

**Dpe guidelines on gratuity**

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modified as and when the new Company Law brings in provisions in this regard, which would need to be followed by all companies including the CPSEs.

6. It is now universally accepted that corporate social responsibility is not a stand-alone, one time, ad hoc philanthropic activity. Rather, it is closely integrated and aligned with the business goals, strategies and operations of the companies. There is a close integration of social and business goals of companies.

7. Brundtland Commission's Report in 1987 defined sustainable development as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs". This is considered to be a standard definition, judged by its widespread use and frequent citation. However, this definition seems to resolve the apparent conflict between economic development and environment protection only, without highlighting the social dimension of sustainable development. It was in the Johannesburg Declaration at the World Summit on Sustainable Development in 2002 that social development as the third pillar of sustainable development was clearly acknowledged.

8. Sustainable development poses a multi-dimensional challenge – in terms of economic, social and environmental dimensions – with each having competing claims for primacy. Corporate enterprises are expected to adopt sustainability policies that balance the trade-offs between these competing claims for the promotion and growth of business. An enduring and balanced approach to economic activity, social progress and environment protection is what is called for. But, for some reason, the concern for environmental protection continues to be emphasised and the social dimension of sustainable developments is often overlooked.

9. Sustainable development policies touch upon social issues such as welfare of employees, empowerment of the weaker sections, holistic development of backward regions, improvement of the working conditions of labour, etc. Activities undertaken by companies to address basic issues pertaining to health, nutrition, sanitation and education needs of the impoverished communities, for the promotion of skill development, capacity building and inclusive growth of society, are all sustainability activities.

- **Principle 6:** the elimination of discrimination in respect of employment and occupation.

#### **Environment**

- **Principle 7:** Businesses should support a precautionary approach to environmental challenges;
- **Principle 8:** undertake initiatives to promote greater environmental responsibility; and
- **Principle 9:** encourage the development and diffusion of environmentally friendly technology.

#### **Anti-corruption**

- **Principle 10:** Businesses should work against corruption in all its forms, including extortion and bribery.

Source: <http://www.unglobalcompact.org/aboutthegc/thetenprinciples/index.html>

Dpe rules. Dpe guidelines on gratuity transfer. What is dpe guidelines. Dpe guidelines on payment of gratuity.

