

No. 44/2005/SD/BIFR
Government of India
Ministry of Finance
Department of Economic Affairs
Board for Industrial and Financial Reconstruction
(SD & C Cell)

Dated: 21-02-2006

OFFICE MEMORANDUM

In terms of the provisions of Section 5(1) & Section 19(1) of the "Right to Information Act 2005", and with the approval of Hon'ble Chairman, BIFR, the following officers have been designated as the Central Public Information Officer and the Appellate Authority respectively to consider applications for providing information concerning the Board for Industrial & Financial Reconstruction:-

(A) Central Public Information Officer (CPIO)

Shri SD Singh

Director,
Board for Industrial and Financial Reconstruction,
9th Floor, Jawahar Vyapar Bhawan,
1, Tolstoy Marg,
New Delhi-110001
Tele : (o) 23701206
(R) 24314191
Fax : 23701211

**(B) Appellate Authority : To decide first stage appeals
under section 19(1).**

Shri P.N.Thakur

Secretary,
Board for Industrial and Financial Reconstruction,
21st Floor, Jawahar Vyapar Bhawan,
1, Tolstoy Marg,
New Delhi-110001
Tele : (o) 23701216
(R) 26250233
Fax : 23701209

Sd/-
(M.L.Varma)
Under Secretary(A)

Copy to :-

1. Shri Kharg Singh
Under Secretary
Ministry of Finance
Deptt of Economic Affairs
Banking Division
Jeevan Deep Building
New Delhi-110001
- for information w.r.t their
letter No.12(6)/2005-
IF-II dt 12.12.05
2. PPS to Hon'ble Chairman
3. PPS to Hon'ble Member (AKG)
4. PPS to Secretary, BIFR
 1. Director II, BIFR
 2. Director I, BIFR
 3. Deputy Director (Monitoring), BIFR
 4. Bench Officers (Bench I/Bench II/Bench III) BIFR
 5. Section Officers(Mon I/Mon II/Mon III)
 6. Section Officers (Estt/BC /GA Section)
 7. DDO/Cash Section
12. Computer Centre : for placing this OM on the website of BIFR.

BRIEF INTRODUCTION OF BOARD FOR INDUSTRIAL AND FINANCIAL RECONSTRUCTION AND ITS FUNCTIONING.

In the wake of sickness in the country's industrial climate prevailing in the eighties, the Government of India set up in 1981, a Committee of Experts under the Chairmanship of Shri T.Tiwari to examine the matter and recommend suitable remedies therefor. Based on the recommendations of the Committee, the Government of India enacted a special legislation namely, the Sick Industrial Companies (Special Provisions) Act, 1985 (1 of 1986), commonly known as the SICA.

The main objective of SICA is to determine sickness and expedite the revival of potentially viable units or closure of unviable units (unit here in refers to a Sick Industrial Company). It was expected that by revival, idle investments in sick units will become productive and by closure, the locked up investments in unviable units would get released for productive use elsewhere.

The Sick Industrial Companies (Special Provisions) Act, 1985 (hereinafter called the Act) was enacted with a view to securing the timely detection of sick and potential sick companies owning industrial undertakings, the speedy determination, by a body of experts, of the preventive, ameliorative, remedial and other measures, which need to be taken with respect to such companies and the expeditious enforcement of the measures so determined and for matters connected therewith or incidental thereto.

The Board of experts named the "Board for Industrial and Financial Reconstruction (BIFR)" was set up in January, 1987 and functional with effect from 15th May 1987. The Appellate Authority for Industrial and Financial Reconstruction (AAIFR) was constituted in April 1987. Government companies were brought under the purview of SICA in 1991 when extensive changes were made in the Act including, inter-aila, changes in the criteria for determining industrial sickness.

SICA applies to companies both in public and private sectors owning industrial undertakings:-

- (a) pertaining to industries specified in the First Schedule to the Industries (Developments and Regulation) Act, 1951, (IDR Act) except the industries relating to ships and other vessels drawn by power and;
- (b) not being "small scale industrial undertakings or ancillary industrial undertaking" as defined in Section 3(j) of the IDR Act.
- (c) The criteria to determine sickness in an industrial company are
(i) the accumulated losses of the company to be equal to or

more than its net worth i.e. its paid up capital plus its free reserves, (ii) the company should have completed five years after incorporation under the Companies Act, 1956, (iii) it should have 50 or more workers on any day of the 12 months preceding the end of the financial year with reference to which sickness is claimed,& (iv) it should have a factory license.

