a Selection Committee, constituted by the Bank in order to assess the suitability of the applicant for a suitable post.
- (ii) The selected candidate shall be required to pass the medical fitness examination as per the practice of the Bank.
- (iii) The appointment shall be considered by the Bank, subject to availability of vacancy and the candidates shall have to accept posting at such Branch / Office where the vacancy exists.
- (iv) Appointment shall ordinarily be made in the minimum of the grade applicable. Additional increments for educational qualifications would be considered as per the rules in this regard.
- (v) The appointee shall be on probation for a period of six months initially and shall be considered for confirmation in terms of the provisions / rules applicable to Award Staff members of the Bank.
- (vi) Appointment under the Scheme is not an entitlement but may be granted at the sole discretion of the bank looking into the financial conditions of the family and in deserving and eligible cases only

(F) **Calculation of monthly income of the family of the deceased employee for consideration of eligibility for employment of dependent on compassionate grounds:**

The formula mentioned under para 5 (B) above for calculation of income of the family for consideration of eligibility for payment of Ex-gratia compensation on compassionate grounds, would be followed for arriving at the monthly income of the family for considering Appointment on Compassionate grounds.

After arriving at the monthly income, as above, if the same is less than the net salary or 60% of the gross salary payable to the deceased employee at the time of his demise, the case shall be considered for compassionate appointment, subject to other terms and conditions, viz. eligibility etc.

(G) **Date of implementaion of the Scheme**

The Scheme for Compassionate Appointment shall come into force with retrospective effect from 31<sup>st</sup> July, 2004 and all cases of death occurring after 31<sup>st</sup> July, 2004 in the circumstances as in Para 4 (B) may be dealt with according to this scheme.

7. **Miscellaneous**

- i) The Board reserves its right to substitute, amend or vary from time-to-time any provision of the Scheme mentioned above.
- ii) Notwithstanding anything contained in the Scheme, the Chairman & Managing Director or the Executive Director or the General Manager (H.R.) may decline any request for payment of Ex-gratia or employment of any person under the Scheme after recording reasons for the same.
- iii) In case where the deceased / incapacitated employee had been awarded any penalty, or disciplinary action against the employee was pending or contemplated at the time of his death / incapacitation for the acts of misconduct including for the act of unauthorised absence , which would prima facie have resulted in award of any penalty, payment of Ex-gratia Lumpsum amount or appointment of dependent of deceased employee on compassionate grounds will be subject to the decision of a Committee of three General Managers, to be nominated by the Chairman and Managing Director and approved / declined by a) the Executive Director in respect of the Award Staff Members and the Officers from Scale I to Scale III and b) the Chairman and Managing Director, in respect of the Officers in Scale IV and above. The decision of the Chairman and Managing Director or the Executive Director in charge of Human Resources Department shall be final. However, in case the disciplinary proceedings against the employee was on account of financial irregularities of vigilance nature, i.e. forgery, fraud, misappropriation of Bank's / customers' funds, etc., no Compassionate appointment or Ex-gratia Lumpsum amount on compassionate grounds will be considered, irrespective of the nature of the disciplinary proceedings, i.e. Major or Minor, except in the case of an employee who dies on account of injury sustained while performing official duty.

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