

Orissa Civil Services (Compassionate Grant) Rules, 1964

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Rule

ORISSA-CIVIL-SERVICES-COMPASSIONATE-GRANT-RULES-1964 of 1964

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Orissa Civil Services (Compassionate Grant) Rules, 1964Published vide Notification No. 2986-Codes 107/63-F, dated 3.2.1964No. 2986-Codes 107/63-F, dated 3.2.1964. - In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Orissa is pleased to make the following Rules, namely :

1.

(1)These rules may be called the Orissa Civil Services (Compassionate Grant) Rules, 1964.(2)They shall come into force at once.(3)These rules shall apply to all State Government servants including the work charged job-contract and contingency-paid employees other than daily-rated employees.Explanation - For the removal of doubts it is hereby declared that these rules shall not apply to persons to whom the Workmen's Compensation Act, 1923 (Act 8 of 1923) applies and the members of the All-India Services.

2.

In these rules, unless the context otherwise requires -(a)'accident' means(i)a sudden and unavoidable mishap; or(ii)a mishap due to an act of devotion to duty in an emergency;(b)Family in relation to a deceased Government servant includes-(i)wife or husband;(ii)sons;(iii)unmarried and widowed daughters, including step children and adopted children;(iv)brothers below the age of 18 years including step brothers and unmarried and widowed sisters including step sisters;(v)father;(vi)mother; and(vii)children or a pre-deceased son, who are actually dependent on the deceased Government servant.(c)'Form' means form to these rules;(d)'Government' means the Government of Orissa;(a)'injury' means bodily injury resulting from violence or

accident;(f)'Violence' means the act of a person, who inflicts an injury on a Government servant.(i)by assaulting or resisting him in the discharge of his duties, or in order to deter or prevent him from performing his duties, or(ii)because of anything done or attempted to be done by such Government servant or by any other Government servant in the lawful discharge of his duty as such, or(iii)because of his official position.

3.

(1)The family of a Government servant shall be eligible to Compassionate Grant under these rules in the event of death of the Government servant while in service subject to the following conditions, namely :(i)the deceased must have a meritorious Government servant and his death was caused or accelerated on account of special and unusual devotion to duty at the risk of his health, or(ii)the Government servant must have died by accident or violence while on duty.(2)A Government servant who sustains an injury on duty shall also be eligible to the Compassionate grant under these rules, subject to the production of a certificate from the Medical Authority to the effect that the injury has resulted in the permanent loss of an eye or limb or the injury is of a more serious nature.Explanation - For the purpose of this rule, the expression "Medical authority" means the Medical authority competent to certify a Government servant permanently incapacitated for further service under Government.

4.

(1)In determining the quantum of the Compassionate grant, the following factors shall be taken into account, namely :(a)the financial condition of the applicant;(b)non-availability of adequate medical facilities at the place where a deceased or injured Government servant was working at the time of his death or injury;(c)the pension and/or gratuity to which an injured Government servant or the family of the deceased Government servant entitled to; and(d)pension or gratuity sanctioned under Rule 14 of the Orissa Civil Services (Extraordinary Pension) Rules.(2)Subject to the provisions of Sub-rule (1) cases of low-paid Government servant maybe given special consideration while sanctioning the said grant.

5.

(1)The amount of Compassionate grant shall not ordinarily exceed six month's pay of a Government servant.Provided that in extremely hard cases, a higher amount may be sanctioned subject to the maximum of ten thousand rupees in respect of any individual deceased or injured Government servant.(2)The Compassionate grant may be paid in lump sum at a time or in such annual instalments not exceeding six as may be determined by Government.Explanation - For the purpose of this rule 'pay' means pay as defined in Rule 3 of the Orissa Service Code, Volume I, which a Government servant was drawing on the date of his death or injury.

6.

(1)The family members of a deceased Government servant or as the case may be an injured Government servant shall within three months from the date of death or injury submit a formal application for Compassionate grant to the Head of Office under whom the deceased or injured Government servant last served.(2)On receipt of a formal application -(a)In the case of a deceased Government servant, the authority competent to sanction service pension shall draw up an application in Form I along with a descriptive roll of the Family of a deceased Government servant in duplicate in Form II;(b)In the case of an injured Government servant, the application shall be drawn up by the concerned head of office in Form III with an attested copy of the report of the Medical authority referred to in Rule 2.

7.

All applications referred to in clauses (a) and (b) of Sub-rule (2) of Rule 6 shall be sent to the Finance Department through proper channel and the following details shall be furnished along with such applications, namely :(i)a report of the District Collector giving complete information regarding (a) the assets and liabilities of the deceased or injured Government servant, and (b) the family members actually dependent on the deceased or injured Government servant; their age and occupation, if any, and their present financial position;(ii)amount paid or payable to the family of the deceased or to the injured Government servant, death-cum-retirement gratuity, provident fund, Life Insurance, from bank and other deposits, family pension and from other sources, if any;(iii)whether the deceased/injured officer/was a meritorious Government servant and whether his death/injury was due to devotion to duty;(iv)recommendation of the Administrative Department.

8.

All applications referred to in Clause (a) or clause (b) of Sub-rule (2) of Rule 6 shall be submitted to the Finance Department within six months from the date of death or injury of a Government servant :Provided that Government may entertain any such application after the expiry of the aforesaid period if Government are satisfied that such application could not be submitted by the authority specified in Sub-rule (1) of the said Rule for sufficient cause.

