

THE HIGH COURT OF MANIPUR

AT IMPHAL

No.HCM/D-29/2015-A&E/ 8305

NOTIFICATION NO.17
Imphal, the 22nd August, 2015

The Hon'ble Chief Justice is pleased to make the following scheme regulating appointment on compassionate ground :

DIE-IN-HARNESS SCHEME

The High Court of Manipur have decided to implement a scheme to provide employment under the High Court to a son, daughter or near relative of its employee who dies in harness. Under this scheme appointing authorities may appoint a son, daughter or other near relative of an employee of the High Court who dies in harness leaving his family in need of immediate assistance and when there is no other earning member in the family to a post of Class – III service not above the level of Junior Administrative Assistant or to post of Class – IV service, in relaxation of the prescribed procedure of recruitment. Such compassionate appointments will be regulated in the manner indicated below :

2. No compassionate appointment will be made except with the prior approval of Hon'ble the Chief Justice of the High Court of Manipur.
3. The expression "***near relative***" will mean, in that order of preference, wife/husband/real son/real unmarried daughter/real brother/real unmarried sister of the Government servant.
4. If the Government servant was/is childless the scheme may be extended to the adopted child of the Government servant if such adoption is lawful and valid under the personal law of the employee and the particulars of such adopted child are already recorded in the service book of the employee.
5. In exceptional cases when High Court is satisfied that the condition of the family is indigent and is in great distress, the benefit of appointment under the scheme may be extended to one of the family members of an employee retired on medical grounds under Rule 38 of CCS (Pension) Rules, 1972 or Regulations before attaining the age of 55 years.

6. Since the appointment under the scheme is meant only for giving immediate relief to the bereaved family, the application complete in all respects should be submitted to the Registry of this High Court within one year from the date of the expiry of the deceased employee provided that the applicant has not crossed the maximum age limit prescribed under the R/R at the time when proposal in its complete form is submitted to the High Court and the employee was a regular/substantive employee appointed under the High Court of Manipur on the day of demise. However, the Chief Justice shall have powers to relax age or qualifications for appointment to the service of the High Court of Manipur in appropriate cases according to his/her discretion.

7. Not more than 10% of the vacancies in Class – III service (not above the level of Junior Administrative Assistant) or in class – IV service arising in a year will be filled up under this scheme. This restriction will not apply where only one vacancy each in Class – III or Class – IV service is filled up under this scheme in a year.

8. This scheme envisages relaxation of recruitment procedure only. The beneficiaries of this scheme have to be otherwise eligible and suitable for appointment. With the previous approval of Hon'ble the Chief Justice, requirement of educational qualification may be relaxed in the case of extreme hardship and give an applicant under the scheme an opportunity to acquire the requisite qualification within a period of three years after appointment under the scheme. Beyond this period no relaxation in educational qualification will be permitted and the person concerned will be discharged from service if still unqualified after the period of relaxation.

9. The scheme will not be applicable to the families of the ad-hoc / officiating / Work-charged / Casual / Muster Roll appointees of the High Court.

10. One pre condition for making claim under the said scheme is that the employee who dies in harness should have put in at least 5 (five) years regular service in the High Court.

11. A person appointed on compassionate ground shall be adjusted in the reservation roster against the appropriate category. If he belongs to SC, he will be adjusted against SC reservation point; if he is ST, he will be adjusted against ST point and if he belongs to General category, he will be adjusted against the General category point.
12. The scheme is intended to help the victim of circumstance in their financial conditions and does not create a right to a post under the High Court.
13. Only one son/daughter/near relative of Government Servant will be appointed under this scheme. Ordinarily, the scheme is applicable to only such families having no earning member. In deserving case, however the benefit may be extended to families having earning member, depending upon the earnings and liabilities.
14. While considering an appointment under this scheme, it has to be kept in mind that if several years have passed after the death of an employee it would appear on the face of it that the family has managed to support itself all these years and has some means of subsistence. In such a case, compassionate appointment would not ordinarily be justified. Applications for appointment under this scheme should be carefully examined from the point of view of immediate need for assistance to ensure that only the most deserving get the benefit of the scheme.
15. It is clarified that the family of an employee who dies during the period of extension in service is eligible for the benefit of this scheme. The benefit of the scheme is, however, not available to the family of an employee who may die during reappointment.
16. Compassionate ground will be taken into account only at the time of initial appointment and shall be limited to a relaxation in other recruitment procedure. Claims for a relaxation in other condition of appointment, change in the conditions of service or appointment to a higher post should invariably be rejected.

By order of the Hon'ble Chief Justice

Sd/-

(N. ROJIT SINGH)
JOINT REGISTRAR (ADMN./PM & P)
HIGH COURT OF MANIPUR

Endt. No.HCM/D-29/2015-A&E/ ~~8306-20~~ Imphal, the 22nd August, 2015
Copy to :-

1. The Secretary General, Supreme Court of India, New Delhi – 110011.
2. The Secretary (Law), Government of Manipur.
3. The Registrar, High Court of Manipur.
4. ~~The~~ Joint Registrar (Judl. & Bench)/CPC, High Court of Manipur.
He is requested to upload the above notification in the official website.
5. The Director, Printing & Stationery, Government of Manipur.
He is requested to publish the Notification in the next issue of the official Gazette and send at least 5 (five) copies to the undersigned after publication.
6. The Deputy Registrar (Judl), High Court of Manipur.
7. The Principal Secretary to Hon'ble the Chief Justice, High Court of Manipur.
8. The Assistant Registrar-I, II & III / Sr. Grade Stenographer, High Court of Manipur.
9. The Librarian-cum-Research Officer, High Court of Manipur.
10. The Private Secretary to Hon'ble Mr. Justice N. Kotiswar Singh.
11. The Private Secretary to Hon'ble Mr. Justice Kh. Nobin Singh.
12. P.A. to Registrar General, High Court of Manipur.
13. All Superintendents/Court Officers/Stamp Reporter, High Court of Manipur.
14. Order Book / Guard File / Concerned File.
15. Notice Board.

N. Rajit Singh
22.08.15

JOINT REGISTRAR (ADMN./PM & P)
HIGH COURT OF MANIPUR