

# The Orissa



# Gazette

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No. 4342—Legis.-I-2/2001-H. U. D.

**GOVERNMENT OF ORISSA  
HOUSING & URBAN DEVELOPMENT DEPARTMENT**

**RESOLUTION**

The 24th January 2001

The General Administration Department in Notification No. 28761—S.-6-71/97-(pt.) Gen., dated the 7th October 1998 have framed a set of rules, regulation recruitment to the State Civil Services and Posts as a measure of rehabilitation assistance in case of Government servants who dies while in service. The rehabilitation assistance provided under the notification referred to above, is conceived as a compassionate measure of serving the family of Government servant from immediate distress when the Government servant suddenly dies. The facilities provided under these rules have been extended to the families of non-Government Primary School Teachers, Teachers of aided institutions under Education & Youth Services Department and also to the Public Undertakings under the State Government.

2. Although the contingencies, for which, the above facilities have been allowed to the Government servants etc. in similar circumstances, such facilities have not been extended to the family members of the employees working in the Urban Local Bodies. As a result, the family members of such employees of Urban Local Bodies are facing lot of hardship.

3. After careful consideration Government have been pleased to decide that the facilities similar to those provided to the Government servants etc. in General Administration Department Notification referred to above, would also be extended *mutatis and mutandis* to the employees working in the Urban Local Bodies, Development Authorities, Orissa State Municipal Union and other bodies under the administrative control of H. & U. D. Department. Accordingly, a scheme to regulate recruitment to posts and services as a measure of rehabilitation assistance in the line of the General Administration Department Notification referred to above has been prepared and is annexed to this Resolution to be followed by all Urban Local Bodies.

**ORDER**—Ordered that the Resolution be published in the next issue of the *Orissa Gazette*.

By order of the Governor

**R. N. DASH**

Director, Municipal Administration &  
*Ex Officio* Additional Secretary to  
Government

**An Amendment scheme to Regulate Recruitment to Posts and Services as a measure of Rehabilitation Assistance**

Short title & Commencement.

1. (1) The scheme may be called (Rehabilitation Assistance) Amendment Scheme, 1998  
 (2) It shall come into force on the date of its publication in the *Orissa Gazette*

Definition.

2. In the scheme unless the context otherwise requires :—

(a) "Deserving Case" means a case where the appointing authority is satisfied, after making such enquiry as may be necessary :—

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

(ii) That there is existence of distress condition in the family after death of the employee.

(iii) That none of the family members of the employee who has dies while in service is already in employment of Government/Public or Private Sector or engaged in independent business with an earning up to rupees twenty thousand a year ; and

(iv) That the family does not have adequate income from the immovable properties to earn its livelihood.

"Explanation"—The income of any earning member will be taken into account for the purpose of assessing the annual gross income of the family if his separation from the family has not been established by registered partition deed made prior to the death of the Urban Local Body employee.

(b) "Family Members" shall mean and include the following members in order of preference;—

(i) Wife/Husband ;

(ii) Sons or step sons or sons legally adopted through a registred deed ;

(iii) Unmarried daughters and married step daughters ;

(iv) Widowed daughters, if they reside with the affected family ; and

(v) Unmarried or widowed sister permanently residing with the affected family.

(c) Urban Local Body includes Municipal Corporations, Municipalities and Notified Area Councils.

(d) "Rehabilitation Assistance" means the assistance provided under the scheme to a member of the family of a servant of the Urban Local Body who dies while in service.

(e) "Year" means the calendar year.

Applicability 3. "The Assistance shall be applicable to a member of a family of the employee of the Urban Local Body who dies while in service."

Objective of 4. The Rehabilitation Assistance is conceived as a compassionate measure of saving the family of an Urban Local Body employee from immediate distress when the Urban Local Body employee suddenly dies while in service. The concept is based on the premises that in case of sudden death his family would not face starvation. The scheme has a direct relationship with the economic condition of the family of the Urban Local Body employee. Appointment of the family member of the Urban Local Body employee under the scheme shall be subject to the provisions contained in Para. 9 of the scheme and can not be claimed as a matter of right.

**Appointment to be made in deserving cases following the procedure prescribed for.**

5. In deserving cases a member of the family of an Urban Local Body employee who dies while in service, may be appointed to any Group C or Group D posts only by the appointing authority of that deceased Urban Local Body employee provided he/she possess 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 or the Examining Authority is not necessary.

**Authority competent to make compassionate Appointment.**

6. The authority competent to make substantive appointment to the post shall be the competent authority to make appointment under the scheme.

**Posts to which such appointment can be made.**

7. Appointment under the scheme 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. 6,000-00 and Rs. 3,200-00 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 advancement in service, he will have to take his chance in the normal course and compete with other eligible persons.

**Mode of Appointment.**

8. (1) (a) Application for an appointment shall be made in Form A to the scheme to the appointing authority under whom the deceased Urban Local Body employee 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 is in financial distress.

