GAD-SC-RAS-0029-2014-**5651**/Gen.,

Government of Odisha

General Administration and Public Grievance Department

*****

NOTIFICATION

Bhubaneswar, dated, the 17th February, 2020

In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and in supersession of the Odisha Civil Service (Rehabilitation Assistance) Rules, 1990, the Governor of Odisha is pleased to make the following rules to regulate recruitment to the Group-D Posts as a measure of rehabilitation assistance, namely:-

1. Short Title and Commencement: - (1) These rules may be called the Odisha Civil Services (Rehabilitation Assistance) Rules, 2020.

(2) They shall come into force on the date of their publication in *the Odisha Gazette*.

2. Definitions:- (1) In these rules, unless the context otherwise requires-

(a) "Appointing Authority" means the appointing authority of the deceased Government servant who held the substantive post at the time of his death;

(b) "deserving case" means where the applicant is awarded at least 60 points in the evaluation process out of the maximum 100 points finally allotted by the Appointing Authority under rule 6;

(c) "compassionate appointment" means appointment of any family member of the deceased Government servant under the Rehabilitation Assistance;

(d) "family members" means and include the following members,-

(i) Spouse of the deceased Government servant.

(ii) Sons or step sons or sons legally adopted through a registered deed executed before the death of the Government servant.

(iii) Un-married daughters and Un-married step daughters.

(iv) Widowed daughters or daughters-in-law residing permanently with the family of the deceased Government employee.

(v) Legally divorced daughter.

(e) "Government" means the Government of Odisha;

(f) "Form" means form appended to these rules;

(g) "Medical Board" means Medical Board constituted under the Chairmanship of the Chief District Medical Officer and two other senior Government doctors and an Administrative Officer as nominated by the District Collector of the concerned district of permanent residence of the deceased Government employee;

(h) "medically unfit" means absolutely not capable of performing any sort of Government job as per report of the Medical Board;

(i) "Rehabilitation Assistance" means the assistance provided under these rules to a member of the family of the Government servant who died while in service; and

(j) "Year" means the calendar year.

3. Compassionate appointment :- (1) Subject to provisions contained in these rules, in deserving cases, one family member of the deceased Government Servant shall be appointed on compassionate ground to Group-D base level post only by the appointing authority of that deceased Government servant which shall not be claimed as a matter of right.

(2) Appointment on compassionate ground shall be made without following the due recruitment procedure subject to satisfaction of the educational qualification prescribed for the post:

Provided that the widow of the deceased Government Servant, where appointed on compassionate ground, is not required to satisfy the educational qualification prescribed for the said post if the appointing authority is satisfied that the duties attached to the post can be satisfactorily performed without having the requisite educational qualification:

Provided further that up to fifty per centum (50%) of the sanctioned strength shall be filled up by the applicants under the Rehabilitation Assistance subject to availability of vacancies as on the first day of January of the year in which the appointment is considered. Principles of Reservation will be ensured against the total sanctioned strength of base level Group D post.

4. Applicability:- Compassionate appointment to any base level Group-D post, under these rules, shall ordinarily be available to the spouse of the deceased Government employee: Provided that in case the spouse is more than 50 years of age as on the date of death of the deceased Government employee and not willing to serve by giving written declaration in this respect or in case the spouse is found to be medically unfit for the job as per the report of the Medical Board, the spouse may nominate any one of the eligible family members of the deceased Government employee for compassionate appointment:

Provided further that in case the spouse of the deceased Government employee is not alive, all other family members of the deceased Government employee may nominate any one amongst them for compassionate appointment under these rules.

5. Authority competent to make compassionate appointment:- The authority competent to make substantive appointment to the post of an office identified for appointment of the applicant, shall be the competent authority to make appointment under these rules.

