

## 8. MISCELLANEOUS

### 8.18 **Compassionate appointment - Children born out of void marriages entitled for family pension and Death cum Retirement Gratuity and not for compassionate ground appointment**

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Labour and Employment (Q1) Department  
Letter (Ms) No.34 Dated 16.04.2002

From

Lal Rawna Sailo, I.A.S.,  
Secretary to Government.

To

All the Departments

Sir,

Sub: Public Services – Employment assistance to the families of deceased Government Servant who dies while in service – Clarification – regarding children born through the second marriage / Wife – Issued.

- Ref: 1. G.O. (Ms) No.560, Labour and Employment dated 3.8.1977  
2. G.O. (Ms) No.2889, Labour and Employment dated 3.12.1988  
3. Govt. letter No.2286/Q1/90-2 Labour and Employment, dated.17.6.1991  
4. G.O. (Ms) No.155, Labour and Employment dated 6.7.1998  
5. G.O. (Ms) No.134, Labour and Employment dated 22.10.1998

In the Government orders cited, orders have been issued to the effect that the son/unmarried daughter/wife/husband/legally adopted son/unmarried adopted daughter/widowed daughter/divorced daughter/deserted daughter of the deceased Government Servant and unmarried brother/unmarried sister of the unmarried deceased Government Servant who dies in harness while in service, are eligible for appointment on compassionate ground subject to the conditions stipulated under the scheme of compassionate appointment.

2. It has now been brought to the notice of the Government for clarification by various Departments as to whether children of the deceased Government Servants born through unlawful second marriage/wife are eligible for compassionate ground appointment. The matter has been examined in detail. It is considered that children born out of void marriages are entitled for the benefit in respect of the property of the deceased Government Servant i.e. family pension and Death cum Retirement Gratuity and that Compassionate appointment cannot be equated to the status of the property of the deceased. As such, the word 'son or unmarried daughter' as used in the scheme of compassionate appointment has to be construed only to mean son or daughter born through lawful wedlock.

3. In the circumstances, I am to clarify that the children born out of void marriages are entitled for family pension and Death cum Retirement Gratuity and not for compassionate ground appointment.

SECRETARY TO GOVERNMENT