

No.17/39/2015-4PP2/720153/1

Government of Punjab

Department of Personnel

(Personnel Policy-2 Branch)

Dated, Chandigarh the 28/3/2016

To

All the Heads of Departments,  
Registrar, Punjab & Haryana High Court,  
All Commissioners of Divisions,  
All Deputy Commissioners; and  
All Sub-Divisional Officers (Civil) in the State of Punjab.

Subject :- Clarification regarding grant of compassionate appointment in Group 'C' & 'D'  
State Services Policy 2002.

Sir/Madam,

The Hon'ble Punjab and Haryana High Court while deciding C.W.P.No14135 of 2012 (O&M) titled as 'Asha Rani Vs State of Punjab and others' has decided that ..... "The State is requested to hold the fork sympathetically and make a fresh consideration of the case and pick up the relief on principles of *ex aequo et bono*' without being trammled by its own record and to act fairly in the light of observations made above. The State may even consider suitability of including a mother in cases where the death of dependant appointee occur within a short span of time and as it thinks fit to instruct its departments....."

The case has been considered by the Government and a decision has been taken to the effect that in case of the dependent persons, who are appointed under the policy issued by the State Government vide,-Circular Letter No. 11/105/98-4PP2/14420, dated the 21<sup>st</sup> November, 2002, if any such dependent appointee dies in harness (within a period of one year from the date of getting the appointment under the said policy of year 2002), leaving behind other dependant(s) as specified in the definition of 'dependant family member' in clauses (a), (b) and (c) note-1 of the said policy, in that case any such other dependant so left behind after the death of such dependant appointee referred to in the aforesaid clauses (a), (b) and (c) (i.e. father or mother, as the case may be, or brother or unmarried sister of such dependant appointee), who fulfils other eligibility conditions for appointment, shall be considered for appointment under the said policy, with a view to give a breadwinner to such aggrieved family, in view of the hardship suffered it:

Provided that in those cases where compassionate appointment had been given to the dependant family member specified in clause (d) of Note-1 referred to above, in that case only the dependant specified in clause (a) (i.e. father or mother, as the case may be), of such dependant appointee shall be considered for appointment subject, however, to other eligibility conditions.

The above appointment, if any, shall however, be made only in exceptional cases, which are identical to the facts of aforesaid case, by passing a speaking order by the competent authority, considering the facts and circumstances of each such case deserving such appointment.

The above policy instruction shall come into force on and with effect from the date of issue of this letter.

These policy instructions may kindly brought to the notice of all concerned for meticulous compliance.

Yours faithfully

*Harish Nayar*  
(Harish Nayar)

Additional Secretary Personnel

A copy each is forwarded to all the Additional Chief Secretary, Financial Commissioner, Principal Secretaries and Administrative Secretaries to Government of Punjab for information and necessary action.

*Harish Nayar*  
(Harish Nayar)

Additional Secretary Personnel

To

All the Financial Commissioners,  
Principal Secretaries and  
Administrative Secretaries to Government of Punjab.

I.D. No.17/39/2015-4PP2/720153/2

Dated, Chandigarh: 28/3/2016