



राष्ट्रीय विज्ञान संग्रहालय परिषद
National Council of Science Museums
संस्कृति मंत्रालय, भारत सरकार
Ministry of Culture, Govt. of India
कोलकाता/Kolkata-700091

SCHEME FOR COMPASSIONATE APPOINTMENT IN NCSM

1. OBJECT

The object of the Scheme is to grant appointment on compassionate grounds to a dependent family member of a Council servant dying in harness or who is retired on medical grounds, thereby leaving his/ her family in penury and without any means of livelihood, to relieve the family of the Council servant concerned from financial destitution and to help it get over the emergency.

2. TO WHOM APPLICABLE

To a dependent family member of a Council servant who:

- a. dies while in service; or
- b. is retired on medical grounds under Rule 2 of the CCS (Medical Examination) Rules 1957 or the corresponding provision in the Central Civil Service Regulations before attaining the age of 55 years or
- c. is retired on medical grounds under Rule 38 of the CCS(Pension) Rules, 1972 or the corresponding provision in the Central Civil Service Regulations before attaining the age of 55 years
- d. is retired on medical grounds under CCS(Pension) Rules, 1972

e. **Note I** "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 unmarried Council servant who was wholly dependent on the Council servant at the time of his/ her death in harness or retirement on medical grounds, as the case may be.

Note II "Council servant" for the purpose of these instructions means employee of National Council of Science Museums appointed on regular basis and not on ad-hoc or contract or reemployment basis.

Note III "Service" includes extension in service (but not re-employment) after attaining the normal age of retirement in a civil post.

Note IV "Re-employment" does not include employment of ex-serviceman before the normal age of retirement in a civil post.

3. **AUTHORITY COMPETENT TO MAKE COMPASSIONATE APPOINTMENT**

- a. Director, NCSM (Hqrs)
- b. Director of the concerned Museum/Centre
- c. Director General, NCSM in special type of cases.

4. **POSTS TO WHICH SUCH APPOINTMENTS CAN BE MADE**

Group 'C' posts against the direct recruitment quota.

5. **ELIGIBILITY**

- a. The family is indigent and deserves immediate assistance for relief from financial destitution; and
- b. Applicant for compassionate appointment should be eligible and suitable for the post in all respects under the provisions of the relevant Recruitment Rules.

6. **A. EXEMPTIONS**

Compassionate appointments are exempted from observance of NCSM Service (RAP) Amendment Rules, 2018 and NCSM Service (RP) Amendment Rules, 2018.

B. RELAXATIONS

Upper age limit could be relaxed wherever found to be necessary. However, maximum age limit in no case beyond 55 years. The lower age limit should, however, in no case be relaxed below 18 years of age.

Note I Age eligibility shall be determined with reference to the date of application and not the date of appointment;

Note II Authority competent to take a final decision for making compassionate appointment in a case shall be competent to grant relaxation of upper age limit also for making such appointment.

Note DG, NCSM shall be the competent authority for this purpose.

7. **DETERMINATION/ AVAILABILITY OF VACANCIES**

- a. Appointment on compassionate grounds should be made only on regular basis and that too only if regular vacancies meant for that purpose are available.
- b. Compassionate appointments can be made upto a maximum of 5% of vacancies falling under direct recruitment quota in any Group 'C' post. The appointing authority may hold back upto 5% of vacancies in the aforesaid categories to be filled by direct recruitment. A

person selected for appointment on compassionate grounds should be adjusted in the recruitment roster against the appropriate category viz SC/ST/ OBC/General depending upon the category to which he/she belongs. For example, if he/she belongs to SC category he/she will be adjusted against the SC reservation point, if he/she is ST/OBC he/she will be adjusted against ST/OBC point and if he/she belongs to General category he/she will be adjusted against the vacancy point meant for General category.