6. Mode of Appointment:- (1) Application for appointment under these rules shall be submitted by the eligible family member of the deceased Government employee, in Form A of these rules along with the following documents, to the Appointing Authority, namely:-

(a) 'Legal Heir' certificate issued by the Tahasildar concerned;

(b) 'Medically Unfit' certificate issued by the Medical Board of the district of permanent residence of the deceased Government employee, in Form B of these rules, in case the spouse of the deceased Government employee is medically unfit for appointment under these rules;

(c) Nomination by the spouse or by other family members (where the spouse is not alive) of the deceased Government employee, in Form C of these rules nominating the applicant for compassionate appointment under these rules, if applicable;

(2) On receipt of the application, the Appointing Authority shall verify the details furnished by the applicant (except information contained against Sl. No. 6 and 8 of the application form) and determine the eligibility of the applicant by allotting points in the Evaluation Sheet given in Form D to these rules, as given below:-

(a) If the total points allotted to the applicant in Part - I of the evaluation sheet is 60 or more, the applicant shall automatically be eligible for appointment under these rules and in such case, the Part - II of the evaluation sheet need not be filled up or assessed.

(b) If the total points allotted to the applicant in Part- I of the evaluation sheet is 44 or less, the applicant shall automatically be ineligible for appointment under these rules and in such case, the Part - II of the evaluation sheet need not be filled up or assessed.

(c) If the total point allotted to the applicant in Part-I of the evaluation sheet is between 44 and 60 (i.e. 45 to 59), then the Appointing Authority shall allot points provisionally in Part -II of the evaluation sheet on the basis of the details furnished by the applicant in the application form and if the sum total of points thus allotted to the applicant in Part-I and Part-II of the evaluation sheet remains below 60, the applicant shall be ineligible for appointment under these rules.

(d) If the total point allotted to the applicant in Part - I of the evaluation sheet is between 44 and 60 (i.e. 45 to 59) and the sum total of points allotted to the applicant in part - I and Part - II of the evaluation sheet, as mentioned in Para (c), becomes 60 or more, then the Appointing Authority shall forward a copy of the application to the Collector of the district where the deceased Government employee had his permanent residence and seek a report from the Collector in the Form E to these rules and as per the application, if the applicant or any of his or her family members owns immovable property, jointly or individually, in a district other than the district of permanent residence of the deceased Government employee, the Appointing Authority shall also seek a report from the Collector of the other district(s) concerned in the Form F of these rules.

(e) On receipt of the report(s) from the district Collector(s) as stated above, the Appointing Authority shall finally allot points to the applicant in Part - II of the evaluation sheet on the basis of the report(s) of the Collector(s) and if the sum total of the points finally allotted to the applicant in Part - I and Part - II of the evaluation sheet becomes 60 or more, the applicant shall be eligible for appointment under these rules.

(3) In the event the applicant meets the standard as per the criteria outlined under rule 6 (2), the Appointing Authority shall appoint the applicant in a suitable available base level Group 'D' vacant post under his control, but if a vacancy does not exist under his administrative control, the Appointing Authority shall forward the application to the Head of the Department with request for his suitable appointment against such vacant posts available in his control and the Head of the Department shall locate vacancies in his own office or other offices under his administrative control and direct Head of the Office where there is such vacant posts to appoint the applicant, and also if no vacancy is immediately available, the application shall be considered for the

subsequent vacancy arising in the offices of Heads of Departments and the Head of the Department shall appoint the candidate in the office or in the offices subordinate thereto.

(4) In the case of the Departments of Government in the Secretariat or their attached offices, the Appointing Authority, subject to the conditions stipulated in the proviso to rule 4 shall follow the procedure as specified hereunder, namely:-

(a) The concerned Department shall appoint the candidate against any base level Group-D vacant post available under its control in the Department.

(b) In case of non-availability of suitable post, the Department shall direct the Heads of Departments to appoint the candidate against any suitable base level Group-D post under their administrative control.

(5) If the applicant does not join the compassionate appointment offered, he or she shall forfeit his or her claim under these rules for all times to come and no choice will be offered to the applicant to exercise an option to select or reject any compassionate appointment.

