



THE

# JAMMU AND KASHMIR OFFICIAL GAZETTE

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separate compilation

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## PART III

### Laws, Regulations and Rules passed thereunder.

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—GENERAL ADMINISTRATION  
DEPARTMENT, SRINAGAR/JAMMU.

Notification

Srinagar, the 16th of August, 2024.

SO-397.— In exercise of the powers conferred by Article 309 of the  
Constitution of India, the Lieutenant Governor is pleased to direct that

the following amendments shall be made in the Jammu and Kashmir Rehabilitation Assistance Scheme, 2022; namely :—

**1. Clause "2" shall be substituted by the following, namely:-**

**"2. APPLICATION OF THE SCHEME"**: The Scheme shall apply to the compassionate appointment/monetary compensation in favour of a person who is a dependent family member of :

- i. a Government Employee who dies in harness or is retired on invalid pension:  
Provided that in case the death occurs due to militancy/terrorist action or due to law and order situation, the concerned Deputy Commissioner shall certify that the deceased employee was not involved in any militancy/terrorist related activity;
- ii. a member of the Armed Forces or Paramilitary Forces, who is a Domicile of Jammu and Kashmir and is killed while discharging the duties in connection with law and order situation or militancy/terrorist related action or as a result of enemy action.

**Explanation:-** For the purpose of this Scheme:

- a. 'Armed Force' means Navy, Military, Air Forces;
- b. 'Domicile' means domicile as defined in Section 3A of the Jammu and Kashmir Civil Services (Decentralization and Recruitment) Act, 2010.
- c. 'Dependent Family Member' means spouse, son, daughter including adopted son/daughter (in respect of communities in whose cases adoptions are permissible under law), brother or sister, who was dependent on the deceased Government Employee at the time of his/her death or the date on which the Government Employee was retired on invalid pension;

- d. 'Government employee' means the Government employee as defined under the Jammu and Kashmir Government Employees (Conduct) Rules, 1971 and who is not working on daily wages or casual or apprentice or *ad hoc* or contract or re-employment basis.

**Explanation:** For the purposes of this scheme, the persons who have been appointed under the provisions of Jammu and Kashmir Migrants (Special Drive) Recruitment Rules, 2009 shall also be included in the definition of 'Government Employee':

Provided further that re-employment' shall not include employment of ex-serviceman before the normal age of retirement to a civil post.

- e. 'Paramilitary Force' means a force constituted under any law for the time being in force made by the Competent Legislature.

**2. Clause "2A" shall be substituted by the following, namely:-**

**"2-A"**. Notwithstanding anything contained in this Scheme, the Lieutenant Governor in exceptional circumstances may appoint the dependent family member of a government employee or Armed Forces or Paramilitary Forces as defined in clause 2 or a civilian, who has died as a result of militancy/terrorist related action or due to law and order situation or due to enemy action and is not involved in militancy related activities to be certified by the concerned Deputy Commissioner :

Provided that the persons working as SPOs killed in militancy/terrorist related action or due to law and order situation or due to enemy action and not involved in militancy related activities shall be treated as civilians for the purpose of this Scheme:

Provided further that definition of 'dependent family member' for the purpose of Civilians referred to herein above shall be the same as provided in clause 2 of this Scheme.

3. **Clause "3"** shall be substituted by the following, namely:-

**"3. THE AUTHORITY COMPETENT TO MAKE APPOINTMENT (s)/GRANT MONETARY COMPENSATION":**

- a. For appointment, the Administrative Department to which the deceased employee belonged;
- b. For appointment under common pool posts, the General Administration Department;
- c. For cash compensation, General Administration Department, on the recommendations of the Administrative Department to which the deceased employee belonged;
- d. For the case(s) involving relaxations, the Lieutenant Governor through Chief Secretary in Coordination:

Provided that in case(s) involving relaxations under clause(d) above,

- i. where the post is not available in the concerned department, the appointment orders shall be issued by the General Administration Department, and
- ii. In cases involving relaxation(s), but post is available in the department, the order for appointment shall be issued by the concerned Administrative Department after seeking relaxation in terms of sub-clause (d) above.