The procedure followed in the decision making process, including channels of supervision and accountability:-

1. BENCH COORDINATION (BC) SECTION:

(A) FUNCTIONS & RESPONSIBILITIES

BC Section works under Registrar, BIFR. Main items of works done in this Section are-scrutiny of references received under SICA, 1985 and its registration, inspection of records and supply of certified copies of documents to entitled persons as provided in BIFR Regulations, 1987. In addition, BC Section, in the absence of a record keeper, acts as a custodian of Bench files.

(B) CHANNEL OF SUBMISSION

Dealing assistant(s) scrutinize the papers marked to him and submits the case on file to Section Officer (SO). Section Officer, after examination, submits the case to Registrar for decision / directions, Registrar and Secretary are the decision making authorities. Every Officer / Official is accountable for his acts.



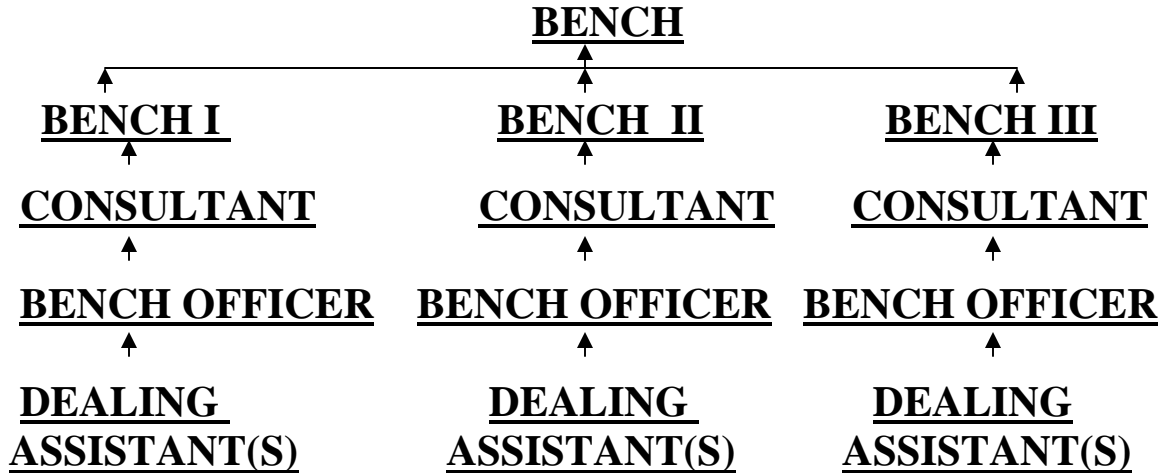
2. BENCH SECTIONS (I , II & III)

(A) FUNCTIONS & RESPONSIBILITIES

1. Preparation of schedule and brief for the hearings by the BENCH
2. Attending the hearings
3. Issuance of the proceedings of the hearings
4. Putting up files for taking follow up action on the proceedings of the hearings.
5. Assisting the Bench on matters assigned from time to time by the Bench.

(B) DECISION MAKING PROCESS/CHANNEL OF SUBMISSION

Decision making is done through holding hearings by the Bench. Follow up action on the proceedings or the decisions of the hearings is also taken on file, by Bench Sections.

