

***SCHEME
FOR
COMPASSIONATE
APPOINTMENT
2011***



***Rajya Sabha Secretariat
Parliament House Annexe
New Delhi***

SCHEME FOR COMPASSIONATE APPOINTMENT

1. *OBJECT*

The object of the Scheme is to save from financial destitution, the family of a regularly appointed employee of the Rajya Sabha Secretariat, who dies in harness while in service or is retired on medical grounds thereby leaving his / her family without any sustainable means of livelihood, by providing, in a suitable case, appointment on compassionate grounds to a dependent family member of the employee.

2. *DATE OF ENFORCEMENT*

This scheme shall come into force with effect from 5th April 2011.

3. *DEFINITIONS*

- (i) The term "*Dependent Family Member*" means :
- (a) spouse; or
 - (b) son (including adopted son); or
 - (c) daughter (including adopted daughter); or
 - (d) brother or sister in the case of an unmarried employee
- who was wholly dependent on the employee of the Secretariat at the time of his / her death in harness or retirement on medical grounds as the case may be.
- (ii) Unless the context otherwise requires, the term "*the employee*" means the regular employee of the Secretariat, who has died in harness, is retired on medical grounds or is missing for a period of not less than two years.
- (iii) The term "*Family*" means :
- (a) spouse; or
 - (b) son (including adopted son); or
 - (c) daughter (including adopted daughter); or
 - (d) brother or sister in the case of an unmarried employee.
- (iv) The term "*Secretariat*" means Rajya Sabha Secretariat.

contd...2/-

4. *TO WHOM APPLICABLE*

The scheme would be applicable to a dependent family member of an employee of the Secretariat appointed on regular basis who -

- (i) dies while in service (including death by suicide); or
- (ii) is retired on medical grounds before attaining the age of 55 years.

Note : Persons appointed on co-terminus/deputation basis or on re-employment basis/contractual basis shall, for the purpose of this Scheme, not deemed to be the employees of the Rajya Sabha Secretariat appointed on regular basis.

5. *MISSING EMPLOYEE*

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

- (i) 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 -
 - (a) an FIR to this effect has been lodged with the Police;
 - (b) the missing person is not traceable and a report to this effect is received from the police; and
 - (c) the competent authority feels that the case is genuine.
- (ii) This benefit will not be applicable to the case of an employee -
 - (a) who had less than two years to retire on the date from which he has been missing; or
 - (b) who is suspected to have committed an offence, or suspected to have joined any terrorist organization or suspected to have gone abroad.

Note: While considering such a request, the results of the Police investigation would also be taken into account.

contd...3/-

6. AUTHORITY COMPETENT TO MAKE COMPASSIONATE APPOINTMENT

The Secretary-General would be the authority competent to make compassionate appointments under this Scheme in the Secretariat.

7. POSTS TO WHICH SUCH APPOINTMENTS CAN BE MADE

The appointments under the Scheme shall only be made to Group 'C' posts against the vacancies earmarked for direct recruitment only.

8. A dependent member of the family of the employee, subject to his/her suitability, can be appointed to a post carrying a higher Grade Pay than that of the post held by the employee.

9. MODE OF APPOINTMENT

Where the employee at the time of his/her death or retirement on medical grounds or going missing is of age not exceeding 50 years, the appointment on compassionate grounds of his/her dependent, in suitable cases, may be made on regular basis. However, in cases where the age of the employees against whom the compassionate appointment is being considered, exceeds 50 years, the compassionate appointment, in suitable cases, may be made only on contract basis. The appointment on contract basis shall be initially for a period of two years or such shorter period as may be decided. The period of contract may be extended from time to time but the total period of employment on contract shall not exceed beyond the date of retirement on superannuation of the employee against whom the compassionate appointment was made. The pay and other allowances payable to the appointee in a grade/post on contract basis under this Scheme shall be the same as payable to an employee appointed in the Secretariat on regular basis in the same grade/post.

contd...4/-

10. ELIGIBILITY

No compassionate appointment under this Scheme shall be made unless :

- (i) The family of the employee is indigent and deserves immediate assistance for relief from financial destitution; and
- (ii) Applicant for compassionate appointment is eligible and suitable for the post in all respects under the provisions of the relevant Recruitment Rules for the post and is eligible for appointment under this Scheme for compassionate appointment.

Note-1 : Compassionate appointment is to be made at the discretion of the Secretary-General and there is no right whatsoever for claiming appointment on compassionate grounds.