(6) While considering the pending applications in any office, the concerned Competent Authority will consider all complete and eligible applications in order of date of death of the deceased employee.

(7) The economic distress condition shall be evaluated, as per the points awarded in the evaluation sheet contained in Form D, on the date of death of Government employee.

(8) The process of evaluation of application and offering compassionate appointment to the eligible applicant shall be completed within a period of one year from the date of receipt of application complete in all respects.

(9) All pending cases as on the date of publication of these rules in the Odisha Gazette shall be dealt in accordance with the provision of these rules.

(10) In all pending cases, the Appointing Authority shall collect the additional information on the present distress condition from the applicant within six months from the date of publication of these rules in the Odisha Gazettee and evaluate the applications along with fresh applications received during that period .

*7. **Conditions of Service:-*** (1) Appointment under these rules shall be made only against the posts required to be filled up by direct recruitment.

(2) Family of a Government servant who dies while on re-employment after period of retirement or during the period of extended service period shall not be eligible for any further benefit under these rules.

(3) 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:

Provided that if the applicant fails to apply within the prescribed period of one year from the date of death of the deceased Government employee, he or she has to furnish sufficient justification along with supporting documents for such delay while submitting the application form and in all such cases, the Appointing Authority shall examine the case with reference to the reasons advanced and documents furnished and if he is satisfied that delay is justified, he shall evaluate the application as specified under sub-rule (2) of rule 6 of these rules and shall recommend the case for condonation of delay to the concerned Administrative Department through proper channel.

(4) If the application, duly forwarded, and received through proper channel for condonation of delay, the same may be considered by the Government in the concerned Administrative Department, if delay has been justified properly.

(5) The application submitted after two years of death of deceased Government employee shall not be entertained by the Appointing Authority.

(6) Before issue of appointment order, the Appointing Authority shall ensure the production of the following documents: -

(a) Medical Certificate of Health.

(b) Undertaking to the effect that he shall maintain the family members of the deceased Government servant excepting 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 as on the death of the deceased Government servant.

8. Termination of Service:- (1) 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 may be liable under the existing laws and this will also debar other members of his family from getting appointment under these rules.

(2) If any person after execution of an undertaking under clause (b) of rule 7 violates the terms as specified therein, the same would amount to gross misconduct for imposition of major penalty by the Appointing Authority under the C.C.A. Rules,1962.

9. Seniority:- Seniority of persons, appointed under these rules, shall be fixed below the persons recruited to the posts in a particular Department or Office in that year.

10. Interpretation:- If any question arises relating to the interpretation of any provision of these rules, it shall be referred to the Government in the General Administration and Public Grievance Department for decision.

By order of the Governor

17.02.2020

Principal Secretary to the Government

Form 'A'

[See rule 6 (1)]

FORM OF APPLICATION FOR APPOINTMENT UNDER THE ODISHA CIVIL SERVICE REHABILITATION ASSISTANCE RULES (TO BE SUBMITTED IN DUPLICATE BY THE APPLICANT)

PART-I

1. Name of the deceased Government Servant:

2. Designation and Office or Department of the Government Servant (at the time of death):

3. Employment or Service status, whether permanent or temporary:

4. Total length of Service rendered:

5. Date of death (An attested copy of the death certificate issued by the Health & Family Welfare Department to be enclosed):

6. Details of each of the family members:

SL No.	Name of the Family Members	Age	Dead or alive	Qualification	Marital Status (Married/ un-marred /Widow)	Relationship with the Deceased	Monthly Income (in rupees)	Source of income

7. Is any of the members listed under item 6 has been given compassionate appointment under the Odisha Civil Service (Rehabilitation Assistance) Rules ? If yes, particulars of such appointment shall be given:

8. Details of immovable property, land and house if any, in the name of deceased Government Servant and members of family:

SL No.	Property Details (Plot No., Area etc.)	Location of the Property	In whose Name	Present Market Value (Approximate)	Remarks (only land or land with house)

9. Pension, Family Pension and T.I. etc.

PART-II

1. Name of the applicant for appointment with AADHAAR Card Number:
2. Gender:
3. His/Her relationship with the deceased Government Servant:
4. Date of Birth:
5. Particulars of educational qualification, if any (certificate to be attached):
6. Whether belongs to any of the following categories (If yes, certificates to be attached):

   (a) SC or ST or SEBC

   (b) Ex-Serviceman

   (c) Person with Disability

   (d) Sportsperson

I, Shri/Smt/Kumari _____ Son/Daughter/Wife of _____ hereby declare that the information furnished above is true to my best of my knowledge and belief. If, on a future date, any of the information mentioned herein is found to be false and incorrect, my services shall be liable for termination unilaterally without any notice.

Date:

Name and Signature of the Applicant

Mandatory certificates to be attached

1. Death certificate of the deceased Government Servant/ Employee
2. Legal Heir Certificate issued by the Tahasildar.
3. Age proof of the spouse of the deceased, if the spouse is above 50 years of age.
4. Death Certificate of the spouse of the deceased, if the spouse is already dead.
5. Medical unfit certificate in Form 'B' (if applicable).
6. Nomination in favour of the applicant in Form 'C' (if applicable).
7. AADHAR Card of the applicant.
8. Registered Deed of adoption, if the applicant is the adopted son of the deceased.
9. Death certificate of husband, if the applicant is the widowed daughter or daughter-in- law of the deceased.

Form 'B'

[See rule 6 (1)(b)]

MEDICAL CERTIFICATE

(As per format prescribed by the Government of Odisha in Health & Family Welfare Department from time to time)

Form 'C'

[See rule 6 (1)(c)]

NOMINATION

Nomination by the spouse of the Deceased Government Employee

I, Shri/Smt_____ wife/husband of Late_____, being aged more than 50 years of age/ being medically unfit for taking up any job(strike out whichever is not applicable), do hereby nominate Shri/Smt/Kumari_____ ,who is my son/un-married daughter/widowed daughter/ widowed daughter-in-law (strike out which one is not applicable), for compassionate appointment under these rules on my behalf.

Date :

Place: Signature of the spouse of the deceased employee

Nomination by the other family members of the Deceased Government Employee in case the spouse of the deceased is not alive

We, all the surviving family members of the deceased Government employee Late_____, as listed below, do hereby nominate Shri/Smt./Kumari_____, who is the son/un-married daughter/widowed daughter/ widowed daughter-in-law (strike out which one is not applicable) of the deceased Government employee, for compassionate appointment under these rules on our behalf.

Sl. No.	Name of the Family Member	Age	Relationship with the Deceased	Marital Status(Married /Unmarried/ Widowed)	Signature

Date:

Place:

Form 'D'

[See rule 6(2)]

Evaluation Sheet to consider appointment under Rehabilitation Assistance

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Name of the deceased Government employee:-
Name of the applicant for Rehabilitation Assistance:-
Relationship of the applicant with the deceased employee:-

PART-I

I. Length of left over service period of the deceased employee:

SL No.	Length of left over Service period	Evaluation points	Points awarded
1	0-5 Years	2	
2	Over 5 Years & up to 10 Years	4	
3	Over 10 Years & up to 15 Years	6	
4	Over 15 Years & up to 20 Years	8	
5	Over 20 Years & up to 25 Years	10	
6	Over 25 Years	12	