4. **Clause "4"** shall be substituted by the following; namely :—

**"4. POSTS AGAINST WHICH SUCH APPOINTMENTS SHALL BE CONSIDERED" :—**

Multitasking Staff (MTS) or equivalent:

Provided that the Competent Authority (Lieutenant Governor) in the exceptional/special circumstances may consider such appointments against the lowest non-gazetted posts in any department in relaxation

of above clause and the Administrative Department(s) shall be required to identify a vacancy for the purpose.

**5. Clause "5" shall be substituted by the following; namely :-**

**5. ELIGIBILITY-**

**A. "FOR COMPASSIONATE APPOINTMENTS":**

- a. Applicant should be dependent family member of the deceased Government employee ;
- b. Applicant should be eligible and suitable for the post in all respects under the provisions of relevant recruitment rules ;
- c. Applicant, who is a Graduate or having higher qualification, may also be considered for appointment against Multi Tasking Staff (MTS) or equivalent post, notwithstanding the bar on higher qualification prescribed in the extant rules ;
- d. Applicant shall be assessed with regard to the Relative Merit Points Assessment Scheme (RMPAS) on a 100 point-scale. (*Annexure-I*):

Provided that the applicant who fulfils the eligibility criteria prescribed under this Scheme for compassionate appointment in the Government service and is considered for compassionate appointment under this Scheme, he/she will have the option to refuse the appointment and in case the applicant chooses to do so, he or she will be entitled to a monetary compensation of Rupees 5.0 lakhs in lieu of appointment on compassionate grounds in the Government service.

**B. FOR MONETARY COMPENSATION:**

Applicant should be dependent family member of the deceased Government employee.—

- a. Applicant shall be assessed with regard to the Relative Merit Points Assessment Scheme (RMPAS) on a 100 point-scale.
- b. The dependents of the deceased employee shall be paid monetary compensation of Rupees 5.0 lakhs. The liability to pay the compensation on part of the Government would arise from the date of the order passed by the authority competent to sanction the monetary compensation.

**C. SUPPORT FOR SELF EMPLOYMENT:**

The Government may also support the application of the dependents, if he/she so requests, under various self employment/Government sponsored employment generating schemes to the banks for obtaining credit as per the laid down norms for setting up a manufacturing unit or a trading venture.

6. **Clause "6 (B)" shall be substituted by the following; namely:-**

**B. RELAXATIONS:**

The Government may relax the upper age limit and/or education/technical qualification, as the case may be, in deserving cases. All such cases shall be processed through General Administration Department in coordination.

7. **After Clause 6 (B), the following shall be added as Clause 6 (C) ; namely:-**

**"C. ELIGIBILITY" :**

If the applicant is not eligible for appointment in terms of age/or qualification at the time of death of the deceased employee, the applicant may acquire such eligibility within 5 years from the date of death of deceased government employee and his/her consideration for the purpose of compensation under the Scheme shall be reckoned after attaining such eligibility, subject to the availability of vacancy at the time of consideration :

Provided that the applicant shall register for compassionate appointment through online portal within one year from the date of death of the deceased government employee.

Provided further that if none of the dependents of the deceased employee are eligible for appointment under the provisions of this Scheme, the family shall be entitled for cash compensation as provided in the Scheme.

**Note:** Age eligibility shall be determined with reference to the date of application and not the date of appointment.

8. **Clause "7" shall be substituted by the following; namely:-**

**"7. DETERMINATION/ AVAILABILITY OF VACANCIES":**

- a. Appointment on compassionate grounds shall be considered only against a substantive vacancy:
- b. All the Administrative Departments shall earmark 10% of the available vacancies as on 1st day of the calendar year, falling under direct recruitment quota in Multitasking Staff (MTS)/equivalent for the purpose of appointment on compassionate grounds. Further, the departments shall refer 50% of the aforesaid earmarked vacancies to General Administration Department for the purpose of considering such compassionate appointment case(s), which shall form common pool of vacancies to be utilized in cases where vacancies are not available in respective departments ;
- c. The ceiling of 10% direct recruitment vacancies for making compassionate appointments shall not be exceeded :

Provided that the Government in exceptional circumstances, may utilize the vacancies over and above the aforesaid ceiling for the purpose of considering the compassionate appointment case(s) of eligible persons as defined in Clause 2 and 2-A of this Scheme ;

- d. The details of such earmarked vacancies indicating cadre/category /nomenclature shall be shared with General Administration Department by 15th of January every year. However, instances where vacancies earmarked under this Scheme by various departments for a particular year remain unfilled, the same shall be referred to General Administration Department for consideration of compassionate appointment cases under common pool of the vacancies ;
- e. A person appointed on compassionate grounds shall be adjusted in the recruitment roster against the appropriate category i.e., 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 meant for General category.

