

Appointment on Compassionate Ground
(vide No.ABP.357/80/Vol-I/303 Dated 2nd March/2009)

The State Govt. had adopted a scheme vide O.M. No.ABP.357/80/137 dtd 9.9.83 and as amended vide No.ABP.357/80/pt/12 dtd 23.3.92.No.ABP.357/80/pt/79 dtd 8.4.96 and notification No.ABP.50/2006/58 dtd 11.10.06 to give appointment on compassionate ground to the widow or son or unmarried daughter or adopted son, adopted unmarried daughter of a Govt. servant who dies in harness with a view to give immediate financial assistance to the family of deceased in a Class-III/Class-IV post (not above the level of L.D. Asstt.) limiting such appointment to 5% of vacancies occurring in a year. This restriction will however not apply where only one vacancy is to be filled up in a year. Thus the Deptt. can appoint one person on compassionate ground against 5% quota up to 20 vacancies in a year.

Since the scheme is to give immediate relief to the distressed family the applications received for compassionate appointment should not be kept pending for years together by the concerned departments. As soon as applications are received, the Deptt. should take prompt action for giving appointment of the vacancies arising in that particular year on the basis of 5% quota.

The concerning Deptt. should workout year wise vacancy and calculate eligibility quota of 5 % for compassionate appointment under this administrative control.

Considerable confusing has risen as regard to the implementation of the scheme. In order to simplify the matter the following further guidelines have been issued for strict compliance.

(1) Applications for appointment under the scheme in prescribed format should be submitted within a period of 3 months from the date of death of the person, to the respective officer/Departments under which the person dies in harness. Applications submitted after 3 months should not be considered.

(2) The 5% of the vacancies in Class-III and Class- IV posts occurring in a year must be reserved for appointments on compassionate ground. The calling of 5 % of direct recruitment vacancies for making compassionate appointment should not be exceeded.

(3) A person selected for appointment on compassionate ground should be adjusted in the recruitment roster against the appropriate category viz.SC/ST(P)/ST(H)/OBC/MOBC/General depending upon the category to which he/she belongs. For example S.C. category he/ she will be adjusted against SC. Reservation point and if he/she belongs to ST/OBC category he/she should be adjusted against ST/OBC point and if he/she belong to General category he/she will be adjusted against the vacancy point meant for general category.

(4) Since compassionate appointment is made in relaxation of prescribed procedure of recruitment, as such approval of finances (SIU) Deptt. Will not be necessary when there is a clear sanctioned vacancy to consider the proposal subject to the condition that the vacant post against which appointment on compassionate ground is to be made has been retained upto-date/retained permanently.

(5) As per direction of Hon'ble High Court the 3rd Aug/2006 in WPC(C)No.3875 of 2005 and 162 other connected cases, guide-lines have already been issued to follow the process

and examination of compassionate appointment cases by all Depts. and authorities vide Notification NO.ABP- 50/2006/58 dtd, 11.10.2006. which Should be Strictly adhered to.

(6) All cases of compassionate appointment of a District should be routed through the District Level Committee to the respective Administrative Deptts. For proper verification so that the Administrative Deptts. can prepare a statement of eligible candidates to be appointed on compassionate ground with the approval of State Level Committee.

(7) All vacancies available against the 5% quota on compassionate appointment are to be filled up within a period of six months from the date of occurrence of vacancies, If the applications of eligible candidates remain pending and cannot be considered due to want of vacancy or otherwise for a period of two years from the date of making such application, all such applications will quire no further consideration and must be understood to have spent their force.

(8) However, if no candidate is available for appointment under compassionate appoint than the pits may be filled up in the usual manner as provision of rules.

(9) All the Administrative Deptts/Directorates/Appointing authorities should examine the cases including the proposal from the District Level Committee with their recommendation as indicated in this Department's Notification mentioned para-5 above before placing the same in the State Level Committee by them.

(10) In case of any confusion, power of interpretation lies with Personnel (B) Department.

The above, instructions should be brought to the notice 'of all concerned and should followed scrupulously, Any deviation from the above will be viewed seriously and will invite disciplinary action.