

F. No. 43019/9/2019-Estt.(D)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

North Block, New Delhi,
Dated the 23rd August, 2021

Office Memorandum

Sub: - Consolidated instructions on compassionate appointment – Replacement of Para 13 - regarding.

The undersigned is directed to say that consolidated instructions on compassionate appointment under the Central Government were issued vide this Department's O.M. No. 14014/2/2012-Estt. (D) dated 16.1.2013. Para 13 of these consolidated instructions provides guidelines to the competent authorities in Ministries/Departments for dealing with requests/ applications seeking appointment on compassionate grounds and disposal of such requests/ applications thereof by the Ministries/Departments.

2. References have been received from different Ministries/ Departments relating to the procedure and modalities involved in processing claims of compassionate appointment. The lack of uniformity in processing such claims by different Government offices, has also come under scrutiny of the Courts, including Central Administrative Tribunals. As a result, a need has been felt to bring in more objectivity and transparency as well as streamline the process in dealing with requests/Applications seeking compassionate appointment. The Hon'ble Jabalpur Bench of the Central Administrative Tribunal, in its Order dated 26.9.2019, in O.A. No. 202/00756/2017 of Deepanshu Raje v/s Union of India & Others, *inter-alia*, directed Secretary, Department of Personnel and Training, to issue revised guidelines, so as to bring in more transparency and probity in the system in processing the claims of Compassionate Appointment.

3. Therefore, after careful examination, the procedure, as provided in O.M. dated 16.1.2013, has been reviewed in consultation with the major stakeholder Ministries/Departments. Accordingly, it has been decided to substitute existing Para 13 of the consolidated instructions (OM dated 16.1.2013), with revised Para 13 given in Appendix.

4. All Ministries/Departments may circulate these revised instructions to all offices under their administrative control and also issue, wherever necessary, departmental instructions for supplementing these guidelines, for dealing with requests/applications seeking appointment on compassionate grounds.

Pradeep Kumar
23/08/2021
(Pradeep Kumar)

Under Secretary to the Govt. of India
Tel. No. 23040339

To,

All Ministries/Department of Government of India (as per standard list)

Copy to:

1. President's Secretariat/Vice-President's Secretariat/Prime Minister's Office/Cabinet Secretariat/Rajya Sabha Secretariat/Lok Sabha Secretariat/UPSC/CVC/C&AG/SSC, New Delhi.
2. The Registrar General, Supreme Court of India, New Delhi.
3. The Registrar, Central Administrative Tribunal, Principal Bench, New Delhi.
4. Central Information Commission, Baba Gangnath Marg, Munirka, New Delhi-110067.
5. All attached/subordinate offices of Ministry of Personnel, Public Grievances and Pensions.
6. National Commission for Scheduled Castes/Scheduled Tribes, New Delhi.
7. National Commission for Minorities, New Delhi.
8. National Commission for OBCs, New Delhi.
9. Secretary, Staff Side, National Council (JCM), 13-C, Ferozeshah Road, New Delhi
10. All Officers and Sections in the Department of Personnel and Training.
11. NIC (DOP&T) for placing this OM on the website of DOP&T
12. Hindi Section, DOPT for Hindi version.

Pradeep Kumar
23/08/2021

(Pradeep Kumar)

Under Secretary to the Government of India

APPENDIX TO O.M. No. 43019/9/2019-Estt.(D) DATED 23rd August, 2021

13. **PROCEDURE** (existing para 13 of OM dated 16.1.2013 stands substituted as follows)
- i) The Welfare Officer in each Ministry/Department/Office or a senior officer may be deputed to meet the family members of the deceased Government Servant and apprise them of the terminal benefits available to the family. This may be done at the earliest possible, preferably, within 30 days of death.
 - ii) In case it is observed by the Welfare Officer/Senior Officer that the condition of the family of the deceased Government Servant is indigent, the family should also be apprised of the scheme for compassionate appointment.
 - iii) In such cases, the Welfare Officer or any other Officer would assist the family member of the deceased Government servant in applying for appointment on compassionate grounds. The application should be made in the format prescribed as in Annexure. All assistance should be extended to enable such family member to fill the Application Form for compassionate appointment. The Applicant should be advised in person about the requirements and formalities to be completed by him. The Applicant should also be given detailed information of the posts to which they can apply.
 - iv) The Administration shall satisfy itself regarding the correctness of the details entered in the Application form and family income and other details computed for processing the Application. During scrutiny, if any additional details or information having a bearing on the case, emerge, the same should be added as supplementary Note to the Application.
 - v) Every application found to be in order, should be acknowledged by assigning a unique Registration number. All pending Applications should also be assigned unique registration number. This may be done within 2 to 3 weeks of time. Once a unique registration number has been assigned to an application, the Applicant, including those whose applications are pending, may be informed through email or other forms of communication (including digital modes of communication) of their Unique Application Registration Number.
 - vi) Some Departments such as CBIC, D/o Posts, D/o Defence have devised their own point based merit system, for processing claims for compassionate appointment. In order to bring in transparency and objectivity in dealing with such claims, all Ministries/Departments, who have not yet developed such a system, may do so by devising their own point based merit system for assessing the merit of the claims of compassionate appointments.
 - vii) While informing the Applicants of the registration number of their Application, they may also be informed of the likely number of vacancies likely to be available to be filled on compassionate grounds as well as be provided with a copy of the point based merit system.
 - viii) To consider the various applications and to recommend individual applicant for grant of compassionate appointment, a Committee, comprising three members (one Chairman and two Members), may be constituted. The Committee may be chaired by an Officer not below the rank of Director/Deputy Secretary in the Ministry/Department and officers of equivalent rank in the case of attached and subordinate offices.