**9. Clause "9" shall be substituted by the following; namely:-**

**"9. APPLICATION FOR COMPASSIONATE APPOINTMENT/ MONTERY COMPENSATION" (Annexure-II) :**

The applicant shall submit the application for compassionate appointment/monetary compensation under this Scheme on the designated portal. The departments shall not consider requests for compassionate appointments/grant of monetary compensation of/to the dependents of the deceased who may die in harness or is retired on invalid pension or as a result of militancy/ terrorist related action or due to law and order situation or due to enemy action and not involved in militancy related activities, if the same is not made within one year of the death of the deceased person as defined in Clause 2 and 2-A of this Scheme:

Provided also that the Lieutenant Governor in exceptional circumstances may relax the condition for filing of application for compassionate appointment/monetary compensation beyond prescribed limit of one year in such cases, where it turns out that the applicant could not apply within the prescribed time period due to reasons beyond his/her control.

**10. Clause "12" shall be substituted by the following, namely:-**

**"12. PROCEDURE":**

- i. **Appointment of Nodal Officer and Welfare Officer:** All Administrative Departments shall appoint a Nodal Officer, not below the rank of Additional Secretary, for the purpose of monitoring the implementation of the Scheme. Further every Administrative Department shall also appoint a Welfare Officer at

the District Level. However, in the absence of a District Level Officer, a Divisional Level Officer may be appointed as the Welfare Officer.

**ii. Reporting and Registration Process:**

- a. Upon death of any Government employee, the Next of Kin (NoK) of the deceased shall report to the concerned Drawing and Disbursing Officer (DDO). In case the NoK fails to report the death within a month, the concerned DDO shall inform the NoKs about the compassionate appointment scheme. The applicant shall be called in person, at the very first stage and advised in person about the requirements and formalities to be completed by him/her and will be apprised of the terminal benefits available to the family. This may be at the earliest possible, preferably, within 30 days of death. The DDO shall also facilitate the registration of the applicant on the designated portal.
- b. The Welfare Officer shall offer necessary assistance to the applicant in obtaining essential documents/certificates from Government Offices and uploading them on the designated portal.
- c. After successful online submission of the application, an applicant shall receive an acknowledgement in the shape of a Unique Registration Number, auto-generated by the portal.

**iii. Authentication and Verification:**

- a. The concerned Department, on receipt of the application through the portal, shall further forward the application along with all enclosures to the concerned DDOs through the Welfare Officer for authentication/verification of the documents.
- b. The DDO shall verify following documents before forwarding the case to the Welfare Officer:
  - i. Family Pension (Excluding DR & Allowance)
  - ii. Terminal Benefits i.e. Lump sum amount received by the family on the death of the Government employee (i.e. DCR

Gratuity, GPF/Lump sum amount under NPS, CGEGIS, Leave encashment etc.).

- iii. Leftover service of the deceased government employee.
- iv. Service Book of the deceased government employee (1st two pages and last two pages indicating the Date of Birth, Date of first appointment, and Date of Death).

**iv. Preliminary Merit Assessment:**

- a. The DDO shall prepare the preliminary merit point matrix/table as per the Scheme guidelines and forward the case to the respective Welfare Officer. (Annexure-III)
- b. The Welfare Officer on receipt of the case shall forward it to the Nodal Officer in the Administrative Department for placement of the same before the designated committee constituted for the purpose.