CHAPTER VIII 4. DPE/Guidelines/VIII/4 Voluntary Retirement Scheme/Voluntary Separation Scheme for the employees of Public Enterprises. The parameters on the basis of which the VRS could be formulated by the PSEs for their employees have been spelt out in this Department OM of even number dated 5.5.2000 and 6.11.2001. However, there are certain points on which some more clarifications have been solicited by the PSEs as well as by the administrative Ministries/Departments. These points have been examined. The points raised as well as the clarifications thereon are given here under:- 1. Whether computation of VRS compensation would be on pro-rata basis for both part of completed year of service and the part of the remaining period of service? DPE's clarification (dated 8.12.2000 - Item 17) states that calculation of compensation would be on the basis of completed years of service or part thereof. The part of the year served shall be entitled for ex-gratia on pro-rata basis. Logically, this pro-rata calculation should also be on the remaining part of service. 2. Whether compensation of VRS @ 26 days a month would be allowed even for VRS optees who have gone out before 5.5.2000? Till 5.11.2001, calculation of VRS @ 26 days a month was allowed under the Gujarat pattern only. As there was no concept of Gujarat pattern VRS before 5.5.2000, the employees who have already opted VR under the 5.10.88 guidelines would be covered under 30 days a month. 3. Can the past service with all PSEs be considered for computation of VRS? If the service with each PSU is continuous (without break) and PF and Earned Leave have been transferred from one PSU to other PSU, then past service may be counted in case the employee avails himself of VRS/VSS as per the scheme notified by DPE's OM dated 5.5.2000. 4. Whether an employee whose pay revision was effected from 1.1.1992 and having one year balance service left would be entitled for 50% increased compensation as per DPE's OM dated 6.11.2001? The compensation has to be first worked out in accordance with DPE's OM dated 5.5.2000 alongwith the riders. Thereafter, the recent amendment issued vide OM dated 6.11.2001 would be applied to determine compensation payable in both the cases of VRS/VSS. 5. Whether the executives/non-executives whose scales of pay have been revised with effect from 1.1.1992 but no further revision has taken place are entitled to 50% increase on their existing pay scales? Yes, the executives/non-executives who got the benefit of revised scales of pay effective from 1.1.1992 as per DPE's OMs dated 12.4.93, 17.1.94 and 19.7.95 are entitled to 50% increase in compensation. 6. Whether the payments made as ex-gratia (with 50% increase), gratuity, leave encashment and pay arrears are recalculated in case pay revision would be allowed at later date w.e.f. 1.1.97? Ex-gratia will be recalculated on the basis of revised scales of pay in case the revised scales of pay are made effective subsequently (actually with effect from 1.1.1997). The increased ex-gratia (50%) paid would also be adjusted. The other elements like gratuity, leave encashment etc. are to be paid as per the provisions of the relevant statutes and service conditions. These are outside the computation of ex-gratia on voluntary retirement. 7. Whether the encashment of casual leave is permitted only in Gujarat pattern? Please see item 8 of DPE guidelines on VRS dated 8.12.2000. 8. Whether the employees who have completed 30 years of service are eligible for ex-gratia amount subject to a maximum of 60 months both under DHI pattern and Gujarat pattern VRS? Please see item 7 of DPE guidelines on VRS dated 8.12.2000. 9. Whether the workman and staff wage revision effected from different date other than 1.1.87 and 1.1.92 are entitled for the benefit of 50% or 100% increase? If so, at what basis? Any wage revision permitted by the PSEs for a period prior to the date of effect from 1.1.92 would be treated at '87 level. Similarly, any wage revision permitted by the PSEs for a period commencing before 1.1.97 would be treated as at '92 level. The increase in ex-gratia compensation of 100% or 50% would be effected accordingly. This would also be followed in the cases of workers/staff not covered by DPE guidelines. 10. Whether leave salary and gratuity payment would be made on the basis of increase in compensation as 50% or 100%? Please see item 8 of DPE guidelines on VRS dated 8.12.2000. (DPE O.M. No. 2(32)/97-DPE(WC) dated the 28th February, 2002) \*\*\* Payment of Gratuity to the employees of CPSEs - Clarification No.W-02/0036/2018-DPE (WC)-GL-XIX/18 Government of India Ministry of Heavy Industries & Public Enterprises Department of Public Enterprises Public Enterprises Bhawan, Block No.14, CGO Complex, Lodhi Road, New Delhi-110003. Dated, the 10th July, 2018 OFFICE MEMORANDUM Subject:- Payment of Gratuity to the employees of CPSEs - Clarification - regarding. The undersigned is directed to refer to DPE's OM No W-02/0028/2017-DPE(WC)-GL-XIII/17 dated 03.08.2017 which, inter-alia, stipulates the increase of ceiling of gratuity from Rs. 10 lakhs to Rs 20 lakhs w.e.f. 01.01.2017 for Executives and Non-Unionised Supervisors of CPSEs on IDA pattern of Pay and DPE's OM No W-02/0020/2018-DPE(WC)-GL-XII/18 dated 11.04.2018, informing about the amendment in the Payment of Gratuity Act, 1972, regarding enhancement of ceiling of gratuity from Rs. 10 lakhs to Rs. 20 lakhs and effective date i.e. 29.03.2018. 2. This Department has received various representations from different stakeholders seeking clarification on the effective date of the enhancement of ceiling of Gratuity. Accordingly, the issue has been considered & clarified as follows: a) The payment of Gratuity under DPE guidelines dated 03.08.2017, is subject to affordability of the CPSEs concerned effective for the period from 01.01.2017 till 28.03.2018, in respect of Executives and Non-Unionised Supervisors of CPSEs on IDA pay pattern, where, pay has been revised w.e.f. 01.01.2017 b) Whereas, on and after 29.03.2018, the payment of gratuity of Rs 20 lakhs is mandatory for all the CPSEs irrespective of their affordability as it is a statutory provision in light of the amendment in the Payment of Gratuity Act, 1972. This provision is applicable to all employees of all CPSEs. c) Further, the Government decision on the basis of the recommendations of the 7th Central Pay Commission (CPC), regarding raising the Gratuity ceiling from Rs 10 lakhs to Rs 20 lakhs w.e.f. 01.01.2016 is not applicable to the employees of CPSEs. 3. All administrative Ministries/Departments are requested to bring these clarification to the notice of CPSEs (except Banking & Insurance Sector) under their administrative control for strict compliance. 4. This issues with the approval of the Competent Authority. (Samsul Haque) Under Secretary Source: Click here to view/download the PDF [

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