

## **Objective of the Scheme**

The rehabilitation assistance scheme is conceived as a compassionate measure of saving the family of a Government servant from immediate distress when the Government servant dies while in service. The concept is based on the premises that in case of sudden death of his family would not face sudden starvation. The scheme has a direct relationship with the economic condition of the family of the Government servant. In order to regulate the appointment under this scheme, Government have framed the [Odisha Civil Service \(Rehabilitation Assistance\) Rules, 1990](#) vide General Administration Department Notification No. 25585/Gen., dated 13.9.1990. Appointment of the family member of the Government servant under these rules shall be subject to the provisions contained in Rule 9 and cannot be claimed as a matter of right.

## **2. Deserving cases**

The following are the deserving cases for consideration of appointment under the rehabilitation assistance scheme. (Rule 2(a))

(a) The death of the employee has adversely affected his family financially because the family has no other alternative mode of livelihood.

(b) There is existence of distress condition in the family after death of the employee.

(c) None of the family members of the employee who has died while in service is already in employment of Government/ Public or Private Sector or engaged in independent business with an earning capable to tide over the distress condition of the family arising out of sudden death of the employee.

(d) The family does not have adequate income from the immovable properties to earn its livelihood. **Explanation-I** The income of any family member will be taken into account for the purpose of assessing the annual gross income of the family if his separation has not been established by registered partition deed made prior to the death of the Government employee. **Explanation-II** The total annual family income from all sources excluding Family Pension and Temporary Increase must not increase Rs. 72,000/- (Rupees Seventy two thousand) for a family to be in distress condition. **3. Family members** 'Family members' mean and include the following members in order of preference under this scheme. (Rule 2(b))

(a) Wife/ husband, (b) Sons or step sons legally adopted through a registered deed, (c) Unmarried daughters and unmarried step daughters, (N.B.:-"**Unmarried daughter**" also includes "**divorced daughter.**") (d) Widowed daughter/ Widowed daughter-in-law permanently residing in the family, (e) Unmarried or widowed sister permanently residing with the affected family, (f) Brother of unmarried Government servant who was wholly dependent on such Government servant at the time of death.

## **4. Appointment to be made in deserving cases (Rule 5)**

In deserving cases, a member of the family of the Government servant who dies while in Government service, may be appointed to a group-C or group-D posts only by the appointing authority of that deceased Government servant provided he/she possesses requisite qualification prescribed for the post in the relevant recruitment rules or instructions of the Government without following the procedure prescribed for recruitment to the post either by statutory rules or otherwise irrespective of the fact that recruitment is made by notification of vacancies to the Employment Exchange or through recruitment examination under relevant recruitment rules. At the time of notifying such vacancies to the Employment Exchange or the examining authority, the employer shall clearly mention that the vacancy is proposed to be filled up under rehabilitation assistance scheme and so, sponsoring of candidates by Employment Exchange or examining authority is not necessary.

## **5. Authority competent to make compassionate appointment (Rule 6)**

The authority competent to make substantive appointment to the post shall be the competent authority to make appointment under these rules.

## **6. Posts to which such appointment can be made (Rule 7)**

Appointment under these rules shall be made once against any post either in Group-C or in Group-D which is a base post in the said groups and the maximum scale of pay for such posts in Group-C and Group-D shall not exceed Rs. 6,000/- and Rs. 3,200/- respectively, as revised by Government from time to time. When a member of the family has been appointed to a particular post, no further claim shall be entertained for appointing the same person to a higher post. For any further advance in service he will have to take his chance in the normal course and compete with other eligible members.

**7. Mode of appointment** (Rule 8)

(a) Application for an appointment shall be made in Form A to these rules to the appointing authority under whom the deceased Government servant last worked, by registered post with A.D. (b) On receipt of the application, the appointing authority shall send a requisition to the Collector of the district in which the family ordinarily resides calling for a report as to whether the family in financial distress. (c) On receipt of a requisition from the appointing authority the Collector of the district concerned shall cause an enquiry into the matter and furnish his report to the appointing authority within one month from the date of receipt of the requisition. (d) The appointing authority, upon receipt of the report, in case of favourable report, shall forward the application with all required information/ documents to the Office of the D.G. & I.G. of Police for obtaining permission of the Administrative Department of Government for appointment of the applicant under these rules. (e) After receipt of permission of Government for appointment to the proposed post, the D.G. & I.G. of Police shall locate a vacancy in the districts/ Police establishments and sponsor the applicant for appointment.