**v. Evaluation by Committee:**

- a. A Committee shall be constituted by the Administrative Department, headed by Nodal Officer in the Administrative Department and two members not below the rank of an Under Secretary to assess and consider the applications for compassionate appointment/monetary compensation.
- b. The Committee may co-opt any officer for assistance.
- c. The Committee shall assess the case (s) in entirety under this Scheme as well as the preliminary merit-point matrix prepared by the concerned DDO for the purpose of preparing eligibility list based on the RMPAS. The merit/eligibility list of the eligible applicants shall be prepared based on RMPAS score in descending order, with the applicants having higher merit at the top followed by applicants having lower score for compassionate appointments against the posts earmarked for that purpose.

- d. In cases of tie, the income available per dependent shall serve as a tie breaking factor. If a tie persists, the remaining service of the deceased Government employee may be considered, prioritizing applications with longer leftover service of the deceased.

**vi. Recommendations by the Committee for Appointment/ Monetary Compensation:**

- a. The Committee shall meet in the first week of the succeeding quarter to consider applications for compassionate appointments received in the previous quarter. The Committee shall recommend appointment based on the total score obtained by each applicant against the posts earmarked for the purpose.
- b. Every valid application shall be assessed strictly on the basis of the RMPAS provided under this Scheme. A merit list based on the RMPAS of the eligible applicants shall be prepared in descending order of merit, as provided at sub-clause v(c) above.
- c. The departments based on the recommendations of the Committee shall consider appointments of applicants against the vacancies earmarked for the purpose. However, where the eligible applicants exceed the posts available in the concerned department, those cases shall be forwarded to the GAD for considering appointment against common pool of embarked vacancies:

Provide that notwithstanding the non-availability of the vacancies in any department, the Committee shall meet quarterly for determining the merit/eligibility of left over cases for that year and recommend such cases to General Administration Department in the order of quarters i.e. Left over cases of 1<sup>st</sup> Quarter followed by 2<sup>nd</sup> Quarter and so on.

- d. Minutes of the Meeting of the Committee shall be published on the Departments/Organization website within three weeks of the meeting.
- vii. Approval and Issuance of Orders:** Based on the recommendations of the Committee, the competent authority shall consider the cases for compassionate appointment or otherwise. In case the competent authority approves the case, the concerned

department shall issue the appointment orders after obtaining the Character and Antecedent report of the applicant from CID.

**viii. Referral to General Administration Department:**

- a. The cases recommended to the General Administration Department (GAD) by the Administrative Departments, shall be considered for compassionate appointment by utilizing vacancies earmarked for such appointments as provided in Clause 7(b) of this Scheme.
- b. A quarter-wise common merit/eligibility list based on the RMPAS of all such recommended cases upto previous quarter, including the roll over cases, shall be prepared in General Administration Department in descending order of merit against the earmarked common pool vacancies. Those cases, which may not be settled on account of non-availability of vacancies in a particular quarter will roll over to the succeeding quarter(s). The applicant shall be eligible to be considered for compassionate appointment up to and including the 5<sup>th</sup> year from the date of application submitted by the applicant after which his/her application shall not be considered for compassionate appointment and shall be entitled for cash compensation only\:

Provided that applicants falling under Clause 6(B) (b) of this Scheme, the delisting shall be reckoned from the date of attaining such eligibility.

- c. The unfilled vacancies in a quarter shall be carried forward to the next quarter and shall be available for appointment on compassionate grounds under this Scheme. Vacancies which may remain unfilled in the department(s), after completion of all quarters (in a calendar year), shall be referred to the General Administration Department forming part of the common pool of vacancies.
- d. The referred cases in the GAD which may not be considered due to non-availability of vacancies during a year, shall roll over to the next year.

**ix. Procedure for considering cases under the Scheme received since 6th September, 2022, 2023 and 2024:**

Notwithstanding the provisions/procedure prescribed in the Scheme, all the pending applications received since the inception of this Scheme upto last quarter of 2023, shall be considered en-bloc by the respective departments and General Administration Department by holding special meeting of the Committee constituted in terms of Clause 12 (v) (a) against Class-IV (MTS)/equivalent vacancies earmarked for the calendar year, 2023 and if required, roll-over procedure shall be followed accordingly:

Provided that the procedure prescribed in Clause 7 (b) of the Scheme shall be followed while considering these cases.

