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Abstract

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Public Services – Appointment on Compassionate grounds –
Employment assistance to the families of deceased Government
Servant – Procedure for appointment on Compassionate
Grounds – Inter departmental compassionate appointments in
'C' and 'D' category posts where adequate vacancy is not
available – Instructions reiterated – Orders issued.

Labour and Employment (Q1) Department

G.O.(Ms.) No. 216,

Dated :15.11.2007

Read :-

1. G.O.Ms.No.314, Labour and Employment Department, dated 13.11.1991.
2. G.O.Ms.No.154, Personnel & Administrative Reforms Department, dated 19.9.2006.
3. G.O.Ms.No.42, Labour and Employment Department, dated 12.3.2007.
4. Letter (Ms.) No.202, Labour and Employment Department, dated 8.10.2007.

Order :-

In the Government Order first read above, the following consolidated instructions have already been issued by the Government to all the Heads of Departments, all Collectors, Departments of Secretariat, the Registrar of High Court of Madras and to the Secretary, Tamil Nadu Public Service Commission :-

- (1). normally the dependant of a deceased Government servant should apply for appointment on compassionate grounds only to that Office, where the Government servant was in service at the time of his death.

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- (2). The Head of the Office should then verify the facts in the petition like the date of death, the indigent circumstances of the family, the eligibility of the applicant for employment on compassionate grounds with reference to his educational qualifications, etc.
- (3). After verification, the Head of the Office should, within a month from the date of receipt of application from the dependant, submit the application along with his report to the Head of the Department indicating also whether any vacancy exists in his office for providing employment to the applicant.
- (4). After considering the request, if any vacancy exists either in the Office in which the deceased Government servant was working at the time of his death or in his Office, the Head of the Department should issue orders of appointments immediately and in any case within 15 days from the date of receipt of the report from the Head of the Office, provided the applicant satisfies all conditions relating to age, educational qualification etc. If any relaxation is necessary, he should send necessary proposals within 15 days to the Government in administrative Department for orders.
- (5). If no vacancy exists either in his Office or in the Office in which the deceased Government servant was working, then he should ascertain from the various Heads of Offices under his control whether any vacancy exists in any one of these office to provide employment to the dependant with reference to his educational qualifications etc. This exercise should be completed within a period of 60 days. Vacancies that may arise in the near future, that is to say for the next 12 months should also be taken into consideration for the purpose. If vacancy is likely to arise in the near future, the applicant may be informed of the fact and advised to wait till then and as soon as a vacancy arises, he should be given employment.

- (6). In case the Head of the Department finds that there is no vacancy in any of his offices or in the near future or where the dependant of the deceased Government Servant possesses qualifications which do not permit his or her appointment to any post in that Department also where the dependant possesses better qualification for appointment in other Departments, then, the Head of the Department should send the name and all relevant particulars to the Collector of the District in which the deceased Government servant last worked.
- (7). The Collector of each District should maintain a Special Register for this purpose and enter therein the name and other details of such dependants. This Register will be maintained separately.
- (8). Whenever a vacancy in the category of Office Assistant / Record Clerk / Junior Assistant / Typist, etc., arises in any Department including the Head of the Department, referred to in instruction above, the Head of the Department should first address the Collector of the District in which the vacancy has arisen and find out whether any dependant of a deceased Government servant is available for consideration for appointment to that post.
- (9). On receipt of such enquiry from a Head of Department, the Collector shall send the name or names and details of dependant from the Special Register, depending upon the number of vacancies and as per the seniority, for consideration for appointment in that Department.
- (10). Before notifying any such vacancy to the Tamil Nadu Public Service Commission or Employment Exchanges, each Head of the Department should first address the Collectors and only after obtaining from them a certificate of non-availability of the candidate in the Special Register maintained by them with reference to instruction(7) above,

- (6). In case the Head of the Department finds that there is no vacancy in any of his offices or in the near future or where the dependant of the deceased Government Servant possesses qualifications which do not permit his or her appointment to any post in that Department also where the dependant possesses better qualification for appointment in other Departments, then, the Head of the Department should send the name and all relevant particulars to the Collector of the District in which the deceased Government servant last worked.
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the Tamil Nadu Public Service Commission / Employment Exchange should be addressed.

(11). If any persons are already available with the Collectors as per G.O.Ms.No.1179, P.B.A.R dated 17.10.1979, for providing employment assistance under compassionate grounds, such cases should be re-examined by the Head of Departments concerned on the lines of instructions (1) to (10) above.

(12). The District Collectors should send a quarterly report to the Government in Labour and Employment Department to watch the progress of the "Special Register" proposed for dependents of the deceased Government Servant. The reports should be sent by 15th of the month following the quarter.

2. In the Government Order third read above, based on the recommendations of the Staff Committee and decision taken by the Cabinet on 3.3.2007, certain guidelines were issued among others for appointments on compassionate ground in item no. 8, as detailed below :

" The Government decided to examine the issue of inter-departmental Compassionate appointments in "C and D" category posts, where adequate vacancy is not available in a department to which the deceased Government Servant belonged".

3. The Government have decided to reiterate its earlier instructions issued in Government order first read above and accordingly direct that the District Collectors, Heads of Departments and all other appointing authorities have to follow the instructions issued in the above Government order whenever vacancies are not available in their departments for providing of compassionate ground appointment as per the requisite qualifications to the dependants of the deceased Government Servants who died in harness while in service in their department by fixing the seniority of such appointees from

the date of their appointment in that departments without affecting the service rights of the existing persons in that department, and also to follow the orders issued in G.O.Ms.No.154, Personnel & Administrative Reforms Department, dated 19.9.2006, i.e., 25% of the vacancies in the post of Junior Assistant be reserved for appointment on compassionate ground.

4. The Government also direct that the above instructions shall be followed while making compassionate ground appointments in respect of 'C' and 'D' category in the Departments of Secretariat also.

(By ORDER OF THE GOVERNOR)

L.K. TRIPATHY,
CHIEF SECRETARY TO GOVERNMENT

To

All Departments of Secretariat, Chennai-600 009.

The Tamil Nadu Legislative Assembly Secretariat, Chennai-9.

All Heads of Departments.

All Collectors / District Judges / District Magistrates (Judicial)

The Registrar, High Court, Chennai-600 104

The Government Pleader, High Court, Chennai-600 104.

The Accountant General, Chennai - 600 018.

The Commissioner of Treasuries and Accounts,
Chennai - 600 035.

The Special Commissioner and Commissioner of Employment &
Training, Guindy, Chennai-600 032.

The Secretary, Tamil Nadu Public Service Commission,
Chennai - 600 002.

The Pay & Accounts Officer (North), Chennai-600 079.

The Pay & Accounts Officer (South), Chennai-600 035.

The Pay & Accounts Officer (East,) Chennai-600 005.

The Pay & Accounts Officer, Secretariat, Chennai-600 009.

All Treasury Officers.

The Chief Minister's Office, Chennai-600 009.

The Special Personal Assistant to Minister (Labour),
Chennai - 600 009.