

No. 16/88/2004-5GSII

From

The Chief Secretary to Government Haryana.

To

1. All Heads of Departments in Haryana.
2. Commissioner, Ambala, Hisar, Rohtak and Gurgaon Divisions.
3. The Registrar, Punjab & Haryana High Court.
4. All Deputy Commissioners and Sub-Divisional Officers (Civil) in Haryana.
5. The Registrars, MDU Rohtak/K.U. Kurukshetra/ Ch. Charan Singh H.A.U. Hisar/G.J.U. Hisar/Ch. Devlal University (Sirsa).

Dated Chandigarh, the 30th November 2005

Subject: The Haryana Compassionate Assistance & Employment to the dependents of deceased Government employees Rules 2005.

Sir,

I am directed to invite your kind attention to the Haryana Govt. letter No. 16/138/2001-5GS-II dated 31.03.2003 vide which the "Haryana Compassionate Assistance to Dependents of Deceased Government Employees Rules" 2003 framed under Article 309 of the Constitution of India notified on 28.02.2003 in Govt. Gazette dated 4.03.2003 were circulated. The matter has further been considered by the Govt. and now the "Haryana Compassionate Assistance to Dependents of Deceased Government Employees Rules 2005" have been framed which have been notified vide No. G.S.R.17/Const./Art/309/2005, dated 18.11.2005 published in the Govt. Gazette dated 18.11.2005. These Rules have come into force with effect from the date of their notification and the "Haryana Compassionate Assistance to Dependents of Deceased Government Employees Rules 2003" which were in force immediately before the

commencement of these Rules, 2005 have been repealed by the Govt. It is clarified that pending cases of all those govt. employees, whose family members were eligible under the Rules, so repealed, shall be disposed off in accordance with the old Rules of 2003 only.

The highlights of the new notified rules 2005 are as under :-

- i) Ex-gratia Compassionate financial assistance to the family of the for the deceased Govt. employees has been increased from existing Rs. 2.50 lacs to Rs. 5.00 lacs.
- ii) Definition of family has been amended to include a divorcee or widowed daughter provided such a divorcee / widowed daughter was dependent upon and was living with the deceased Govt. employee.
- iii) The anomaly of eligible family member has now been removed by taking into account cases of deceased Govt. employee who was (a) unmarried (b) divorcee. Family in such cases has been elaborately defined.
- iv) Definition of "dependent" has been repealed by definition of "eligible family member". This has been done so as to categorize the eligible family member for (a) a deceased Govt. employee who was married (b) a deceased Govt. employee who was unmarried and (c) a deceased Govt. employee who was a divorcee.
- v) For the purpose of Compassionate financial assistance, degree of assistance to be divided among (a) surviving spouse (b) children of deceased Govt. employee and (c) surviving parents has been provided for.

- vi) In the old rules 2003, the option was to be exercised by an eligible family member of the deceased Govt. employee within 3 years from the date of death. Now this period has been fixed at 4 years from the date of death. Rules have been amended to enable an eligible family member to exercise the option for Compassionate appointment / financial assistance within 6 months from the date of death of the Govt. employee.
- vii) It has been made mandatory to maintain a list of eligible family members, who have applied within a period of 6 months with reference to the date of death, such a list would remain valid for a period of 3 years as earlier. On expiry of this period without the Compassionate appointment fructifying, an option has been given to seek financial assistance within a period of 3 months of the expiry of the validity of the list.
- viii) The authority for deciding upon issue of Compassionate appointments as also for Compassionate assistance is the Head of Department.
- ix) Upper age of eligible family member for seeking ex-gratia appointment on Compassionate grounds shall now be 35 years and in the case of eligible family member belonging to a reserve category, such upper age limit shall be as may be determined by the Govt. from time to time.
- x) In the previous Rules of 2003, there was a provision for payment of financial assistance to the extent of Rs. 2.50 lacs in those cases where the dependent of the deceased Govt. employee was not eligible for appointment under the provisions of the relevant recruitment rules, the prescribed educational

qualifications and the lower / upper age limit. Now a similar provision has been incorporated in the new Rules, 2005 whereby such dependents would be eligible for an assistance of Rs. 5 lacs.

A copy of the "Haryana Compassionate Assistance to Dependents of Deceased Government Employees Rules, 2005 notified vide No. J.S.R.17/Const./Art/309/2005, dated 18.11.2005 published in Govt. Gazette dated 18.11.2005 is enclosed herewith for necessary action.

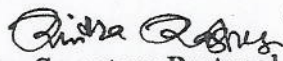
It is clarified that option once exercised in regard to rule 4(1) (a) of these Rules, 2005 shall be final and Ex-gratia appointment will be provided to dependent only for whom first option has been exercised. As per provisions contained in Rule 12 (b) of these new Rules, 2005, each department have to nominate one or more Welfare Officer(s) who will meet the members of family of the deceased Government employees immediately on the demise to advise and assist the family in obtaining the ex-gratia Compassionate assistance under these Rules. The applicant shall be called in person at the very first instance and will be advised in person about requirement / formalities to be completed by him / her. Accordingly, you are requested to nominate the Welfare Officer(s) of your department immediately, under intimation to the Government. The concerned Head of Department shall review status of such applications once every month to consider cases received during the previous month. Even the applicant may be

granted personal hearing by him , if necessary, for better appreciation of the facts of the case.

You are requested to bring these Rules to the notice of all concerned officers / officials under your kind control for strict compliance. Clarification required if any, may be sought from this office through concerned Administrative Department.

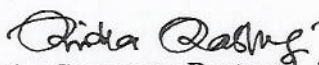
Receipt of this communication may be acknowledged.

Yours faithfully,


Under Secretary Protocol, 30/11
for Chief Secretary to Government Haryana.

A copy alongwith the copy of rules is forwarded to the following for information & necessary action:-

- 1) All the Financial Commissioners & Principal Secretaries to Government, Haryana
- 2) All the Commissioners & Secretaries to Government, Haryana.
- 3) Senior Secretaries/Secretaries/Private Secretaries to Chief Minister / Ministers.


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for Chief Secretary to Government Haryana.

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Dated Chandigarh, the 30.11.2005

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A copy alongwith a copy of the rules is forwarded to all M.Ds/C.A.s of Boards/ Corporations in the State of Haryana for information & necessary action.

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They are advised to consider adoption of these rules.

Quinder Dasgupta

Under Secretary Protocol, 30/11
for Chief Secretary to Govt. , Haryana.

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