- c. While the ceiling of 5% for making compassionate appointment against regular vacancies should not be circumvented by making appointment of dependent family member of Council servant on casual/ daily wage/ ad-hoc/contract basis against regular vacancies, there is no bar to considering him/her for such appointment if he/she is eligible as per the normal rules/ orders governing such appointments.
- d. The Committee constituted for considering a request for appointment on compassionate grounds should limit its recommendation to appointment on compassionate grounds only in a really deserving case and only if vacancy meant for appointment on compassionate grounds will be available within a year, that too within the ceiling of 5% of vacancies falling under DR quota in Group 'C' posts.
- e. Calculation of vacancies by grouping of posts - Grouping of posts for the purpose of calculation of vacancies for appointment on compassionate grounds is allowed. Consequently, Group 'C' posts in which there are less than 20 direct recruitment vacancies in a recruitment year may be grouped together and out of the total number of vacancies 5% may be filled on compassionate grounds subject to the condition that appointment on compassionate grounds in any such post should not exceed one. For the purpose of calculation of vacancies for compassionate appointment, fraction of a vacancy either half or exceeding half but less than one may be taken as one vacancy.
- f. Liberalized method of calculation of vacancies

For the purpose of these instructions a define as where no vacancy for compassionate appointment could be located under 5% quota for the last 3 years then the total of DR vacancies in Group 'C' arising in each year for 3 or more preceding years and calculate 5% of vacancies with reference to the grand total of vacancies of such years, for locating one vacancy for compassionate appointment. This is subject to the condition that no compassionate appointment was / has been made by NCSM during 3 years or number of years taken over and above 3 years for locating one vacancy under 5% quota.

- g. The compassionate appointment can also be made against technical 'posts' at Group 'C'. The 5% quota of vacancies will be calculated on the basis of total DR vacancies arising in a year in the technical posts.

8. TIME LIMIT FOR CONSIDERING APPLICATIONS FOR COMPASSIONATE APPOINTMENT:

Prescribing time limit for considering applications for compassionate appointment will be subject to availability of a vacancy and instructions on the subject issued by NCSM and as amended from time to time, any application for compassionate appointment is to be considered without any time limit and decision taken on merit in each case

9. BELATED REQUESTS FOR COMPASSIONATE APPOINTMENT

- a. To consider requests for compassionate appointment even where the death or retirement on medical grounds of a Council servant took place long back, say five years or so. While considering such belated requests it should, however, be kept in view that the concept of

compassionate appointment is largely related to the need for immediate assistance to the family of the Council servant in order to relieve it from economic distress. The very fact that the family has been able to manage somehow all these years should normally be taken as adequate proof that the family had some dependable means of subsistence. Therefore, examination of such cases would call for a great deal of circumspection. The decision to make appointment on compassionate grounds in such cases may, therefore, be taken only by DG, NCSM.

- b. Whether a request for compassionate appointment is belated or not may be decided with reference to the date of death or retirement on medical ground of a Council servant and not the age of the applicant at the time of consideration.
- c. The onus of examining the penurious condition of the dependent family will rest with the authority making compassionate appointment.

10. WIDOW APPOINTED ON COMPASSIONATE GROUNDS GETTING REMARRIED

A widow appointed on compassionate grounds will be allowed to continue in service even after re-marriage.

11. WHERE THERE IS AN EARNING MEMBER

- a. In deserving cases even where there is already an earning member in the family, a dependent family member may be considered for compassionate appointment with prior approval of the DG, NCSM who, before approving such appointment, will satisfy himself that grant of compassionate appointment is justified having regard to number of dependents, assets and liabilities left by the Council servant, income of the earning member as also his/her liabilities including the fact that the earning member is residing with the family of the Council servant and whether he/she should not be a source of support to other members of the family.
- b. In cases where any member of the family of the deceased or medically retired Council servant is already in employment and is not supporting the other members of the family of the Council servant, extreme caution has to be observed in ascertaining the economic distress of the members of the family of the Council servant so that the facility of appointment on compassionate ground is not circumvented and misused by putting forward the ground that the member of the family already employed is not supporting the family.

12. MISSING COUNCIL SERVANT

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

- (a) 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 Council servant has been missing, provided that:
 - (i) an FIR to this effect has been lodged with the Police,
 - (ii) the missing person is not traceable, and
 - (iii) the competent authority feels that the case is genuine;
- (b) This benefit will not be applicable to the case of a Council employee:-
 - (i) who had less than two years to retire on the date from which he/she has been missing;
 - or

- (ii) who is suspected to have committed fraud, or suspected to have joined any terrorist organisation or suspected to have gone abroad.
- (c) Compassionate appointment in the case of a missing Council employee also would not be a matter of right as in the case of others and it will be subject to fulfilment of all the conditions, including the availability of vacancy, laid down for such appointment under the scheme;
- (d) While considering such a request, the results of the Police investigation should also be taken into account; and
- (e) A decision on any such request for compassionate appointment should be taken only by DG, NCSM

13. **PROCEDURE**

A system of allocation of points for various attributes based on a hundred point scale. Keeping in view the administrative requirement in processing such applications for appointment on compassionate ground the following proforma has been made.