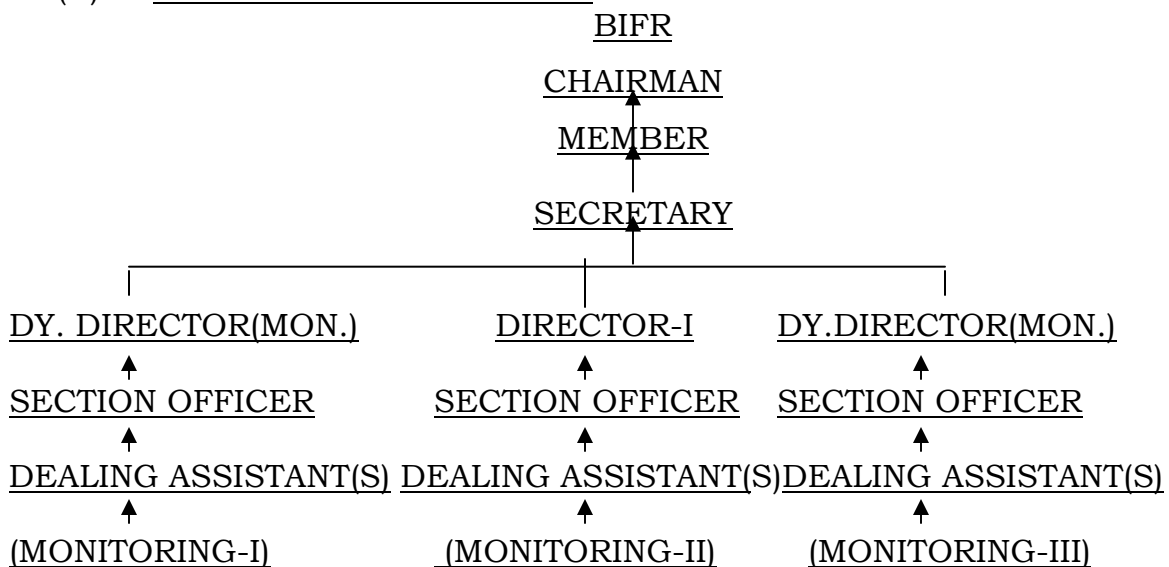


3. MONITORING SECTIONS.

(A) FUNCTIONS & RESPONSIBILITIES

The Monitoring Sections provide assistance to the Hon'ble Bench for issuance of directions, as may be required, during the process of implementation of the Sanctioned Schemes (SS). The procedure being followed are examination of the cases / representations with respect to the Sanctioned Scheme (SS) / provisions of the Act and Regulations. The BIFR being a quasi-judicial authority, the cases / issues are also examined with respect to the order(s) / directions issued by the Hon'ble Bench in previous cases.

(B) CHANNEL OF SUBMISSION



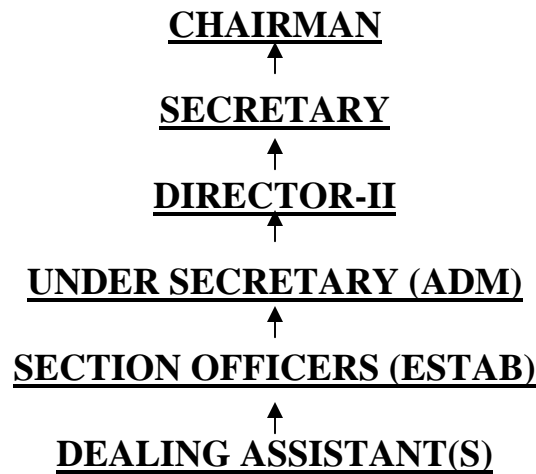
4. ESTABLISHMENT SECTION :-

(A) FUNCTIONS & RESPONSIBILITIES

Establishment section deals with following :-

1. All administrative and establishment matters including appointment etc in respect of Hon'ble Chairman and Member(s) of the Board for Industrial & Financial Reconstruction and all Group A, B, C & D employees in BIFR
2. Disciplinary/Vigilance matters in respect of all Gp A, B,C, & D employees in BIFR
3. Custodian of Service Books in respects of all Officers/Employees in BIFR.
4. Custodian of ACRs in respect of permanent employees of BIFR
5. Finalization of pension benefits to retiring/retired employees of BIFR
6. Finalization of audit objections/observations pertaining to BIFR
7. Sanction of all Advances such as HBA/Car/Scooter/Computer advance in respect Officers/employees of BIFR
8. Processing of Medical claims in respect Officers/employees of BIFR
9. Removal from Probation/confirmation of Gp C & D employee of BIFR
10. Grant of ACP/Promotion in respect of Gp C & D employees of BIFR
11. Allocation of duties & postings transfer in respect of Officers & employees of BIFR .

