

HINDUSTAN SHIPYARD LIMITED	
RTI Cell	
Register Serial No.	3691
& Date	
Signature	

Ref :

Date : 12-12-2016

REGD A/D

To
The General Manager (HR &CPIO)
M/s. Hindustan Shipyards Ltd
Gandhigram (PO)
VISAKHAPATNAM – 530005 (A.P)

Respected Sir,

Sub: - Application under the Right to Information Act – reg.

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I wish to bring to your notice that Article -21 of the Constitution of India guarantees the Right to Life as a Fundamental Right and the Honble Supreme Court in the case of Consumer Education and Research Center and Others Vs Union of India & Others (1995(3) R.S.J.188(S.C) at Para 25) held that "the right to health, medical aid to protect the health and vigor to a worker while in service or Post Retirement is a Fundamental Right under Article – 21 read with Article -39(e), 41,43,48-A and all related Articles and Fundamental Human Rights to make the life of the workmen meaningful and purposeful with dignity of person".

2. It is the duty of the "State" to safeguard all the Constitutional Rights of every citizen including the Right to Life. As all the Public Sector Undertakings come under the definition of "State" it is the Constitutional mandate that all the PSUs have to protect and safeguard the health of their employees while they are in service as well as after their retirement.

3. As the right to health is a Fundamental Right to Life Under Article – 21, the Rules of all the PSUs relating to provide free medical aid and protection of health to their employees are to be framed in line with the Constitutional mandate and any rule limiting free medical & health services only to the employees while they are in service and denying the same to it's retired employees and their families shall be unconstitutional.

4. In due recognition of their Constitutional responsibility stated above, it is learnt that all the PSUs formulated Rules / Policies and Schemes (irrespective of their financial constraints) to provide free medical aid and health services to their employees and their family members while they are in service and after their retirement.

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5. It is learnt that PSUs like Mazgoan Docks, Mumbai and Gardenreach, Kolkata which are functioning under the Defence Ministry are providing free medical services to their employees and their family members while they are in service and after their retirement. It is also learnt that HSL as a PSU which comes under the definition of a "State" is providing free medical services to their employees and their family members while they are in service.

6. I therefore request you to inform whether HSL, which is a PSU like Mazgoan Docks and Gardenreach under the same Ministry is providing free medical services to it's retired employees and their family members? If so i request you to furnish the Rules and Proforma of Application formulated by HSL to enable it's retired employees to claim / avail free medical services provided by HSL or to claim reimbursement of expenses incurred by them for their treatment. In case HSL is not providing free medical services to it's retired employees and their families, the reasons there for may be informed.

An IPO of Rs.20/- drawn in favour of HSL towards the fee to supply the information / documents requested above is enclosed and any extra amount, if required by HSL shall be paid on intimation.

It is requested to furnish the information / documents stated above at the earliest.

Thanking You,

Encl: IPO of Rs.20/-

Hindustan Shipyard Ltd.

(A Govt of India Undertaking)

Gandhigram

VISAKHAPATNAM 530 005 (INDIA)

(An ISO - 9001:2008 Company)

**हिन्दुस्तान शिपयार्ड लिमिटेड**

(भारत सरकार का उपक्रम)

गान्धीग्राम

विशाखापट्टणम - 530 005 (आ.प्र.) भारत

(आई.एस.ओ - 9001 2008 कंपनी)

HR/ES/RTIMST/MSTVOL24/ 87 /2016

24 Dec 2016

Sub: Information sought under the provisions of RTI Act, 2005 – Reg. 3691

Refer to your RTI Application dated 12 Dec 2016 for providing information under the provisions of the RTI Act, 2005.

2. It is to inform that there is no postretirement medical scheme to the employees of HSL. The Superannuation benefits including postretirement medical scheme is one of the package in the revision of scales of pay of Board level and below board level executives and Non-unionized supervisors in CPSEs promulgated vide OM no. 2(70)/08-DPE(WC)-GL-XVII/08 dated 26 Nov 2008 by the Department of Public Enterprises, Ministry of Heavy Industries & Public Enterprises. As per the instructions in the OM, the revised pay scale would be adopted subject to the condition that profit before tax should not dip by more than 20% for year 2007-08. Since HSL has been incurring losses for the several years, the post retirements medical scheme could not be implemented.

3. However, as per the existing Medical Reimbursement Scheme applicable to non-executives for out-patient, there are 17 Authorized Medical Attendants (AMA)'s allotted zone wise covering entire city of Visakhapatnam to extend free consultation to HSL employees. This facility of free consultation with 17 AMAs is extended to our retired / VR employees on production of medical identity cards issued to them by HSL. Further HSL has an agreement with certain Clinical Labs to carry out certain clinical tests on discount rates. These rates are also extended to the retired / VR employees of HSL on production of Medical Identity cards issued by HSL Management.

4. In case, you are not satisfied with the above reply, you may prefer an appeal under section 19(1) of the Right to Information Act, 2005 to the appellate authority, Cmde. PHM Salih, D(CP&P) within a period of 30 days of receipt of this communication.

Yours faithfully

(K V Surya Rao)

General Manager (HR) & PIO

ISO 9001:2008
APPROVED BY IRQS

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