Sl.No.	Proforma	Title
1	Part A	Proforma regarding employment of dependents of employees who died while in service (To be filled by candidate/ applicant for appointment)
2	Part B	Proforma to be filled by the Office in which employment is proposed
3	Part C	Relative Merit Points Assessment on a 100-point scale for compassionate appointment

The system of weightage not only awards objectivity to the entire method but also ensures complete transparency and uniformity in the selection process. It is necessary to strictly follow this weightage points system keeping in view the instructions issued by the DoP&T, Govt. of India from time to time for assessing comparative merit of the applicants for compassionate appointment.

- a. The proforma as in Annexures may be used for ascertaining necessary information and processing the cases of compassionate appointment.
- b. An application for appointment on compassionate grounds should be considered in the light of the instructions issued from time to time by NCSM on the subject by Directors' Committee. The applicant may also be granted personal hearing by Directors' committee, if necessary, for better appreciation of the facts of the case, in case there are more number of applications for compassionate appointment.
- c. Recommendation of the committee should be placed before the competent authority who shall take a final decision for compassionate appointment.
- d. The designated officer/s should meet the members of the family of the Council servant in question immediately after his/her death to advise and assist them in getting appointment on compassionate grounds. The applicant should be called in person at the very first stage and advised in person about the requirements and formalities to be completed by him/her.

14. UNDERTAKING FOR MAINTENANCE OF THE FAMILY OF THE DECEASED EMPLOYEE

A person appointed on compassionate grounds under the scheme should give an undertaking in writing (as in Annexure) that he/she will maintain properly the other family members who were dependent on the Council servant in question 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. The question of its legal enforceability it should be incorporated as one of the additional conditions in the offer of appointment applicable only in the case of appointment on compassionate grounds.

15. REQUEST FOR CHANGE IN POST/PERSON

When a person has been appointed on compassionate grounds to a particular post, the set of circumstances, which led to such appointment, should be deemed to have ceased to exist. Therefore, --

a. he/she should strive in his/her career like his/her colleagues for future advancement and any request for appointment to any higher post on considerations of compassion should invariably be rejected.

b. an appointment made on compassionate grounds cannot be transferred to any other person and any request for the same on considerations of compassion should invariably be rejected.

16. SENIORITY

A person appointed on compassionate ground in a particular year may be placed at the bottom of all the candidates recruited/appointed through direct recruitment, promotion etc. in that year, irrespective of the date of joining of the candidate on compassionate ground.

17. TERMINATION OF SERVICE

The compassionate appointments can be terminated on the ground of noncompliance of any condition stated in the offer of appointment after providing an opportunity to the compassionate appointee by way of issue of show cause notice asking him/her to explain why his/her services should not be terminated for non-compliance of the condition(s) in the offer of appointment and it is not necessary to follow the procedure prescribed in the Disciplinary Rules for his purpose.

In order to check its misuse, it has also been decided that this power of termination of services for non-compliance of the condition(s) in the offer of compassionate appointment should vest only with the DG, NCSM.

18. GENERAL

- a. Appointments made on grounds of compassion should be done in such a way that persons appointed to the post do have the essential educational and technical qualifications and experience required for the post consistent with the requirement of maintenance of efficiency of administration.
- b. An application for compassionate appointment should, however, not be rejected merely on the ground that the family of the Council servant has received the benefits under the various welfare schemes. While considering a request for appointment on compassionate ground a balanced and objective assessment of the financial condition of the family has to be made taking into account its assets and liabilities (including the benefits received under the various welfare schemes mentioned above) and all other relevant factors such as the presence of an earning member, size of the family, ages of the children and the essential needs of the family, etc. as per Annexures.
- c. Compassionate appointment should not be denied or delayed merely on the ground that there is reorganization in the Ministry/ Department in which NCSM is functioning. It should be made available to the person concerned if there is a vacancy meant for compassionate appointment and he or she is found eligible and suitable under the scheme.
- d. The scheme is not misused by seeking retirement on medical grounds at the fag end of one's career and the Council servants who get meagre invalid pension in comparison to others.

