

8.13 Compassionate appointment – Criteria for “indigent circumstances” - Tahsildar certificate to be produced and eligibility of other dependants - Clarification

Labour and Employment Department

G.O. (Ms) No. 155

Dated : 16.7.1993

1. G.O. (Ms) No. 225, Labour & Employment dated 15.8.72
2. G.O. (Ms) No. 560, Labour and Employment dated 3.8.77
3. G.O. (Ms) No. 998, Labour and Employment dated 8.5.81
4. Govt. Lr.No.18274/N1/82-3 Labour and Employment dated 9.7.82
5. G.O. (Ms) No. 73, Employment service, dated 26.10.83
6. G.O. (Ms) No. 8, Employment service dated 7.1.87
7. G.O. (Ms) No. 567, Labour & Employment dated 11.4.90
8. G.O. (Ms) No. 23, Labour & Employment dated 10.2.93

ORDER

One of the conditions prescribed under the scheme of appointment on compassionate grounds formulated in the G.O. First read above is that the family of the deceased Government Servant should be in “indigent circumstances”. Another condition introduced in the G.O. third read above is that if there is already any earning member in the family of the Government Servant who died in harness, the other dependants of the deceased Government servant will not be eligible for compassionate appointment.

2. The Government have re-examined the above mentioned conditions. The expression “indigent circumstances” has not been precisely defined. It has been left mostly to the subjective satisfaction of the appointing authorities. Therefore the Service Associations have represented that this condition be deleted. The family of a deceased Government Servant is entitled to Provident Fund, accumulations, Family Benefit, Death cum Retirement Gratuity, Encashment of leave at credit at the time of death, etc. The Government consider that those amounts or the interest earnings that will accrue on depositing these amount; need not be taken into consideration. It is therefore necessary to ascertain whether the family is having immovable property like houses, lands etc., the income from which is substantial to sustain the family without any extra help. The Government therefore direct that the criteria for indigent circumstances is that the family should not own any house or landed properties or if owned, the income from which is insufficient to sustain the family. A certificate from the Tahsildar to this effect will have to be produced.

3. In regard to the second condition mentioned in para 1 above, it is considered that if a member of the family is already on employment and supports the family then the restriction may be applied. When a dependent of the family is employed, the factors to be ascertained are, whether he is regularly employed and is actually supporting the family. If that person was employed even before the death of the Government Servant and was living separately without extending any help to the family, then the case of other eligible dependants will be considered.

4. However, the restriction that only one of the dependants will be entitled for appointment on compassionate grounds will continue.

5. Only the dependants of the deceased Government Servant viz. wife/husband/son, unmarried daughter will be eligible for appointment. If the widow is not educationally qualified/eligible for appointment, she could be given a job like sweeper. The Government also direct that a married daughter who is deserted by her husband and living with the family of the deceased Government Servant and widowed or divorced daughter living with the family may be considered, if the widow of the deceased Government Servant gives her consent in writing.

8. MISCELLANEOUS

6. Age restrictions of 30 in the case of sons/unmarried daughters or 40 in the case of widow/widower will continue.

7. All cases requiring relaxation will be decided by the Committee constituted with reference to para 20 of the Chief Minister's standing order No.2, Personnel and Administrative Reforms dated 9.1.92.

8. These orders will be applicable to families of Government Servants who have retired on medical invalidation before attaining the age of 50 years.

(By order of the Governor)

R.VARADHARAJULU
SECRETARY TO GOVERNMENT