(B) CHANNELS FOR SUBMISSION OF CASES

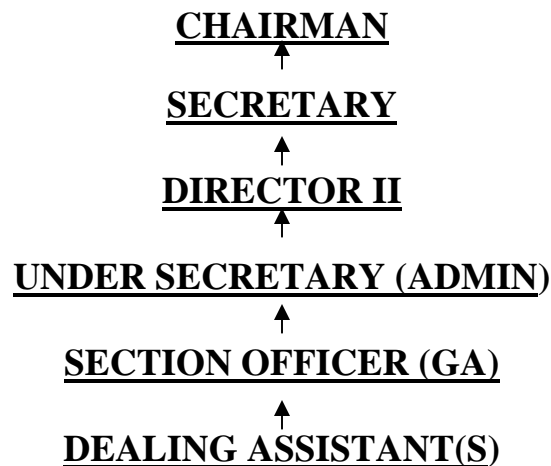


5. **GENERAL ADMINISTRATION (GA) SECTION :-**

(A) **FUNCTIONS & RESPONSIBILITIES**

1. Procurement including local purchase and issue of all consumable/non-consumable store items, for use in the Board's Office
2. Maintenance and repair of all equipments of BIFR
3. Processing of rental, electricity & water charges of BIFR
4. Advertising, publicity and publication of suitable matters pertaining to BIFR.
5. Maintenance and repair work of staff cars including security/payment of POL bills
6. Deployment of staff car drivers
7. Supervision of FAX & EPABX machines
8. Processing of Office & individual telephone bills of offices
9. Petty repair works
10. All matters relating to allotment of Government Accommodation and issue of CGHS Card/MHA Identity card/BIFR Identity card.

(B) **CHANNEL OF SUBMISSION/ACCOUNTABILITY**

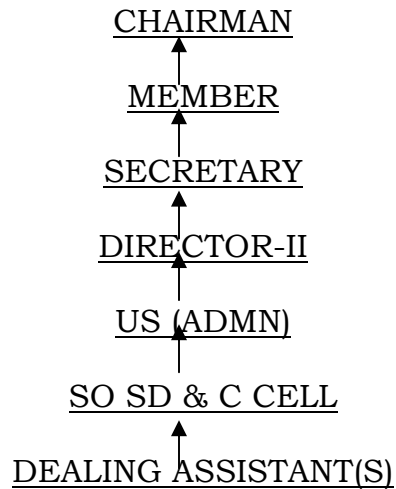


6. SPECIAL DIRECTOR & COORDINATION CELL (SD & C CELL)

SD & C Cell is presently entrusted with the following charter of duties:-

1. Sending replies to Parliament Questions, received in respect of BIFR as a whole.
2. Collection / Compilation of data for providing material for pre budget economic survey to the Department of Economic Affairs, Ministry of Finance.
3. Collection of information/data from Computer Centre and circulation of monitoring sheet on monthly basis.
4. Formation of panel / appointment / discharge of Special Directors on Boards of sick companies and maintenance of records thereof.
5. Interaction with press and individuals coming to seek information from BIFR.
6. Court Cases in respect of notices given to SDs.
7. Obtaining sanction from Ministry of Law & Justice for engaging advocates on case-to-case basis for representing BIFR in various Courts and payment to advocates.
8. Collection /Compilation of O & M information in respect of all Benches and sections on fortnightly basis and coordinating review meeting taken by Director /Secretary.
9. Preparation of all reports & returns
10. Preparation of status report in respect of cases registered with BIFR in response to VIP references received from Banking Division
11. Maintenance of proceeding registers and security thereof, in respect of all proceedings received in section.
12. Maintenance of file register & other registers required to be maintained by the section.
13. Sanction / payment of professional fee to advocates engaged by BIFR and sitting fees to SDs.
14. Providing information to other Ministries /Departments / Educational Organisations / individuals as sought by them in respect of BIFR from time to time.
15. Being the coordination section of BIFR any other miscellaneous work is also entrusted to this section.