II. Terminal benefits granted to the bereaved family (Benefit from DCRG & encashment of leave salary):

SL No.		Evaluation Points	Points awarded
1	Up to Rs.4,00,000/-	10	
2	Upto 4,00,001/- 4,75,000/-	09	
3	Rs. 4,75,001/- 5,50,000/-	08	
4	Rs.5,50,001/- 6,25,000/-	07	
5	Rs.6,25,001/- 7,00,000/-	06	
6	Rs.7,00,001/- 7,75,000/-	05	
7	Rs.7,75,001/- 8,50,000/-	04	
8	Rs.8,50,001/- 9,25,000/-	03	
9	Rs.9,25,001/- 10,00,000/-	02	
10	Rs. 10,00,001/- 15,00,000/-	01	
11	Rs. 15,00,001/- and above	00	

III. Family pension including T.I.

SL No.		Evaluation points	Points awarded
1	Up to Rs.9000/-	15	
2	Rs.9001/- 11500/-	13	
3	Rs. 11501/- 14000/-	11	
4	Rs. 14000/- 16499/-	09	
5	Rs. 16499/- 18998/-	07	
6	Rs. 18998/- 21497/-	05	
7	Rs.21497/- 23996/-	03	
8	Rs.23996/- 25000/-	01	
9	Above Rs. 25000/-	00	

IV. Number of dependants (of the deceased):

SL No.	Number of Dependants	Evaluation points	Points awarded
1	3 and above	12	
2	2	8	
3	1	4	
4	None	0	

V. No of un-married daughters (of the deceased):

SL No.	Number of unmarried daughters	Evaluation points	Points awarded
1	3 and above	12	
2	2	8	
3	1	4	
4	None	0	

VI. Liability towards educating children (Two Youngest Children of the deceased):

	1st Child	2nd Child
Name of the Child		
Class in which studying		
Points awarded		
Total Points awarded		

Class	Evaluation points
Above Class 12	00
Class 12	01
Class 11	02
Class 10	03
Class 09	04
Class 08	05
Class 07	06
Class 06	07
Class 05	08
Class 04	09
Class 03	10
Class 02	11
Class 1/KG	12

Part-I Maximum points : - 85

Part-I Total points awarded to the applicants: -_____

(Please tick one of the following boxes as applicable)

- Since the applicant has scored 60 or more points in part-I, he/ she becomes eligible for appointment under Rehabilitation Assistance. Further evaluation in part-II is not required.
- Since the applicant has scored 44 or less points in part-I, he/ she becomes ineligible for appointment under Rehabilitation Assistance. Further evaluation in part-II is not required.
- Since the applicant has scored between 44 & 60 (i.e. 45 to 59) points in part-I, further evaluation in part-II is required.

Name and Signature of the Appointing Authority

PART-II

VII. Monthly income of earning member (s) of the family, if any, and income from other sources excluding family pension:

SL No.	Monthly income	Evaluation points	Points awarded
1	No Income	05	
2	Rs. 3,500/- or Less	04	
3	Rs.3,501/- Rs.4,500/-	03	
4	Rs.4,501/- Rs.5,500/-	02	
5	Rs.5,501- Rs.6,500/-	01	
6	Rs.6,501/- & above	00	

N.B. Income from all sources, private, public, agriculture or business by the family members, who have been identified as legal heirs of the deceased government employee, to be taken into account.

VIII. Immovable property (land and house) (Latest market value in Rupees)

SL No.	Market Value of the property(Approx)	Evaluation points	Points awarded
1	Nil	10	
2	Upto Rs. 2,00,000/-	08	
3	Rs. 2,00,001 - Rs. 4,00,000/-	06	
4	Rs. 4,00,001 - Rs. 7,00,000/-	03	
5	Rs. 7,00,001/- & Rs. 10, 00,000/-	01	
6	Above Rs. 10, 00,000/-	00	

Total of Part-I & Part-II =

(Please tick one of the following boxes as applicable)

- Points in Part-II are allotted as per the details given by the applicants in his or her applications. Since the total of Part-I & Part-II points becomes 59 or less, the applicant is not eligible for appointment under the Rehabilitation Assistance. Report from the District Collector in Form 'E' and 'F' is not required.
- Points in Part-II are allotted as per Collector's report in Form 'E' and 'F'. Since the total of Part-I and Part-II points becomes 59 or less, the applicant is not eligible for appointment under the Rehabilitation Assistance.
- Points in Part-II are allotted as per Collector's report in Form 'E' and 'F'. Since the total of Part-I and Part-II points becomes 60 or more, the applicant is eligible for appointment under the Rehabilitation Assistance.

