

GOVERNMENT OF TAMIL NADU

LABOUR AND EMPLOYMENT (Q1) DEPARTMENT

Letter (Ms) No. 34

DATED: 16.04.2002

From

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

To

All Heads of Departments.
All Departments of Secretariat.
All District Collectors.
All State Government Undertakings.
The Secretary, Tamil Nadu Public Service Commission, Chennai.2.
The Principal Commissioner and Commissioner of Revenue
Administration, Chennai.5.
All Special Commissioners and Commissioners, Chennai.5.
The Registrar, High Court, Chennai.104.

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.550, Labour and Employment,
dated 3.8.1977.
2. G.O.Ms.No.2899, Labour and Employment,
dated 23.12.1988.
3. Government letter No.2286/Q1/90-2, Labour
and Employment, dated 17.6.1991.
4. G.O.Ms.No.155, Labour and Employment,
dated 16.7.1993.
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/abandoned 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.

Yours faithfully,

R. Pachayappan
for Secretary to Government.

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