(B) CHANNEL OF SUBMISSION/ACCOUNTABILITY



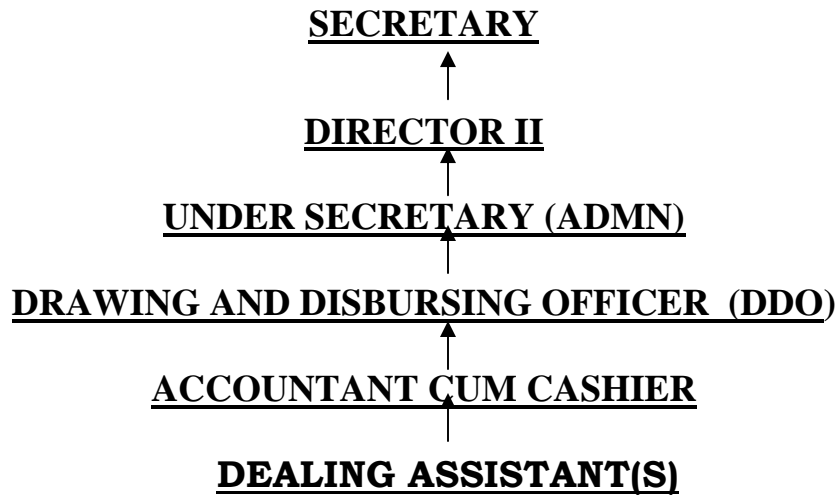
7. **DRAWING AND DISBURSING OFFICER (DDO) – CASH SECTION**

(A) FUNCTIONS & RESPONSIBILITIES

- a. Preparation of pay bills in respect of Officers/Staff of BIFR
- b. Preparation of TA/LTC/conveyance/overtime bills
- c. Calculation of income-tax of officers and staff
- d. Submission of Income-tax Returns to Income Tax Department on Quarterly and annual basis
- e. Forwarding of all the contingent bills received from SO(E), SO(GA) and SO(SD & C cell) to PAO (banking) and collection of cheques thereof.
- f. All the budget matters related to expenditure and allocation of budget.
- g. Handling of cash

(B) CHANNEL OF SUBMISSION & ACCOUNTABILITY

The Drawing and Disbursing Officer is responsible for supervising the aforementioned work and signing of all the bills and cashbook.



The rules, regulations, instructions manuals & records held by the Board's office and used by employees for discharging its functions:-

1. Sick Industrial Companies (Special Provisions) Act, 1985
2. BIFR Regulations, 1987.
3. BIFR (Conditions of Service of Secretary & other officers and employees) Rules, 1989.
4. BIFR (Financial & Administrative powers) Rules, 1987.
5. BIFR (Salaries & Allowances and Conditions of Service of Chairman and other Members) (Rules, 1987)
6. BIFR (Secretary's Powers & Duties) Rules, 1987.

Apart from the above mentioned Special Rules & Regulations, all other Rules as are applicable to other Central Govt. Ministries/Departments such as Fundamental Rules (FRs) Supplementary Rules (SRs), General Financial Rules (GFRs), Central Civil Service (Conduct) Rules, Central Civil Service (CC & A) Rules, Central Civil Service (Leave) Rules etc. are also applicable in BIFR.

Categories of documents that are held by various Sections in BIFR

BENCHES :- All case files of the cases registered and allocated to the respective Benches are held by them.

MONITORING SECTIONS CASE REGISTERS

ESTABLISHMENT SECTION: Following Statement of Categories of Documents held in Establishment Section :-

1. Establishment Register
2. ACR Register
3. Retirement Register
4. Register on Medical claims
5. Dak Register
6. Despatch Register
7. Increment register
8. Service Book register
9. LTC Advance/Final claim Register
10. GPF Advance/withdrawal Register
11. Leave Records Register
12. House Building Advance Register
13. Motor Car/Scooter Register
14. Cycle Advance Register
15. Computer Advance Register
16. Personal Files of Deputationists
17. Personal File of BIFR staff.