19. IMPORTANT POINTS

Following important principle points may also be kept in view while considering cases of compassionate appointment: -

- i. Only dependents of an employee dying in harness leaving his family in penury and without any means of livelihood can be appointed on compassionate ground.
- ii. The post in Group 'C' is the lowest post in non-manual and hence alone can be offered on compassionate grounds and no other post i.e. in the Group 'A' or Group 'B' category is expected or required to be given for this purpose as it is legally impermissible.
- iii. The whole object of granting compassionate appointment is to enable the family to tide over the sudden crisis and to relieve the family of the deceased from financial destitution and to help it get over the emergency.
- iv. Offering compassionate appointment as a matter of course irrespective of the financial condition of the family of the deceased or medically retired Council servant is legally impermissible.
- v. Neither the qualifications of the applicant (dependent family member) nor the post held by the deceased or medically retired Council servant is relevant. If the applicant finds it below his dignity to accept the post offered, he is free not to do so. The post is not offered to cater to his status but to see the family through the economic calamity.
- vi. Compassionate appointment cannot be granted after lapse of a reasonable period and it is not a vested right which can be exercised at any time in future.
- vii. Compassionate appointment cannot be offered by an individual functionary on an ad-hoc basis.

- viii. High Courts and Administrative Tribunals cannot give direction for appointment of a person on compassionate grounds, but can merely direct consideration of the claim for such an appointment.
- ix. Appointment on compassionate grounds can be made only if a vacancy is available for that purpose.
- x. In dealing with cases of compassionate appointment, it is imperative to keep this vital aspect in mind that "an appointment made many years after the death of the employee or without due consideration of the financial resources available to his/her dependents and the financial deprivation caused to the dependents as a result of his death, simply because the claimant happened to be one of the dependents of the deceased employee would be directly in conflict with Articles 14 & 16 of the Constitution and hence, quite bad and illegal. "

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

PART – A

- I. (a) Name of the Council servant -----
(Deceased/retired on medical grounds).

- (b) Designation of the Council servant. -----

- (c) Date of birth of the Council Servant. -----
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- (d) Date of death/ retirement on medical -----
grounds.

- (e) Total length of service rendered. -----

- (f) Whether permanent or temporary. -----

- (g) Whether belonging to SC/ST/OBC. -----

- II. (a) Name of the candidate for -----
appointment.

- (b) His/her relationship with the -----
Council 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 and 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 Council servant (if some are employed, their income and whether they are living together or separately).

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

- 1.
- 2.
- 3.
- 4.
- 5.

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 Council servant 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
and the facts mentioned by him/her are correct.

Date:

Signature of permanent
Council servant.

N a m e:

Address:

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

Date:

Signature of
permanent
Council servant.

Name:

Address:

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 Council 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 ceiling of 5% prescribed under the scheme of compassionate appointment.	_____
	(f) Whether the relevant Recruitment Rules provide for direct recruitment.	_____
	(g) Whether the candidate fulfills the criteria of the Recruitment Rules for 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 Council 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 Office.	_____

(With his signature
and office
Stamp/seal)

**RELATIVE MERIT POINTS ASSESSMENT ON A 100 POINT SCALE FOR
COMPASSIONATE APPOINTMENT**

Part – C

Sl. No.	PARAMETER	POINTS ALLOTTED TO THE PARAMETER	POINTS SCORED BY THE CANDIDATE
1	Family pension/ Monthly amount (Excluding DR & Allowance)	20	
2	Terminal Benefits (DCRG, GPF/PPF, LIC/PLI, Leave encashment, etc)/ Lump sum amount under NPS etc.	10	
3	Annual income of earning members and income from property	10	
4	Moveable/ Immovable property	10	
5	Left over service of deceased	15	
6	Number of Dependents i.e., Mother or Father, Spouse (wife) only	10	
7	Dependent unmarried daughters	10	
8	Dependent minor children	10	
9	Unmarried major son (up to 25 years of age) and Dependent major son i.e. physically & mentally challenged (without age limit)	05	
	TOTAL	100	

Table for allocation of points to various attributes based on a 100 point-scale for Proforma 'C'

(20 points)

1. Family Pension (Basic excluding DA & Allowances)

SL. No.	Proposed slab	Points
1	Upto 10,000	20
2	10,001- 13,000	18
3	13,001-16,000	16
4	16,001-19,000	14
5	19,001-22,000	12
6	22,001-25,000	10
7	25,001-28,000	08
8	28,001 & Above	06

2. Terminal benefits i.e. Lump sum amount by the family on death of Council Servant (i.e. DCR Gratuity, GPF/PPF A/c Balance, LIC/PLI, CGEIGS, Leave encashment Etc.)/ Lump sum amount under NPS etc.