Further, the applications received in 2024 shall be considered in the subsequent quarter(s) against the Class-IV (MTS)/equivalent vacancies earmarked for calendar year, 2024.

**11. Clause "13" shall be substituted by the following, namely :-**

**“13. UNDERTAKING FOR MAINTENANCE OF THE FAMILY OF THE DECEASED EMPLOYEE” :**

A person appointed on compassionate grounds under the Scheme shall give an undertaking in writing as per format at (Annexure-IV) that he/she will maintain properly the other family members who were dependent on the deceased 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. This shall be incorporated as one of the additional conditions in the appointment order applicable only in the case of appointment on compassionate grounds."

**12. Clause "16" shall be substituted by the following, namely:-**

**"16. TERMINATION OF SERVICE":**

The compassionate appointments can be terminated on the ground of non-compliance of any condition stated in the appointment order after providing an opportunity to the compassionate appointee by way of issuing of a show cause notice asking him/her to explain why his/her services cannot be terminated non-compliance of the condition(s) in the offer of appointment.

In order to check its misuse, the power of termination of services for non-compliance of the condition(s) in the compassionate appointment shall vest with the concerned "Appointing Authority."

The above amendments shall be deemed to have been incorporated in the scheme *ab initio*.

By order of the Lieutenant Governor.

Sd/-

Government. Commissioner Secretary to the  
SANJEEV VERMA, IAS,

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*ANNEXURE-I*

**Relative Merit Points Scheme (RMPAS) for Allocation of Points or Various Attributes of Applicant for Compassionate Appointment/Monetary Compensation.**

**i. Family Pension (basic excluding DR & Allowances) :**

S.No.	Proposed Slab	Points
1.	Up to 10, 000	20
2.	10001-13000	18
3.	13001-16000	16
4.	16001-19000	14
5.	19001-22000	12
6.	22001-25000	10
7.	25001-28000	08
8.	28001 & above	06

**ii. Terminal benefits i.e. Lump sum amount received by the family on death of Government employee (i.e. DCR Gratuity, GPF/Lump Sum amount under NPS, CGEGIS, Leave encashment etc.):\***

S.No.	Slab	Left Over service
1.	Upto 10,00,000	10
2.	10,00,001-12,00,000	09
3.	12,00,001-14,00,000	08
4.	14,00,001-16,00,000	07

5.	16,00,001-18,00,000	06
6.	18,00,001 - 20,00,000	05

iii. **Leftover Services of the deceased Government employee:\***

Leftover service of deceased	Points	Leftover service of deceased	Points	Leftover service of deceased	Points
Upto 2 years	01	Upto 12 years	06	Upto 22 years	11
Upto 4years	02	Upto 14 years	07	Upto 24 years	12
Upto 6years	03	Upto 16 years	08	Upto 26 years	13
Upto 8 years	04	Upto 18 years	09	Upto 28 years	14
Upto 10 Years	05	Upto 20 years	10	Upto 30 years	15

**\*:For the tables (i, ii & iii above) Certificates to be issued by concerned DDO as per the following Proforma:**

It is certified that the annual income from family pension (basic excluding DR & Allowance) and Terminal benefits i.e. Lump sum amount under NPS, CGEGIS, Leave encashment etc.) of the above deceased employee is as under:-

- a. Family Pension (basic excluding DR & Allowance) = Rs. .... P.A.
- b. Terminal benefits i.e. Lump sum amount under NPS, CGEGIS, Leave encashment etc.) = Rs. ....P.A.
- c. Left over service = ..... Days ..... Months .....Years

iv. **Annual income of earning members of the family & income from Property:\*\***

S.No.	Annual Income	Points
1.	Nil to 1,00,000	10
2.	1,00,001 to 3,00,000	08
3.	3,00,001-5,00,000	06
4.	5,00,001 to 7,00,000	04
5.	7,00,001 to 9,00,000	02
6.	Above 9,00,000	00

v. **Immovable property:\*\***

S.No.	Proposed Slab	Points
1.	Nil	10
2.	Upto to 200 sq. ft	08
3.	201 to 400 sq. ft	06
4.	401 to 700 sq. ft	04
5.	701 to 1000 sq. ft	02
6.	1101 or more sq. ft	00

**\*\*:** For table (iv & v above) **Income /Property Certificate (to be issued by Tehsildar) as per following proforma :**

It is certified that after due enquiry, it has been found that Sh./ Smt.  
..... S/o, W/o ..... R/o  
..... Tehsil ..... District ..... has following  
immovable property.