SD & C CELL : Following categories of documents are maintained

1. All necessary Registers including Dak, Despatch & Movement of files.
2. Register for letters received from MPs/VVIPs/VIPs.
3. Register for parliament Assurances
4. Register for SDs (Special Directors)
5. Register for payment of Secretarial & other fees to SDs.
6. Register for recording the proceedings of the cases received from Benches.
7. Guard file.
8. SDs Mailing Address List.
9. Register maintained to received the letters its process & till finalisation in respect of Right to Information Act, 2005 cases.

IN BC & LIBRARY SECTION

The copy of SICA, 1985 & BIFR Regulations, 1987 are maintained.

Government of India
Ministry of Finance
Board for Industrial & Financial Reconstruction
New Delhi.

MONTHLY REMUNERATION RECEIVED BY EACH OF BOARD'S
OFFICERS & EMPLOYEES (AS IN JANUARY 2006)

S.No.	Name	Designation	Salary
1.	SH. RAVINDRA GUPTA	CHAIRMAN	46490
2.	SH. A.K. GOSWAMI	MEMBER	46190
3.	SH. P.N. THAKUR	SECRETARY	34929
4.	SH. D.V.S. RANGA	DIRECTOR	34640
5.	SH. S.D. SINGH	DIRECTOR	42550
6.	SH. M.L. VARMA	UNDER SECRETARY	28904
7.	SH. G.P. ROY	DEPUTY DIRECTOR	26695
8.	SH. LOP KARAN	P. PRIVATE SECRETARY	26695
9.	SH. P.G. LALITHA	P. PRIVATE SECRETARY	19250
10.	SH. S.K. SACHDEVA	P. PRIVATE SECRETARY	23750
11.	SH. VIJAYKUAMR	BENCH OFFICER	24486
12.	SH. ANOOP KUMAR	BENCH OFFICER	20966
13.	SH. AMARENDRA KUMAR SINGH	BENCH OFFICER	20806
14.	SH. SATYA KUAMR	SECTION OFFICER	16491
15.	SH. BIMAN CHATERJEE	SECTION OFFICER	16854
16.	SH. S.P.RAJA MOHAN NAIR	SECTION OFFICER	19500
17.	SH. HARISH KUMAR SHARMA	SECTION OFFICER	18594
18.	SH. VINOD KUAMR SHARMA	SECTION OFFICER	14438
19.	SH. RAM SAGAR	SECTION OFFICER	17235
20.	SH. RABI SHANKAR SETT	SECTION OFFICER	13950
21.	SH. B. SENGUPTA	PRIVATE SECRETARY	14313
22.	SH. DABBAL SINGH	LIBRARIAN	16128
23.	SH. RAKESH GOYAL	ACCOUNTANT	13255
24.	SH. A.K. CHANDA	ASSISTANT	11971
25.	SH. R. JAYAKUMAR	ASSISTANT	12706
26.	SH. D.S. BORA	ASSISTANT	11753
27.	SH. P.J. JOHN	ASSISTANT	12606
28.	SH. S.K. RANGAN	ASSISTANT	12924
29.	SH. K.R. VERKEY	ASSISTANT	14443
30.	MRS. USHA ABRAHAM	ASSISTANT	11653
31.	SMT. A.K. SELVI	ASSISTANT	12858
32.	SH. R.C. RANA	ASSISTANT	10483
33.	SH. ASIS CHAKRABORTY	ASSISTANT	12958
34.	SH. KANCHAN KUAMR BASAK	ASSISTANT	12858
35.	SMT. BHARTI BHATIA	PERSONAL ASSISTANT	18011
36.	SMT. NEETA AJAY KUMAR	PERSONAL ASSISTANT	18011
37.	SMT. BABITA JAIN	PERSONAL ASSISTANT	16822
38.	SH. S.K. MEHRA	PERSONAL ASSISTANT	14443