(10 points)

Terminal Benefits			
For post 01.01.2016 death cases	For death cases between 01.01.2006 to 31.12.2015	For pre 01.01.2006 death cases	Weightage Points
Upto 10,00,000	Upto 4,50,000	Upto 1,00,000	10
10,00,001- 11,87,500	4,50,001-5,25,000	1,00,001 - 1,20,000	09
11,87,501-13,75,000	5,25,001-6,00,000	1,20,001 – 1,40,000	08
13,75,001-15,62,500	6,00,001-6,75,000	1,40,001- 1,60,000	07
15,62,501-17,50,000	6,75,001-7,50,000	1,60,001- 1,80,000	06
17,50,001-19,37,500	7,50,001-8,25,000	1,80,001-2,00,000	05
19,37,501-21,25,000	8,25,001-9,00,000	2,00,001-2,20,000	04
21,25,001-23,12,500	9,00,001-9,75,000	2,20,001-2,40,000	03
23,12,501-25,00,000	9,75,001-10,50,000	2,40,001-2,60,000	02
25,00,001-26,87,500	10,50,001-11,25,000	2,60,001-3,00,000	01
26,87,501 & Above	11,25,000 & Above	3,00,001 & Above	00

3. Annual income of earning members & Income from Property

(10 points)

SL. No.	Annual Income	Weightage Points
1	Nil	10
2	1-1,05,000	08
3	1,05,001-1,35,000	06
4	1,35,001-1,65,000	04
5	1,65,001-1,95,000	02
6	1,95,001 & Above	00

4. Movable/ Immovable Property

(10 Points)

SL. No.	Proposed slab	Weightage Points
1	Nil	10
2	Upto 5,00,000	08
3	5,00,001-10,00,000	06
4	10,00,001-15,00,000	04
5	15,00,001-20,00,000	02
6	20,00,001 & Above	00

5. Left over service of Deceased

(15 Points)

Left over service of deceased	Weightage Points	Left over service of deceased	Weightage Points	Left over service of deceased	Weightage Points
Upto 02 Years	01	Upto 12 Years	06	Upto 22 Years	11
Upto 04 Years	02	Upto 14 Years	07	Upto 24 Years	12
Upto 06 Years	03	Upto 16 Years	08	Upto 26 Years	13
Upto 08 Years	04	Upto 18 Years	09	Upto 28 Years	14
Upto 10 Years	05	Upto 20 Years	10	30 Years & Above	15

6. Dependents i.e. Mother or Father, Spouse (House Wife) only

(10 Points)

SL.NO.	No. of Dependents	Weightage Points
1	Single or Both Parents	05
2	Wife	05

7. Dependent married/unmarried/widowed/divorced daughters of deceased Government Servant

(10 Points)

SL.NO.	No. of Dependent married / unmarried / widowed / divorced daughters of deceased Government Servant	Weightage Points
1	01	05
2	02 & Above	10

8. Dependent minor children of deceased Government Servant OR dependent sister(s) / brother(s) of an unmarried deceased Government Servant

(10 Points)

SL.NO.	No. Dependent minor children of deceased Government Servant OR dependent sister(s) / brother(s) of an unmarried deceased Government Servant	Weightage Points
1	01	05
2	02 & Above	10

9. Unmarried Major Son (upto 25 years of age) and Dependent major son i.e. Physically and mentally challenged (without age limit)

(05 points)

SL. NO.	No. of Unmarried Major Son / Dependent Major son	Weightage Points
1	01	03
2	02 & Above	05

- ✚ In addition to the above, cases where the wife of deceased official has applied for compassionate appointment for herself, she shall get 15 additional points as grace points. She will be in line with the general principal that the widow needs to be given preference for compassionate appointment.
