

**CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH, KOLKATA**



O.A/350/1056/2016

Date of Order: 28.01.2020

**Coram:** Hon'ble Ms. Bidisha Banerjee, Judicial Member  
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

1. Chitra Dey, wife of Late Pranay Kumar Dey, aged about 56 years, died in harness before retirement on 4.5.2014 while he was on service as Chargemen/T.R. in Metal & Steel Factory, Ishapore, residing at Narkel Bagan, Debitala, P.O Ishapore, Nawabganj, Dist- 24 Parganas (North), Pin- 743144.
2. Partha Dey, son of Late Pranay Kumar Dey, aged about 23 years, residing at Narkel Bagan, Debitala, P.O Ishapore, Nawabganj, Dist- 24 Parganas (North), Pin - 743144.

--Applicants

-Versus-

1. Union of India, service through the Secretary, Ministry of Defence (Defence Production), Government of India, South Block, New Delhi - 110001.
2. The Chairman-cum-DGOF, Ordnance Factory Board, having his office at 10A, , Sahid Khudiram Bose Road, Kolkata - 700001.
3. The General Manager, Metal & Steel Factory, Ishapore, Government of India, Ministry of Defence, Post Office- Ichapore, Nawabgunj, Dist. - 24 Parganas (North), Pin 743144.
4. The Assistant Works Manager (Administration), Metal & Steel Factory, Ishapore, Government of India, Ministry of Defence, Post Office- Ichapore, Nawabgunj, Dist. - 24 Parganas (North).
5. The Joint General Manager (Administration), Metal & Steel Factory, Ishapore, Government of India, Ministry of Defence, Post Office- Ichapore, Nawabgunj, Dist. - 24 Parganas (North).

--Respondents

For The Applicant(s): Mr. P. C. Das, counsel  
Ms. T. Maity, counsel  
For The Respondent(s): Mr. K. Prasad, counsel

**ORDER (O R A L)**

Per: Ms. Bidisha Banerjee, Member (J):

Heard ld. counsel for both parties.



2. An order dated 27.05.2016 (Annexure A/10 to the O.A) is under challenge, which reads as follows:

27.05.2016

To  
Smt. Chitra Dey  
w/o Late Pranay Kumar Dey  
Narkel Bagan, Debitala  
P.O Ishapore, Nawabganj  
Noapara  
Dist- 24 Parganas (North)  
Pin - 743144 (West Bengal)

### ORDER

Sub: Employment assistance on Compassionate ground.

Ref: O.A. No. 350/00205 of 2016 - Smt. Chitra Dey & Anr. -vs- UOI & Ors.

Whereas, Shri Pranay Kumar Dey, Ex-Chargeman/TR, an employee of this factory died on 04.05.2014 while in service. After demise of her husband, Smt. Chitra Dey wife of Late Pranay Kumar Dey had submitted an application dated 14.07.2014 requesting for employment assistance on compassionate ground in favour of her elder son Shri Partha Dey.

And Whereas, on receipt of appeal for compassionate appointment of Smt. Dey, action was taken to assess indigent condition of family of the deceased by seeking verification report independently from Deputy Labour Commissioner (C)/MSF, concerned Civil Authority and declaration from the individual regarding her movable/immovable property.

And whereas, on receipt of the above mentioned reports, the case of Compassionate appointment in respect of Shri Partha Dey s/o Late Pranay Kumar Dey, was placed before the duly constituted Board of Officer (B.O.O). The B.O.O. had awarded 32 points out of 100 point scales. (Copy of the Score Sheet enclosed) by taking into consideration the different parameters issued vide OFB Instruction No. 75/2010(PCC) [bearing L/No. 01/6<sup>th</sup> CPC/2010/PCC/A/A dated 11.08.2010] copy enclosed.

And whereas, the instant case was placed before the Board of Officers for consideration along with other 56 cases against 06 vacancies (within 05 years old cases) out of total 10 vacancies arisen in the year 2014-15 within the ceiling limit of 5% vacant posts of the total Direct Recruitment Quota. However, request for grant of compassionate appointment in favour of the individual could not be acceded to as there were more deserving cases than that of the applicant. 06 most destitute candidates were recommended for grant of compassionate appointment who secured 78, 72, 66, 63, 63 and 58 points respectively whereas the applicant got 32 points only out of 100 points scale.

And whereas in deference with the Hon'ble Tribunal order cited above, the case of the individual has been placed before the Board of Officers (B.O.O) on 20.05.2016 for consideration the case for compassionate appointment. The Board found that there are 86 cases including the instant case against remaining 04(four) vacancies arisen during the recruitment year 2014-2015 within the ceiling limit of 5% vacant posts of the total Direct Recruitment Quota in terms of the prevalent scheme/instructions for grant of employment assistance on compassionate ground.

And whereas the Board is unable to recommend the case for compassionate appointment in respect of Shri Partha Dey due to lower merit points secured by the candidate.

Now therefore after the matter was considered in totality by the competent authority, it is regretted to inform that Shri Partha Dey could not be offered compassionate appointment in the available limited vacancies.

(L. Sampath Kumar)  
Jt. General Manager/Admin  
For Sr. General Manager"



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3. Since the respondents have not rejected the claim of the applicant, ld. counsel for the applicant submits that his case was considered once again by the Board of Officer, which had met for consideration of Compassionate appointment cases in 2017, where the cut off point for the period was 54 and, for the period 2019, the cut off point was 58 and therefore the applicant could not be considered. However, his case has not been closed.



4. Accordingly, we direct the respondents to reconsider the case of the applicant for compassionate appointment and pass appropriate order in accordance with law. The applicant would be communicated by the Board of Officers as expeditiously as possible preferably within one month from the date the Board of Officers meet.

5. The present O.A, therefore, stands disposed of. No costs.

(Nandita Chatterjee)  
Member (A)

(Bidisha Banerjee)  
Member (J)