(c) On receipt of a requisition from the appointing authority under Para. 8 (b) of the scheme, 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 report, consider the same and in case of favourable report, appoint the applicant in a suitable available vacancy under his control. If such a vacancy does not exist under his administrative control, the appointing authority may forward the application to the Director, Municipal Administration in Housing & Urban Development Department with suitable recommendations. The Director, Municipal Administration shall try to locate vacancies in any of the Urban Local Body for appointment to the applicant. If no vacancy is immediately available the applicant shall be considered for the immediate subsequent vacancy.

(2) Notwithstanding anything contained in Para. 8 (1) (b) and (c), if the report of the Collector can not be received within one month from the date of reference, the appointing authority may appoint the applicant, if vacancy is available subject to the condition that in case of adverse report made by the Collector, his services will be terminated without assigning any reasons therefor.

**Condition of Service.**

9. (1) Appointment under the scheme can be made only against the post required to be filled up by direct recruitment and not against posts filled up by promotion.

(2) Subject to the provisions contained in sub-rule (3) the applicant for appointment to a particular post, under rehabilitation assistance scheme, must have the requisite qualifications as prescribed in the relevant recruitment rules/resolutions or instructions regulating the recruitment to the said post".

- "(3) Where a widow of the deceased Urban Local Body employee 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 educational qualification".
- "(4) Family of an Urban Local Body employee who dies while on re-employment or extension of service shall not be eligible for any benefit under the scheme".
- "(5) Application for appointment under the scheme shall be considered if it is received within one year from the date of death of the Urban Local Body Employee".
- "(6) If at the time of <sup>death of</sup> the employee, there is legal heir who is a minor and who alone is available for employment, he/she shall apply for a job under the scheme as soon as he/she attains the age of eighteen years and in no case beyond one year from such age".
- (7) In exceptional cases the maximum age-limit may be relaxed by the competent authority in accordance with the provisions of the Orissa Municipal Rules, 1953.
- (8) Before issue of appointment order the appointing authority shall ensure the production of the following documents :—
- (i) Submission of Medical Certificate of health
  - (ii) Character Certificates from two Officers of Government not below the rank of Group-B Government Servant.
  - (iii) Submission of under taking that he/she has only one spouse living, if he/she is married.
- Termination of Service.** 10. Suppression of correct information of 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 may be liable under the existing laws and this will also debar other members of his family from getting appointment under the scheme.
- Extension of the Scheme.** 11. The facilities provided under the scheme shall, *mutatis mutandis*, be applicable to the families of employees working in the Lodging House Fund Committee and also Orissa State Municipal Councils Union. They shall be eligible for appointment to Group C or Group D posts only by way of direct recruitment.
- Seniority** 12. Seniority of person, appointed under the scheme in the Group of the service or posts in which the appointment is made, shall be fixed below the persons recruited and appointed in that Group in that year as per the provisions of the relevant recruitment rules/procedure and in other cases according to their date of joining in the post.
- Interpretation.** 13. If any doubt or question arise relating to the interpretation of any provision of the scheme it shall be referred to the Housing & Urban Development Department for decision whose decision shall be final.

## ANNEXURE A

[See rule 8 (i) (a)]

## FORM OF APPLICATION FOR APPOINTMENT UNDER THE REHABILITATION ASSISTANCE SCHEME (TO BE SUBMITTED IN DUPLICATE)

## PART I

1. Name of the deceased Urban Local Body employee
2. Designation and office of the employee
3. Whether permanent or temporary
4. Total length of service rendered
5. Date of death (enclose an attested copy of the death certificate issued by the Health and Family Welfare Department.)
6. List of family members as per the legal heir certificate issued by the concerned Tahasildar
7. Income and status of each of the legal heirs
8. If any of the members listed under item 6 has been appointed under compassionate ground, if so give particulars of such appointment.
9. Total assets of the deceased employee—
  - (a) Details of immovable property, if any, in the name of deceased employee and members of family.
  - (b) Movable property
  - (c) Pension, family pension, D. C. R. G. leave encashment etc.

## PART II

10. Name of the Candidate for Appointment
11. His/her relationship with the deceased employee
12. Date of birth
13. Particulars of Educational/Technical qualification and experience, if any
14. Whether belongs to any of the following categories :—
  - (a) Scheduled Caste/Scheduled Tribes
  - (b) Ex-Servicemen
  - (c) Physically Handicapped
  - (d) Sportsmen

15. The post applied for

I, Shri/Smt./Kumari .....

son/daughter/wife of Shri.....  
 hereby declare that the information furnished above is true to the best of my knowledge and belief.  
 If any of the facts herein mentioned are found to be incorrect or false at the future date my service can  
 be terminated by the appointing authority without furnishing notice or reasonable opportunity  
 of hearing.

Date.....

Signature of the Applicant

**PART III**

Forwarded to Collector.....  
for enquiry and report whether the family of the deceased employee is in distress financially.

Appointing Authority  
(Seal & Designation)

**PART IV**

(Certificate by Collector of the District)

Certified that the information furnished by the applicant in this application form have been enquired into and found correct/incorrect. The family of the deceased employee is in distress. The annual income of the family from all sources excluding pension and Death-cum-Retirement Gratuity, Leave encashment is Rs..... for the year.

Forwarded to the.....

(Appointing Authority)

Collector & District Magistrate  
(Seal & Signature)

(No authority except the Collector & District Magistrate shall sign this certificate)