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Cuttack this the 6th day of January, 2012

-VS-

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And

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Heard Learned Counsel for both sides and perused the


2. In this Original Application filed U/s.19 of the A.T. Act, 1985 the applicant seeks direction to the Respondents to convene the meeting for providing compassionate appointment to the applicant in any Gr. C or D post as applied by him after the death of his father on 9.1.2004 while working under the Respondents as a Gr. D employee.

3. According to the Respondents the Govt. of India, DoP&T in its OM No. 14014/24/99-Estt.(D) dated 28.12.1999 has decided that Group C&D posts in which there are less than 20 direct recruitment vacancies in a recruitment year may be grouped together and out of the total number of vacancies 5% may be filled on compassionate ground subject to the condition that appointment on compassionate ground in any such post should not exceed one. In addition to this the ban on recruitment imposed by the Government of India since 1999 is still in vogue. The Institute has

already attained the ceiling of 5% on Compassionate Appointment. Thus the Institute is not in a position to provide appointment to the applicant who is as well continuing to work as a contractual labour since 2001. However, the Respondent No.3 is quite considerate towards the cause of applicant inasmuch as request has been made to all the ICAR Institutes throughout the country vide letter No. 249/CIFA/Estt./2011-278 dated 8.3.2011 requesting them to favourably consider the candidatures of all those pending cases of compassionate appointment, including the case of the applicant. Learned Counsel for the Respondents submitted that Respondent No.3 is awaiting the response from Respondent No.2.

4. In view of the above, as agreed to by the Learned Counsel for both sides this OA is disposed of with direction to the Respondent No.2 to take a decision on the letter dated 8.3.2011 especially on the request of the applicant and communicate the same at an early date preferably within a period of three months from the date of receipt of copy of this order. No costs.


(A.K. Patnaik)
Member (Judicial)


(C.R. Mohapatra)
Member (Admn.)