9.

(1)All applications received shall subject to the provisions of these rules be considered by a Committee to be constituted for the purpose in the Finance Department which shall consist of the Chief Minister, the Minister of Finance, the Minister, Political and Services Department and the Chief Secretary.(2)The Chief Minister, shall preside at all the meetings of the Committee.(3)The Committee shall sit once in three months for consideration of the applications. The decision of the Committee shall be final and it shall be implemented by the Finance Department.

10.

The rules regulating grants from the Compassionate Fund, published in the notification of Government of Orissa in the Finance Department No. 1979-F., dated the 9th March 1938, are hereby repealed :Provided that notwithstanding such repeal all applications pending on the date of commencement of the rules shall be disposed of in accordance with the provisions of the Rules so repealed.

11.

If any question arises relating to the interpretation of these rules, it shall be referred to the State Government whose decision thereon shall be final. Form - I[See Rule 6(2)(a)]Application for Compassionate Grant to the Family of the Deceased Government Servant

1. Full name and address of applicant and his or her relationship to the deceased.

2. Description of the deceased

(a)Name(b)Rank(c)Office in which employed(d)Date of death(e)Date of application for the grant

3. (a) Assets :

(i)The list, nature and value of the movable and immovable properties left by the deceased and the person legally entitled to them.(ii)Amount in the General Provident Fund or Contributory Provident Fund.(iii)If the deceased insured his life. If so, the amount for which such insurance has been effected and also the person to whom the policy has been assigned.(iv)Amount of Death-cum-Retirement Gratuity paid or payable to the applicant.(v)Amount of family pension sanctioned or admissible.(vi)Any other asset like the Mutual Benefit Fund, Compulsory Deposit, National Savings Certificates, Bank balance, etc., on the date of death and the persons entitled to it.(b)Liabilities, nature and extent(c)Net asset

4. Number, relationship, age and occupation of dependent family members of the deceased.

5. Nature of disease or other circumstances which caused death.

6. Length of service -

(a)Pensionable(b)Non-pensionable

7. Pay, at the time of death.

8. Was death due to special and unusual devotion to duty at a risk to the health of Government servant justification in support, with necessary details, should be given if the answer is in affirmative.

9. Whether the deceased was a meritorious Government servant. Details of the official carrier indicating promotions should be furnished if the answer is in the affirmative. Extracts of Confidential Character Roll for the 3 years of service immediately preceding his death, duly attested should be furnished.

10. Nature and number of punishments, if any. Whether any departmental proceedings were pending on the date of death.

11. Was death due to accident or violence while on duty as defined in Rule 2 ? If so, a succinct statement of the circumstances leading to death should be furnished along with this application.

12. What were the places of duty during three years preceding death and whether adequate medical facilities were available at those places.

13. Was any other grant sanctioned to the family of the deceased ? Was any grant, pension or gratuity sanctioned under Rule 14 of the Orissa Civil Services (Extraordinary Pension) Rules ? Is any application pending for consideration under the said rules ?

14. Persons to whom and treasury from which the compassionate grant is payable.

15. Whether the grant is desired to be paid in annual instalments and if so, how many (should not exceed six).

16. Pay on the date of death.

Signature of the Head of the Office drawing up the application

17. Recommendations of the Head of the Department.

Signature of the Head of Department

18. Recommendations of the Administrative Department.

Signature of the Secretary to Government Form-II[See Rule 6(2)(b)] Descriptive Roll of the Family of The Deceased Government Servant

1. Name

2. Father's Name

3. Name of husband in case of female

4. Village and Post Office

5. Police-station and district

6. Height

7. Age

8. Colour

9. Personal marks of identification, if any

10. Signature or left hand thumb and finger impressions

Small Finger Ring Finger Middle Finger Index Finger Thumb

1

2

3

4

5

Signature of the authority competent to sanction Service Pension Form-III[See Rule 6(2)(a)] Application for Compassionate Grant to the Injured Government Servant

1. Name of applicant

2. Father's name

3. Full residential address

4. Whether the Government servant has been declared as permanently incapacitated for further service by a medical authority or whether he is still continuing in service. An attested copy of the Medical Report referred to in Rule 3 should be enclosed.

5. Whether the injury has resulted in the permanent loss of an eye or limb or the injury is of more severe nature.

6. Detailed circumstances in which the injury was sustained.

7. Date of birth

8. Date of commencement of service

9. Number, relationship, age and occupation of dependents

10. (a) Assets :

(i)The list, nature and value of movable and immovable properties of the injured Government servant.(ii)Amount in the General Provident Fund or Contributory Provident Fund.(iii)Amount of death-cum-retirement gratuity and pension paid or payable to the applicant.(iv)Any other assets such as compulsory deposits, national savings certificate, bank deposits etc.(b)Liabilities, nature and extent(c)Net assets

11. Was any other grant sanctioned to the injured Government servant?

12. Was any Pension or gratuity sanctioned under Rule 14 of the Orissa Civil Services (Extraordinary Pension) Rules ? Is any application[^] pending for consideration under the said rules.

13. 'Pay' on the date of injury

14. Date and place of injury

15. Treasury from which the grant is payable

16. Whether the grant is desired to be paid in annual instalments and if so, how many (should not exceed six).

17. Special remarks, if any

Signature of Head of Office

18. Recommendation of Head of Department

Signature of Head of Department

19. Recommendation of the Administrative Department

Signature of the Secretary to Government