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- ix) The Committee may preferably meet once in a year, to consider all fresh requests received in the last calendar year, in addition to pending applications. In case large number of applications are received at different times during the calendar year, the Committee may meet twice or more to consider the applications.
- x) Prior to every meeting of the Committee, the Applicants whose applications are being considered, should be informed, through email or other forms of communication (including digital modes of communication), of the number of vacancies in each grade for which they are being considered as also the date the Committee is due to meet to consider their Application. However, the Applicant(s) would not be required to have any personal interaction, either with the Administration or the Committee and that the Applicants may not be asked to be present during the meeting of the Committee.
- xi) Every valid application shall be assessed strictly on the basis of the point based merit system formulated by the concerned administrative Ministry/Department.
- xii) The Committee should make its recommendation for appointment on compassionate ground as per the total points obtained by each Applicant, under the applicable point based merit system.
- xiii) The result of each round of selection should be communicated to the Applicants. The points awarded against each parameter alongwith total merit points earned, should be provided to the Applicants through email or other forms of communication.
- xiv) The minutes of each meeting of the Committee including the merit points earned by each Applicant should also be placed, within a period of three weeks from the date of meeting of the Committee, in public domain on the website of the Ministry/Department/Organisation for information of all concerned.
- xv) Recommendation of the Committee should be placed before the competent authority for a decision. If the competent authority disagrees with the committee's recommendation, the case may be referred to the next higher authority for a decision.

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PROFORMA REGARDING EMPLOYMENT OF DEPENDENTS OF GOVERNMENT SERVANTS DYING WHILE IN SERVICE/RETIRED ON INVALID PENSION

PART-A

- I. (a) Name of the Government servant (Deceased/retired on medical ground)
- (b) Designation of the Government Servant
- (c) Whether it is MTS(erstwhile Group 'D')or not?
- (d) Date of Birth of the Government Servant
- (e) Date of death/retirement on medical grounds
- (f) Total length of Service rendered
- (g) Whether permanent or temporary
- (h) Whether belonging to SC/ST/OBC
- II. (a) Name of the candidate for appointment
- (b) His/Her relationship with the Government Servant
- (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) D.C.R. Gratuity
- (c) G.P.F. Balance
- (d) Life Insurance Policies (including Postal Life Insurance)
- (e) Moveable and Immovable properties & annual income earned therefrom by the family.
- (f) C.G.E. Insurance amount
- (g) Encashment of leave
- (h) Any other assets
- Total**
- IV. Brief particular of liabilities, if any.
- V. Particulars of all dependent family members of the Government servant (if Some are employed, their income and whether they are living together or separately

S.No.	Name(s)	Relationship with Govt. servant	Age	Address	Employed or not if employed particulars of employment and emoluments)
1					
2					
3					

- VI. **Declaration/Undertaking**
- 1. I hereby declare that the facts given by me above are, to the best of my knowledge, 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 Government servant/Member of the Armed Forces mentioned against 1(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.....

Mobile No.....

Email ID.....

PART-B

(TO BE FILLED IN BY OFFICE IN WHICH EMPLOYMENT IS PROPOSED)

- I. (a) Name of the candidate for Appointment. _____
- (b) His/Her relationship with the Government servant. _____
- (c) Age (date of birth), educational qualifications and experience, If any. _____
- (d) Post (Group C) which employment is Proposed _____
- (e) Whether there is vacancy in that post within the ceiling of 5% prescribed under the scheme of compassionate appointment. _____
- (f) Whether the post to be filled is included in the Central Secretariat Clerical Service or not. _____
- (g) Whether the relevant Recruitment Rules provide for direct recruitment. _____
- (h) Whether the candidate fulfils the requirements of the Recruitment Rules for the post. _____
- (i) Apart from waiver of Employment Exchange/Staff Selection Commission procedure what other relaxation are to be given. _____
- (II) Whether the facts mentioned in Part-A have been verified by the office and if so, indicate the records. _____
- (III) If the Government servant died/retired on medical grounds more than 5 years back, why the case was not sponsored earlier. _____
- (IV) Personal recommendation of the Head of the Department in the Ministry/ Department/Office.
(With his signature and office Stamp/seal) _____