**8. Conditions of service** (Rule 9)

(a) Appointment under these rules can only be made against the posts required to be filled up by direct recruitment and not against promotional posts. (b) The applicant for appointment to a particular post under the rehabilitation assistance scheme must have the requisite qualifications as prescribed in the recruitment rules, Resolutions, Notifications or Instructions regulating the recruitment for the said post. (c) Where a widow of a deceased Government servant is appointed on compassionate ground against a Group-D post, she is not required to satisfy the educational qualification prescribed for the said post, provided the duties attached to the post can be satisfactorily performed without having the requisite qualification. (d) Family of the Government servant who dies while on re-employment or extension of service shall not be eligible for any benefit under these rules. (e) Application for appointment under these rules shall be considered if it is received within one year from the date of death of the Government servant. (f) If at the time of death of the Government servant, there is a ward who is minor and who alone is available in the family of the deceased Government servant for employment, he/she shall apply for job under these rules on attaining the age of eighteen years and in no case beyond three years from the date of attaining the age of eighteen years. (g) The assistance shall not be available to the families of Government servants who died before issue of Labour and Employment Department Resolution No. 17188, dated the 9<sup>th</sup> September, 1976 in respect of posts which are filled up by reference to the Employment Exchange and before issue of G.A. Department Resolution No. 21684/Gen., dated the 9<sup>th</sup> September, 1982, in respect of posts filled up in pursuance of provisions of the Odisha Service Code.

**9 Relaxation in maximum age limit** (Rule 9(9))

In exceptional cases, the maximum age limit may be condoned by the competent authority in accordance with the provisions of the Odisha Service Code.

**10. Production of documents** (Rule 9(10))

**Before issue of appointment order the appointing authority shall ensure the production of the following documents:-**

(a) Submission of Medical Certificate of Health, (b) Verification of Character and antecedents, (c) Character Certificates from two officers of Government not below the rank of Group-B Government servant, (d) Submission of undertaking through affidavit to the effect that he/she shall maintain the family members of the deceased Government servant expecting the member who is self sufficient as an earner and who is otherwise separate from the family after partition through a registered deed or after marriage.

**11. Condonation of delay in submission of application**

Delay in submission of application not exceeding twelve months in submission of application for appointment under these rules may be condoned by the Administrative Department and delay exceeding 12 months may be condoned by the Chief Minister.

**12. Termination of service** (Rule 10)

(a) Suppression of correct information or furnishing of false information in the application shall render the applicant liable for removal from service in addition to other legal action to which he/she liable under the existing laws and this will also debar other members of the family from getting appointment under these rules.

(b) If any person after execution of undertaking under clause (v) of the sub-rule (10) of the said Rule 9 violets the terms specified therein the same act would amount to gross misconduct for imposition of major penalty by the appointing authority.

**13. Inter se seniority** (Rule 13)

Seniority of persons, appointed under these rules, in the grade or cadre of the service or posts in which the appointment is made shall be fixed below the persons recruited and appointed in that grade or cadre in that year as per the provisions of the relevant recruitment rules framed under Article 309 of the Constitution and in other cases according to their date of joining in the post.

**14. Relaxation** (Rule 16)

The State Government where satisfied that the operation of all or any provision of these rules causes undue hardship in any particular case, it may dispense with or relax the provisions to such extent it may consider necessary for dealing with the case in a just and equitable manner.

Such cases shall be examined in General Administration Department and orders of Chief Minister shall be obtained.

**15. Miscellaneous**

The following information/documents shall be furnished while forwarding the cases for appointment under rehabilitation assistance scheme.

- Original application duly filled in with distress certificate from the Collector of the district concerned in Part IV of the application form,
- Attested copy of Death Certificate of the deceased Government servant,
- Attested copy of Legal Heir Certificate of the deceased Government servant,
- Attested copy of educational certificates,
- One Pass-port size photograph,
- No objection certificate from senior legal heirs in favour of appointment of the applicant under R. A. Scheme.
- An undertaking in shape of an affidavit to maintain the family excluding the members who are self-sufficient or have been separated from the family by marriage or by a separation deed,
- Character Certificates from two officers of Government not below the rank of Group-B Government servant,
- Date of application,

- Physical measurement for the post of Constable/ Sepoy.
- In case of delay in submission of delay,

(a) Period of delay to be condoned, (b) *Written statement of the applicant stating the reasons as to why he/she had not applied within the prescribed time limit*, (c) Written statement of the senior legal heirs of the deceased Government servant stating the reasons as to why they had applied for their appointment.