Note-2 : In determining whether the family is indigent, the following shall be taken into account :-

- (i) Assets & liabilities of the family of the employee;
- (ii) Amount of family pension and retirement benefits payable / paid to the family of the employee;
- (iii) Sources of income of the family of the employee;
- (iv) Number of earning members in the family & their gross monthly income; and
- (v) Number of dependents of the employee, who are not earning.

Note-3 : Where there is an earning member in the family of the employee, no other member of his/her family shall be considered for employment on compassionate grounds under the Scheme unless it is proved to the satisfaction of the Secretary-General that such earning member is not living with the family and is not supporting the family or the income of such family member & other sources of income of the family including family pension are grossly inadequate to support all the dependent members of the family of the employee.

contd...5/-

11. DEPENDENT ELIGIBLE FOR COMPASSIONATE APPOINTMENT

- (i) Amongst the dependents of the employee, the spouse of the employee shall have the first claim for compassionate appointment.
- (ii) In case, however, the spouse is not willing for compassionate appointment or is otherwise not considered suitable for Compassionate appointment by the Secretariat, the eldest son/daughter of the employee would, subject to his/her suitability & eligibility, be considered for Compassionate appointment.
- (iii) In the event of the eldest son/daughter not being found suitable by the Secretariat, other children of the employee in order of their birth, starting with the second eldest child can, subject to their suitability & eligibility, be considered for Compassionate appointment.

12. RELAXATION

- (i) The normal procedure of appointment on direct recruitment in the Secretariat prescribed under the Recruitment Rules/R&CS Order shall stand relaxed for the purpose of making appointment on compassionate grounds under this Scheme;
- (ii) In suitable case, Secretary-General, at his discretion, may relax upper age-limit. The lower age-limits shall, however, not be relaxed below 18 years of age in any case. Age eligibility shall be determined with reference to the date of application and not the date of appointment;
- (iii) Persons appointed on contract basis may, as long as they hold a post in Rajya Sabha Secretariat, will also be granted relaxation to compete for posts in Rajya Sabha Secretariat filled by direct recruitment provided they fulfil all other eligibility conditions except upper age limit. If appointed to any post on the basis of the result of an open examination, the period spent on contract basis by the employee will not be counted as service for any purpose and their regular service will start only after they are appointed on regular basis.

contd...6/-

- (iv) In exceptional circumstances, the Secretariat may consider recruiting persons not immediately meeting the minimum educational standards/other eligibility conditions by engaging them as trainees who will be given the regular pay bands and grade pay only on acquiring the minimum educational qualification and other eligibility conditions prescribed under the recruitment rules. The emolument of these trainees, during the period of their training and before they are absorbed in the Secretariat as employees, will be governed by the minimum of the - 1S pay band of Rs.4440-7440 without any grade pay. In addition, they will be granted all applicable Allowances, like Dearness Allowance, House Rent Allowance and Transport Allowance at the admissible rates. The same shall be calculated on the minimum of - 1S pay band without any grade pay. A maximum period of 5 years shall be allowed for meeting the minimum eligibility conditions with exception for a widow who may be allowed to continue as 'Trainee' till her superannuation even if she is unable to acquire minimum educational qualifications and other eligibility conditions prescribed for the post.

13. A widow appointed on compassionate grounds will be allowed to continue in service even after remarriage.

14. CEILING ON NUMBER OF APPOINTMENTS

- (i) Number of persons appointed on contract basis in the Secretariat under this scheme shall, at any point of time, not exceed ten.
- (ii) Appointments on compassionate grounds shall be made to not more than 5% of vacancies falling under DR quota in Group 'C' posts in a calendar year. Persons appointed on contract basis on compassionate grounds would not be included in the said 5% ceiling.

Provided that in case in any calendar year the number of compassionate appointments made is short of the ceiling as laid herein, the number of compassionate appointments in the immediate succeeding year can exceed the ceiling to the extent of such shortage in the preceding year.

contd...7/-

EXPLANATION - For the purpose of sub-paragraph (ii) of this paragraph, inclusion in the panel from which regular appointment are to be made in due course of time for the post of Attendant Grade - III shall be deemed to be an appointment on regular basis to the post of Attendant Grade - III at the time such appointment is made.

15. PROCEDURE

- (i) Any person claiming appointment under this Scheme, should apply in the prescribed pro-forma as given in Annexure-I of this Scheme within a year of the date of death or retirement on medical grounds, as the case may be.
- (ii) Dependant family member shall not be considered for appointment on compassionate grounds under this scheme if three years have lapsed since the date of death or retirement on medical grounds, as the case may be.
- (iii) The appointment on compassionate grounds on regular basis would be adjusted in the recruitment roster for direct recruitment against the appropriate category, viz., SC/ST/OBC/General depending upon the category to which the appointee belongs.

