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O.A. No.15 of 2006

ORDER DATED 21<sup>st</sup> SEPTEMBER 2007

DR. K.B.S. RAJAN, MEMBER(J)

Heard Mr. D.P. Dhalsamant, Ld. Counsel for the Applicant and Mr. P.R.J. Dash, Ld. Counsel for the Respondents in brief. The case pertains to grant of compassionate appointment to the Applicant whose husband has been missing for quite some time. Even though initially the case was rejected, at the intervention of the Tribunal, the Circle Relaxation Committee has considered and vide Annexure R/4 the decision is :-

"The CRC observed that the Ex-GDS has left behind the widow and five unmarried daughters of 19,18,17,13 and 8 years ( 3 minor children). The actual date of superannuation of the Ex-GDS is 19.09.2026. Now the family is maintained from the Annual Income of Rs.18,000/- only, derived from the 4 decimals of agricultural land owned by them. The D.O.B. of the widow is 1.8.1962 and she has passed Class-X..

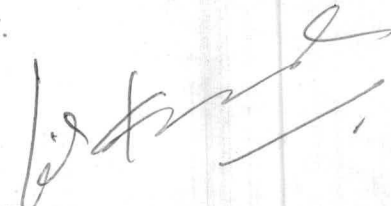
Taking into considerations the heavy liabilities of the family, the C.R.C recommended the case of compassionate appointment of Smt. Sukanti Nayak in any GDS post other than GDSBPM.

Since this is a missing case and more than five years old, the approval of the Directorate is requested for appointment of the candidate on compassionate ground.

Copies of synopsis Part-I,II and III along with summary proforma and Order of the Hon'ble Court are sent herewith for consideration of the case."

Only question to be considered by the Directorate is to confirm that the policy relating to compassionate appointment in respect of GDS employees covers cases of missing personnel as well. There is absolutely no difference between compassionate appointment in respect of a deceased or medically invalidated or missing personnel.

Only the procedure varies in as much as for, missing person, there is a requirement by the competent authority to confirm that the individual could not be traced. As a genuine doubt has been raised by the Respondents and the matter is referred to the Directorate, Respondents 2 & 4 are directed to follow up the matter with R-1 and get due confirmation of the Directorate and proceed further in the grant of compassionate appointment to the applicant. After receiving necessary confirmation from the Directorate to give compassionate appointment, as CRC has already given the deserving case, action for issue of appointment order be taken. This shall be completed within two months from the date of receipt of the order.



MEMBER (JUDICIAL)