

From

The Chief Secretary to Govt., Haryana.

To

1. All Heads of Departments,  
Commissioner of Divisions,  
All Deputy Commissioners &  
Sub-Divisional Officers (C),  
in Haryana.
2. Registrar, Punjab & Haryana High Court, Chandigarh.  
Memo No. 16/5/95-6 GS-II

Dated, Chandigarh, the 8th May, 1995.

Subject :—Employment to the dependents of deceased Govt. Employee under ex-gratia Scheme.

Sir,

I am directed to refer to State Government letter No. 9054-4/GS-II-70/32230, dated 22-12-1970 and letter No. 3442-3-GS-II-71/19169, dated 13th July, 1971, No. 16/21-88-6 GS-II, dated 3-11-88 and No. 34/114/93-5 GS-II, dated 13.12.1993 on the subject noted above, and to say that the State Govt., is implementing ex-gratia scheme for the welfare of the bereaved family of any deceased government employee of Haryana State who dies while in service. Under this scheme, besides other facilities, a dependent of the deceased employee is considered for employment on Compassionate grounds.

2. In the light of the latest decision of the Hon'able Supreme Court dated 4.5.94 in SLP No.10504 of 1993, Umesh Kumar Nagpal versus State of Haryana and others, it has become necessary to suitably modify the ex-gratia scheme in so far it relates to compassionate appointment. The Government have considered the matter in detail and taken the following decisions :—

- (i) Ex-gratia employment shall be confined to Class-III and Class-IV posts only, irrespective of the status of the deceased employee. Further, the compassionate employment being offered shall be at latest one step lower than that of the deceased employee except in cases where the deceased employee was working at the lowest level in the government.
- (ii) The applicant having a monthly income of Rs. 2500- per month or more from all sources shall not be eligible for getting appointment on ex-gratia basis.
- (iii) The spouse of the deceased employee being in government service would not be a bar to the dependent of the deceased from seeking employment under this scheme if other conditions of eligibility are fulfilled.
- (iv) 'Dependent' of the deceased employee would denote only his/her spouse and unmarried children. If any dependent of deceased government employee's family is married at the time of death of the employee, he/she would not be eligible for employment under the scheme.
- (v) The dependent of the deceased employee shall be required to apply for employment within 3 years, of the death of the employee.
- (vi) The prescribed qualifications for a given Class-III post shall not be relaxed for appointment under the scheme. The competent authority may relax qualifications on a case to case basis.

case basis in respect of a Class-IV post, if relaxation in qualifications does not impinge upon the performance of duties.

vii) All cases of ex-gratia appointment shall be processed and decided by Heads of the Departments within 3 months of the receipt of the application.

3. Ex-gratia appointment shall be made by the concerned Head of the Department strictly within the frame-work of the laid down policy.

4. You are, requested to bring these instructions/policy to the notice of all concerned offices under your control for strict compliance. The receipt of this communication may please be acknowledged.

Sd/-

Joint Secretary General Administration,  
for Chief Secretary to Government, Haryana.