Name and Signature of the Appointing Authority

Form 'E'

[See rule-6(2) (d)]

REPORT OF THE DISTRICT COLLECTOR

(District of permanent Residence of the deceased) _____ District, Odisha

1. Name of the Deceased Government Employee:-
2. Name of the Applicant for Rehabilitation Assistance:-
3. Relationship of the Applicant with the Deceased:-
4. Income and Status of the Deceased family Members:-

Name of the deceased's Legal Heir/Family Members	Relationship with the deceased	Age	Qualification	Martial Status	Monthly Income (Approximate)	Source of Monthly Income	Remark

5. Present Market Value of Immovable Property Owned by Deceased's Family Members.

Location of the Immovable Property (Mouza & Tahsil)	Property Stands in whose Name	Property Details (Khata/Plot No. with Area and Kisam)	Present Market Value (Approximate)	Remark (only land or land with house)

Date:

Name of the Collector

Place:

Signature

Form 'F'

[See rule -6(2) (d)]

REPORT OF THE DISTRICT COLLECTOR

(District other than the District of permanent residence of the deceased) _____District, Odisha

1. Name of the Deceased Government Employee:-
2. Name of the Applicant for Rehabilitation Assistance:-
3. Relationship of the Applicant with the Deceased:-
4. Present Market Value of Immovable property owned by the deceased's family members, whether mentioned or not mentioned in the Rehabilitation Assistance Application, must be reported.

Location of the Immovable Property (Mouza & Tahasil)	Property Stands in whose Name	Property Details (Khata/Plot No., Area, Kisam)	Present Market Value (Approximate)	Remark (only land or land with house)

Date:

Place:

Name of the District Collector:

Signature:

Memo No. 5652 /Gen., Dated the 17th February, 2020

Copy forwarded to the Odisha Gazette Cell in-charge, Odisha Gazette Cell, C/o. Commerce Department for information with request to publish the Notification in the extraordinary issue of the Odisha Gazette and supply 200 copies of the same to this Department for official use.

17.2.2020

Special Secretary to Government

Memo No. 5653 /Gen., Dated the 17th February, 2020

Copy forwarded to all Departments of Government/ all Heads of Departments/ all Collectors/ Registrar, Odisha High Court/ Special Secretary, Odisha Public Service Commission, Cuttack/ Secretary, Odisha Staff Selection Commission, Bhubaneswar/Secretary, Odisha Sub-ordinate Staff Selection Commission, Bhubaneswar for information and necessary action.

The Director, Odisha Bhasa Pratisthan, Sanskruti Bhawan, State Museum Campus, Bhubaneswar-14 is requested to take action w.r.t. this Department Memo No. 30208/Gen., dated 24.10.2019.

17.2.2020

Special Secretary to Government

Memo No. 5654 /Gen., Dated the 17th February, 2020

Copy forwarded to all Branches of G.A. Department / Guard file (10 copies)/ G.A. & P.G. Department Library (10 copies) for information and necessary action.

17.2.2020

Special Secretary to Government

Memo No. 5655 /Gen., Dated the 17th February, 2020

Copy forwarded to the G.A.&P.G. (A.R. Cell)Department with a request to post this Notification in the website of G.A. & P.G. Department for general information.

17.2.2020

Special Secretary to Government

Memo No. 1312 Date 12-03-2020
Copy submitted to all subordinate offices of Revenue Administration / All appointing authorities of Line Deptt, Kalahandi for information and necessary action.

12/3/2020

Assistant Collector
Establishment Section