39.	SMT. SEEMA SAHNI	PERSONAL ASSISTANT	14908
40.	MRS. SHALINI ARORA	PERSONAL ASSISTANT	16997
41.	SMT. ANJALI NAYYAR	JR. HINDI TRANSLATOR	13084
42.	SMT. ANNU SRIVASTAVA	STENOGRAPHER	13271
43.	SMT. MENAKA GAUR	STENOGRAPHER	12958
44.	SMT. JAYA MURUGESAN	STENOGRAPHER	11399
45.	SMT. SATWANT KAPOOR	STENOGRAPHER	11725
46.	SH. NIRANJAN KUMAR	UPPER DIVISION CLERK	11725
47.	SH. MADAN MOHAN	UPPER DIVISION CLERK	11725
48.	SH. ASHOK KUMAR SHARMA	UPPER DIVISION CLERK	11725
49.	SH. RAKESH SHARMA	UPPER DIVISION CLERK	11499
50.	SH. BIRENDER SINGH	UPPER DIVISION CLERK	11272
51.	SMT. RUPALI MUKERJEE	UPPER DIVISION CLERK	11046
52.	SMT. URMILA THAPLIYAL	UPPER DIVISION CLERK	8568
53.	SMT. NIRMALA	UPPER DIVISION CLERK	11272
54.	SH. SHIV KUAMR	LOWER DIVISION CLERK	10919
55.	SMT. KANTA NEGI	LOWER DIVISION CLERK	8386
56.	SH. DURGA PARSHAD	LOWER DIVISION CLERK	10140
57.	SH. RAKESH KUMAR	LOWER DIVISION CLERK	8205
58.	SH. RAJIV KUMAR	LOWER DIVISION CLERK	9460
59.	SH. SUMAN SAURABH	LOWER DIVISION CLERK	9153
60.	SH. HARSWAROOP SINGH	LOWER DIVISION CLERK	8907
61.	SH. CECIL CELESTINE BARA	LOWER DIVISION CLERK	8907
62.	SH. S.P. TIWARI	LOWER DIVISION CLERK	8907
63.	SH. DIWAN PURI	LOWER DIVISION CLERK	7272
64.	SH. SANJAY KUMAR SINHA	LOWER DIVISION CLERK	6653
65.	SMT. MEENA BATEJA	LOWER DIVISION CLERK	11046
66.	SH. HARISH KUMAR KANDPAL	LOWER DIVISION CLERK	8058
67.	SH. PALLAV KUMAR	LOWER DIVISION CLERK	8058
68.	SMT. RANJAN SARKAR	LOWER DIVISION CLERK	9913
69.	SH. JAGVIR SINGH	STAFF CAR DRIVER	12038
70.	SH. M.M. DEB	STAFF CAR DRIVER	8779
71.	SH. MANOHAR LAL	STAFF CAR DRIVER	10623
72.	SH. TEK CHAND	STAFF CAR DRIVER	11548
73.	SH. MUKESH KUAMR	STAFF CAR DRIVER	10245
74.	SH. VISHWANATH RAM	STAFF CAR DRIVER	10270
75.	SH. NARESH KUAMR	STAFF CAR DRIVER	10170
76.	SH. BRAHAM PRAKASH	STAFF CAR DRIVER	10688
77.	SH. SUNIANDER	DESPATCH RAIDER	8767
78.	SH. K.C. PAUL	DAFTRY	7872
79.	SH. NARAYAN SINGH	SR. PEON	6447
80.	SH. SIV RAM	SR. PEON	6447
81.	SH. RAJINDER KUMAR-I	SR. PEON	6447
82.	SH. R.C. MAHATO	SR. PEON	6320
83.	SH. RAKESH KUAMR	SR. PEON	7964

