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14014/6/86-ESTT (D)
Government of India
Ministry of Personnel, Public Grievances
and Pensions
Department of Personnel & Training

Dated - 30-6-87

OFFICE MEMORANDUM

Subject: Compassionate appointment of son/daughter/near relative of deceased Government servant-Consolidated Instructions.

The undersigned is directed to say that instructions have been issued by this Department from time to time laying down the principles to be followed in making compassionate appointments of sons/daughters/near relatives of deceased Government servants. For facility of reference, the orders issued on the subject have been simplified and consolidated in this Office Memorandum.

1. To whom applicable:

- a) To a son or daughter or near relative of a Government servant who dies in harness including death by suicide, leaving his family in immediate need of assistance, when there is no other earning member in the family.
- b) In exceptional cases when a Department is satisfied that the condition of the family is indigent and is in great distress, the benefit of compassionate appointment may be extended to a son/daughter/near relative of Government servant retired on medical grounds under Rule 38 of Central Civil Services (Pensions) 1972, or corresponding provisions in the Central Civil Regulations before attaining the age of 55 years.) In case of Group 'D' employees whose normal age of superannuation is 60 years, compassionate appointment may be considered where they are retired on medical grounds before attaining the age of 57 years.
- c) To a son or daughter or near relative of a Government servant extension in service but not in employment.

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Authority competent to make compassionate appointments.

- a) Joint Secretary Incharge of Administration or Secretary in the Ministry/Department concerned.
- b) In the case of Attached and Subordinate Offices, such power may be exercised by the Head of the Department under Supplementary Rule 2(10).

3.

Posts to which such appointments can be made:

Group 'C' post or a Group 'D' posts.

4.

Eligibility:

- a) Compassionate appointments can be made only against direct recruitment quota.
- b) Applicants for compassionate appointment should be appointed only if they are eligible and suitable for the post in all respects, under the provisions of the relevant Recruitment Rules.
- c) Departments are, however, competent to relax temporarily educational qualifications in the case of appointment at the lowest level i.e. Group 'D' or LDC post, in exceptional circumstances where the condition of the family is very hard. Such relaxation will be permitted upto a period of two years beyond which no relaxation of educational qualifications will be admissible and the services of the persons concerned if still unqualified, are liable to be terminated.
- d) Where a widow is appointed on compassionate ground to a Group 'D' post, she will be exempted from the requirements of educational qualifications, provided the duties of the post can be satisfactorily performed without having the educational qualification of Middle standard prescribed in the Recruitment Rules.
- e) In deserving cases even where there is an earning member in the family, a son/daughter near relative of the deceased Government



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Vamp servant, leaving his family indistress may be considered for appointment with the prior approval of the Secretary of the Department concerned who, before approving the appointment, will satisfy himself that the grant of concession is justified having regard to the number of dependents, the assets and liabilities including the fact that the earning member is residing with the family of the deceased Government servant and whether he should not be a source of support to the other members of the family.

Extent to which compassionate appointments can be made:

The appointing authorities may ensure that total reservation for Scheduled Castes, Scheduled Tribes, Physically handicapped persons and Ex-servicemen, the details of which are given below, together with carry forward reservation (which at present is applicable only in respect of SC/ST and Physically handicapped persons) should not exceed 50% of the vacancies available on any particular occasion:

- * (ii) Scheduled Castes -----15%
- * (ii) Scheduled Tribes-----7 1/2%
- (iii) Ex-servicemen -----10%

In Group 'C' posts and 20% in Group 'D' posts subject to proviso 1 of rule 4 of this Department's Notification No.39016/10/70-Estt.(C) dated 15.12.1979.

- (iv) Physically Handicapped persons -----3%

The percentages of reservation for SC/ST are different in case of offices using 100-point roster at appendix 3 of the Brochure on Reservation for SCs and STs in services.

Relaxation:

Compassionate appointments are made in relaxation of the following:

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a) Recruitment procedure i.e. without the agency of the Staff Selection Commission or Employment Exchange.

Recommended at
6/1/61 The age
should not be
young

b) Age limit wherever necessary. The relaxation of lower age limit should not be below 14 years of age.

c) Educational qualifications to the extent stated in para 4 above.

d) Clearance from Surplus Cell of this Department/Directorate General of Employment and Training.

7. Belated request for compassionate appointments:

Ministries/Departments can also consider the requests for compassionate appointment even where the death took place long ago, say five years or so, while considering such belated requests it should be kept in view that the concept of compassionate appointment is largely related to the need for immediate assistance to the family on the passing away of the Government servant in harness. The very fact that the family has been able to manage somehow all these years should normally be adequate proof to show that the family had some dependable means of subsistence. Therefore, examination of such cases call for a great deal of circumspection. The decision in those cases may be taken at the level of Secretary only.

8. Widow appointed on compassionate grounds getting remarried.

Re marriage and
continuation in
Govt service

A widow appointed on compassionate grounds will be allowed to continue in service even after re-marriage.

9. Selective approach:

a) The appointments made on grounds of compassion should be done in such a way that persons appointed to the post do have the essential educational and technical qualifications and experience required for the post consistent with the requirements of maintenance of efficiency of administration.

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- b) It is not the intention to restrict employment of son/daughter/near relative of deceased Group 'D' employee to a Group 'D' post only.

As such, a son/daughter/near relative of deceased employee can be appointed to a Group 'C' post for which he is educationally qualified, provided a vacancy in Group 'C' exists.

- c) As the appointments have to be cleared at the level of the Head of Department and as all the vacancies are to be pooled for compassionate appointment, it may be ensured that subordinate and field offices get an equitable share in the compassionate appointments.

- d) The scheme of compassionate appointments was conceived as far back as 1958. Since then a number of welfare measures have been introduced by the Government such as the following which have made a significant difference in the financial position of the families of Government servants dying in harness. The benefits received by the family under these schemes may be kept in view which considering cases of compassionate appointment.

1. Under the Central Government Employees Insurance Scheme financial assistance to the family of the deceased Government servant is as under:-

Group 'D' Employees - Rs. 10,000/-

Group 'C' Employees - Rs. 20,000/-

Group 'B' Employees - Rs. 40,000/-

Group 'A' Employees - Rs. 80,000/-

In addition nearly 2/3rd of the amount contributed by the Government servant to the fund is also payable along with the above amount.

2. Benefit of encashment of leave to the credit of the deceased Government servant at the time of his death subject to a maximum of 240 days.

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- 3. Entitlement of additional amount equal to the average balance in the GPF of the deceased Government servant during the three years immediately preceding the death of the subscriber subject to certain conditions under the Deposit-Linked Insurance Scheme.
 - 4. Improved family pension.
 - 5. Assistance from Compassionate Fund, wherever necessary.
10. Request for change in post

When a person has accepted a compassionate appointment to a particular post, the set of circumstances which led to his initial appointment, should be deemed to have ceased to exist and thereafter the person who has accepted compassionate appointment in a particular post should strive in his career like his colleagues for future advancement and claims for appointment to higher post on consideration of compassionate should invariably be rejected.

- 11. General The proforma as in Annexure may be used by Ministries/Departments for ascertaining necessary information and processing the cases of compassionate appointments.
- Hindi version will follow.

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(K.S.R. Krishna Rao).
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