- a. Area....
- b. Khasra No.

It is further certified that the Annual income of earning members of the family & income from Property from all sources is Rs. ....

vi. **Number of unmarried daughters (to be certified by Tehsildars):**

S.No.	No. of Un-married daughters	Points
1.	01	03
2.	02 & above	05

- vii. **Number of dependent minor children (to be certified by the authority issuing dependent certificate):**

S.No	No. of minor dependent children	Points
1.	01	03
2.	02 & above	05

- viii. **If one or more person(s) amongst the dependent family members is disable (to be certified by the authority issuing dependent certificates after due verification):**

S.No.	Percentage Disability	Points
1.	Upto to 40%	04
2.	40-60%	06
3.	60-80%	08
4.	80-100%	10

- ix. **If wife of the deceased Government official has applied for compassionate appointment/monetary compensation for herself.**

(10 points)

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Annexure-II

**FORM FOR SEEKING COMPASSIONATE APPOINTMENT/MONETARY COMPENSATION BY DEPENDENTS OF DECEASED GOVERNMENT EMPLOYEE/RETIRED ON INVALID PENSION.**

I.	a)	Name of the Government Employee (Deceased/Retired on medical grounds)	
	b)	Designation of the Government Employee.	
	c)	Pay level of the post/department of the deceased employee.	
	d)	Date of birth of the Government Employee	
	e)	Date of Death/Retirement on medical grounds	
	f)	Total length of service rendered	
	g)	Whether permanent or temporary	
	h)	Whether belonging to SC/ST/OBC/Others	
II.	a)	Name of the candidate for appointment/monetary compensation	
	b)	Relationships with Government Employee	
	c)	Date of birth	
	d)	Education qualification	
	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 of Policies (including Postal Life Insurance)					
	e)	Movable and Immovable Properties and annual income earned there from by the family					
	f)	C.G.E. Insurance amount					
	g)	Encashment of leave					
	h)	Any other assets					
Total							
IV		Brief Particulars of liabilities, if any					
V	Particulars of all dependent family members of the deceased Government employee (if some are employed, their income and whether they are living together or separately)						
S.No.	Name (s)	Relationships with Govt. Servant	Age	Address	Employed or not (If employed, particulars of employment and emoluments)	Marital Status	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	
1.							
2.							
3.							
4.							
5.							

VI. DECLARATION:

I hereby declare that the facts given by me above are, to the best of my knowledge correct. If any of the facts mentioned herein above are found to be incorrect or false at a future date, my services may be terminated.

Candidate

Signature of the

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Annexure- III

**Relative Merit Points Assessment on a 100 Points-Scale for  
Compassionate Appointment/Monetary Compensation.**

S.No.	Parameters	Point allotted to the parameters	Points scored by the candidate
1.	Family Pension (Excluding DR & Allowance )	20	
2.	Terminal benefits i.e. Lump sum amount received by the family on death of Govt. employee (i.e. DCR Gratuity, GPF/Lump sum amount under NPS, CGEGIS, Leave encashment etc.	10	
3.	Annual income of earning members and income from property.	10	
4.	Immovable property	10	
5.	Leftover Service of the deceased Government Employee	15	

6.	Number of un-married daughters	10	
7.	Numbers of dependent minor children	05	
8.	If wife of the deceased Govt. employee has applied for compassionate appointment/monetary compensation for herself.	10	
9.	If one or more person(s) amongst the dependent family members is disable (with % of disability)	10	
	<b>Total</b>	<b>100</b>	

ANNEXURE -IV

**UNDERTAKING (from Judicial Magistrate 1<sup>st</sup> Class) :**

I hereby declare that I shall maintain properly the other family members who were dependent on the deceased namely \_\_\_\_\_ and in case, it is proved at any time that the dependent family members are being neglected or not being properly maintained by me, my appointment may be terminated.