84.	SH. PRATAP SINGH	G.O/PHOTOCOPY OPRTR.	8756
85.	SH. J.N. ROY	G.O/PHOTOCOPY OPRTR.	6828
86.	SH. YASHWANT	PEON	8122
87.	SH. NARESH KUAMR	PEON	8177
88.	SMT. BARSILA F.A. KUJUR	PEON	7964
89.	SH. MAHAVIR SINGH	PEON	7964
90.	SH. RAMESH KUAMR	PEON	8019
91.	SH. RAJESH KUMAR-I	PEON	6502
92.	SH. RAJENDER KUMAR-II	PEON	8019
93.	SH. ASHOK KUMAR	PEON	6350
94.	SH. RAMESH BABU	PEON	6138
95.	SH. RAJESH KUAMR-II	PEON	8122
96.	SH. BHARAT LAL MEENA	PEON	6380
97.	SH. RAM BAHADUR	PEON	7578
98.	SH. CHARAN SINGH	PEON	7442
99.	SH. SATBIR SINGH	DAFTRY	7907
100.	SH. BRAHM PRAKASH	PEON	6884
101.	SH. ROHIT GEORGE	PEON	5519
102.	SH. BIKSHAN CHAND	PEON	6029
103.	SH. CHITTA RANJAN JANA	PEON	6084
104.	SH. RAM KRISHAN	PEON	6634
105.	SH. JAGDISH PRASAD	PEON	6828
106.	SH. NARINDER SINGH	FARASH	5410
107.	SH. GARIB CHAND	SWEEPER	6674
108.	SH. SUNIL KUMAR	SWEEPER	6238
109.	SH. KISHAN CHAND	SWEEPER	6734
110.	SH. DESH PAL	SWEEPER	6674
111.	SMT. SHANTI DEVI	SWEEPER	6547

**BUDGET ALLOCATED TO THE BOARD FOR INDUSTRIAL
AND FINANCIAL RECONSTRUCTION
FOR THE YEAR 2005-2006 (REVISED ESTIMATES)**

<u>Object Head</u>	<u>(Rs. in thousands)</u>
Salaries	20000
Wages	350
Over Time Allowance	270
Medical Treatment	525
Domestic Travel Expenses	700
Office Expenses	5460
Rents, Rates & Taxes	34500
Publications	250
Other Administrative Exp.	5
Advertisement & Publicity	1200
Professional Services	400
I.T	--
Other Charges	1440
	<hr/>
Total Rs.	65100

DETAILS IN RESPECT OF THE INFORMATION AVAILABLE/HELD BY
THE BOARD REDUCED IN ELECTRONIC FORM
SYSTEMS OF THE BIFR

1. Name of the System: **Sick Industries Registration and Status System**

Description: Sick Industries Registration System stores information of sick industries (Pvt., Central PSU and State PSU) registered with BIFR. It contains Case No., Name, State, Industries Code, Bench, Operating Agency and Status of Company in BIFR. A Monitoring Sheet of monthly status of all cases is generated every month after updating database for status & new registrations. Pendency and Disposals are also reflected in the Monitoring Sheet. State wise, Industry wise and Bench wise list of cases is also generated on monthly basis. Tentative date of hearing is also provided by the database.

2. Name of the System: **Special Director Panel and Appointment System**

Description: Special Director System provides the panel of Special Director appointed to Sick Industries for monitoring the performance and status. It also stores the information of companies associated with them.

3. Name of the System: **Monitoring of Performance of Revival Schemes**

Description: This Performance System provides the half yearly performance of industries for which a scheme is sanctioned for revival of it. Operating Agency and Special Director sends reports, which shows targets and the actual achieved by the industry. Issues in hearing, action proposed and next proposed date of hearing are also stored in it.

4. Name of the System: **Compliance of Directions/Decisions of the Board.**

Description: This System stores all the directions and its compliance dated given by Bench to concerned parties. It generates monthly report of directions for which compliance date is over. List of directions for a particular case is also generated.

Status: Data is not available for the Compliance of Directions/Decision system.

The particulars of facilities available to citizens for obtaining information, (including the working hours of a library or reading room, if maintained for public use).

There is a small Library in BIFR on the 9th floor of Jawahar Vayapar Bhavan. The working hours of this Library are from 9.30 AM to 6.00 PM. The Library is meant for the Staff, Officers of the Board. The Public in general is also welcome to come and utilize this Library.

Citizens can obtain information from the website of BIFR i.e. bifr@nic.in

Further, information concerning BIFR can be obtained under the permission of 'Right to Information Act, 2005', by adhering to an application along with the requisite fee (Rs.10/- as Application fee + other charges in accordance with the provisions of Right to Information (Regulation of fee & cost)Rules,2005) to the Central Public Information Officer, BIFR, Jawahar Vayapar Bhawan, 1,Tolstoy Road, New Delhi.