

Indian Institute of Technology Bombay

AO/SA/HR-I(HRM-II)/2023

10.02.2023

Notification

Subject : Scheme for appointment on sympathetic grounds

The BoG at its 263rd meeting held on 8th December, 2022, has approved the following new policy for appointment on sympathetic grounds.

1. Objective: The objective of this scheme is to provide temporary appointment to the spouse of a deceased employee of IIT Bombay, who died (including death by suicide) in harness or retired on grounds of medical incapacitation before attaining the age of superannuation, thereby leaving his family without any regular source of earning that offers a comparable standard of living and job stability.

This scheme is to benefit the spouse and dependent family members of the deceased employees, who -

- a) are not eligible for family pension;
- b) have not received benefit out of the regular appointment scheme of the Institute on compassionate ground, as per provisions of "Scheme for Compassionate Ground Appointment", launched vide circular bearing number AO/CG/Admin-II/2019 dated 28.05.2019, on account of lack of vacancies or are outside the coverage of the scheme;
- c) had not exercised their option to consider appointment on temporary post on consolidated salary on one year basis, by foregoing claim on regular post.

This scheme of appointment on sympathetic grounds shall co-exist with the Institute's scheme for regular appointment on compassionate grounds, launched vide circular bearing number AO/CG/Admin-II/2019 dated 28.05.2019.

The money to be utilised to support sympathetic appointment will be non-government funds, specifically Institute Multipurpose Fund as approved by the BoG. The employment will be on temporary basis on consolidated salary, for a period of three years, and will be extended further for two years, if found suitable, at level EA2, subject to fulfilment of requisite educational criterion prescribed for the post. Those who shall not be fulfilling the requisite educational qualification, shall be offered a job at Level EA1.

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Hindi version.

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2. Whom to be treated as an employee of IIT Bombay for the purpose of sympathetic appointment at the Institute.

- (i) Regular employees on substantive posts (as defined in RR&PP) of the Institute, who are not eligible for family pension.
- (ii) Contractual employees on scale, on non-substantive posts, as per provisions of RR&PP of the Institute.
- (iii) Temporary employees on scale, paid from the Institute Main Account.
- (iv) Temporary employees on consolidated salary, paid from the Institute Main Account.
- (v) Temporary employees on scale or on consolidated salary, paid via IRCC from Institute funding provided to IRCC.
- (vi) CHMS employees of the Institute.

3. Dependent family member will mean the following –

- (i) Spouse [including the legally separated but not divorced spouse, in receipt of alimony and taking care or willing to take care of the children/ other dependent(s)].
- (ii) son (including adopted son);
- (iii) daughter (including adopted daughter);
- (iv) dependent brother or sister;
- (iv) dependent mother/ father;

4. Competent Authority to make Sympathetic Appointment:

Director of the Institute is the Competent Authority for appointment on sympathetic grounds at EA2 Level. The Director may form a sympathetic appointment committee to advise on individual appointments.

5. Posts to which the appointments on sympathetic grounds can be made:

EA2 level at par with Pay Level 2. In case of not meeting the minimum educational qualification prescribed in the recruitment rules for the post, appointment shall be made at level EA1 at par with Pay Level 1.

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6. Eligibility for sympathetic appointment:

The spouse of the deceased shall be eligible for appointment on sympathetic ground, provided the bereaved family is not in receipt of a regular income on a monthly basis that offers a comparable standard of living and job stability.

The term spouse will include a legally separated but not divorced spouse, in receipt of alimony and taking care or willing to take care of the children/ other dependents.

7. EXEMPTIONS:

Sympathetic appointments shall be exempted from observance of Recruitment Procedure, i.e., no procedure of selection process, as laid down at IIT Bombay Statutes and RR&PP, to be followed.

8. RELAXATIONS:

- a) Upper age limit shall be relaxed wherever found to be necessary. The lower age limit should not be compromised below 18 years of age.
- b) Competent authority to take final decision for making sympathetic appointment in a case shall be competent to grant relaxation of upper age limit also.

9. Determination/ availability of vacancies:

There shall be no upper ceiling on vacancies for sympathetic appointments, barring availability of funds in the Institute Multipurpose Fund.

10. Time limit for considering applications for sympathetic appointment:

The Institute may consider requests for sympathetic appointments where the death or retirement on medical incapacitation took place not more than 5 years before the date of application.

The onus of examining the merit of the case for sympathetic appointment will rest with the authority competent for sympathetic appointment.

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11. A widow/ widower appointed on sympathetic grounds will be allowed to continue in service even after the re-marriage.

12. Where there is an earning member:

In deserving cases even where there is already an earning member in the family, a dependent spouse may be considered for sympathetic appointment with prior approval of the Director, who before approving such appointment will satisfy himself that grant of sympathetic appointment is justified having regard to number of dependents, liabilities left by the deceased employee and lack of any regular source of earning that offers a comparable standard of living and job stability.

13. Missing IIT Bombay employee: Cases of missing IIT Bombay employees will also be covered under the scheme for sympathetic appointment, subject to the following:

a) A request to grant the benefit of sympathetic appointment can be considered only after a lapse of at least 2 years from the date from which the IIT Bombay employee 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 the case is genuine.

Note: In case the employee is traced to be alive at a later point of time, the sympathetic appointment shall cease to exist provided the employee is found to be physically and mentally capable of holding a job.


14. Undertaking for maintenance of the family of the deceased employee

The spouse appointed on sympathetic grounds under the scheme should give an undertaking in writing that he/she will maintain properly the other family members including parents, who were dependent on the employee of IIT Bombay and in case, it is proved subsequently that the family members are being neglected or are not being maintained properly by him/her, his/her appointment may be terminated.

15. Request for change in post/ person.

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

Therefore, ----

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- (a) He/she should strive in his career like his/her colleagues for

future advancement and any request for appointment to any higher post on any grounds should invariably be rejected.

- (b) An appointment made on sympathetic ground cannot be transferred to any other person and any request for the same on any grounds should invariably be rejected.

16. Seniority

The spouse appointed on sympathetic ground in a particular year may be placed at the bottom of all the candidates appointed/ recruited through direct recruitment in that year, at EA2 (EA1) level, irrespective of the date of joining of the candidate on sympathetic ground.

The terms and conditions for allotment of accommodation on Sympathetic Grounds will be the same as applicable to temporary employees at the time of appointment.

17. Termination of service

The sympathetic appointments can be terminated on grounds of non-compliance of any condition stated in the offer of appointment after providing an opportunity to the sympathetic appointee by way of show cause notice asking him/ her to explain why his/ her services should not be terminated for non-compliance of conditions in the offer-of-appointment.

The power of termination of services should vest with the Director.

Interpretation: In case of any dispute/ ambiguity as to interpretation of any clause in the above scheme, the interpretation made/ agreed to by the Director of the Institute, shall be considered as correct, final and binding.

G. K. Sreenivasulu Reddy
Registrar
AAC
10/02/2023
*Sub
10/02/23*