16. UNDERTAKING - A person before being appointed on compassionate grounds under the scheme will be required to give an affidavit (as in Annexure-II) undertaking to maintain properly the other family members who were dependent on the employee and in case it is proved subsequently at any time that the family members are being neglected, or, are not being maintained properly by him/her, his/her appointment may be terminated forthwith.

17. No Request for change in post/person to be appointed on compassionate grounds would be entertained.

18. SENIORITY - The *inter se* seniority of persons appointed in a grade/post on compassionate grounds will be fixed with reference to their year of appointment. Persons appointed on compassionate grounds in any year shall be ranked en-bloc junior to those appointed in that year in that grade/post either by direct recruitment or by promotion.

ANNEXURE - I

**PROFORMA REGARDING EMPLOYMENT OF DEPENDANTS OF
EMPLOYEES OF RAJYA SABHA SECRETARIAT DYING WHILE IN
SERVICE, RETIRED ON INVALID PENSION OR MISSING**

Part - A

- I.(a) Name of the employee
(Deceased/retired on
medical grounds/missing)
- (b) Designation of the employee
- (c) Date of birth of the employee
- (d) Date of death/retirement on
medical grounds/missing of the
employee
- (e) Total length of service rendered
by the employee
- (f) Whether the employee was
permanent or temporary?
- (g) Whether the employee belonged
to SC/ST/OBC?
- II.(a) Name of the candidate for
appointment.
- (b) His/Her relationship with
the employee
- (c) Date of birth
- (d) Educational Qualifications
- (e) Whether any other dependent
family member has been
appointed on compassionate grounds?
- III. Particulars of total assets left including
amount of:-
- (a) Family pension.
- (b) DCR Gratuity.
- (c) GPF Balance.
- (d) Life Insurance Policies
(including Postal Life Insurance)
- (e) Moveable and immoveable
properties and annual income
earned therefrom by the family

- (f) CGE Insurance amount
- (g) Encashment of leave
- (h) Immovable property owned by the family
- (i) Other durables like Car etc. owned by the family
- (j) Any other assets

IV. Brief particulars of liabilities, if any.

V. Particulars of all family members of the employee (if some are employed, their income and whether they are living together or separately should be indicated)

S. No.	Name (s)	Relationship with the employee	Age	Address	Employed or not (if employed particulars of employment and emoluments)
(1)	(2)	(3)	(4)	(5)	(6)
1					
2					
3					
4					
5					

DECLARATION / UNDERTAKING

1. I hereby declare that the facts given by me above are, to the best of my knowledge, true and correct. If any of the facts herein mentioned are found to be incorrect or false at a future date, my services may be terminated.

2. I hereby also declare that I shall maintain properly the other family members who were dependent on the employee of Rajya Sabha Secretariat mentioned against I (a) of Part-A of this form and in case it is proved at any time that the said family members are being neglected or not being properly maintained by me, my appointment may be terminated.

Date :

Signature of the candidate

Name:.....

Address:.....

Shri/Smt./Kum. is known to me and the facts mentioned by him/her are correct.

Date :

**Signature of a permanent
employee of Rajya Sabha Secretariat**

Name:.....

Address:.....

.....

I have verified that the facts mentioned above by the candidate are correct.

Date :

Signature of the Welfare Officer

Name:.....

Address:.....

Part - B
(To be filled in by the office)

- I. (a) Name of the candidate
for appointment
- (b) His/her relationship with
the employee
- (c) Age (date of birth),
educational qualifications
and experience, if any
- (d) Post for which employment
is proposed
- (e) Whether there is vacancy in
that post within the ceiling
prescribed under the scheme of
compassionate appointment.
- (f) Whether the relevant Recruitment
Rules provide for direct recruitment?
- (g) Whether the candidate
fulfils the requirements
of the Recruitment Rules for the post?
- (h) Relaxations, if any, required
for appointment to the post.
- II. Whether the facts mentioned
in Part-A have been verified
by the office and if so,
indicate the records.
- III. If the employee of the Secretariat
died/retired on medical grounds
more than 1 year back,
why the case was not considered earlier?

DECLARATION/UNDERTAKING

I hereby declare that I shall maintain properly the other family members namely (i)_____ (ii)_____ (iii)_____ who were dependant on Shri_____ the deceased/retired on medical grounds/missing employee of Rajya Sabha Secretariat against whom I have been provided a job in the Rajya Sabha Secretariat on compassionate grounds. In case, it is proved at any time that the said family members are being neglected or not being properly maintained by me, I fully understand that my appointment is liable to be terminated forthwith and I consent for it.

Date:

Signature of the candidate

Name:_____

Address:_____
