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**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**GUWAHATI BENCH**  
**GUWAHATI-05**

(DESTRUCTION OF RECORD RULES,1990)

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O.A/T.A No. 292/2003

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SECTION OFFICER (Judl.)

Halita  
21/11/17

FROM No. 4  
(SEE RULE 42)

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH:

ORDER SHEET

Original Application No:- 292/03

Misc Petition No:                     

Contempt Petition No:                     

Review Application No:                     

Name of the Appellant(s): Md Nazimuddin Ahmed

Name of the Respondant(s): LETTERS.

Advocate for the Appellant:- Mr J. Hussain  
Mr J. N. Saikia

Advocate for the Respondant:-  
CGSC.

Notes of the Registry	date	Order of the Tribunal
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This application is in form but not in time. Contempt Petition is filed by Shd C E for Rs. 50 deposited vide IPO No 387327 Dated 23.12.03.....

24.12.2003

Present: The Hon'ble Mr. Justice B. Panigrahi, Vice-Chairman  
The Hon'ble Mr. K. V. Prahladan, Member (A).

Heard counsel for the parties.  
Order passed, kept in separate sheets.

The application is disposed of at the admission stage in terms of the order.

Steps taken.

Notice with order copy of 24/12/2003 sent to despatch Section for issuing to concerned parties.

Member

Vice-Chairman

bb

30.12.03

Received copy 19/1/04

30.12.03

Copy of The Index  
alongwith the Copy of  
The application must have  
been sent to the office  
for issuing the same to  
the Respondent by the  
cost of the applicant  
and copy the same handed  
over to the L/Adv. by  
the ADDG C.S.C.



Collected by B. G. and J. H. 1968. S. 1. 1968.

1. The first step is to identify the problem or question that needs to be answered.

U.S. DEPT. OF AGRICULTURE  
BUREAU OF PLANT INDUSTRY

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1944-1945 111 1946 1947 1948 1949 1950 1951 1952 1953 1954 1955 1956 1957 1958 1959 1960 1961 1962 1963 1964 1965 1966 1967 1968 1969 1970 1971 1972 1973 1974 1975 1976 1977 1978 1979 1980 1981 1982 1983 1984 1985 1986 1987 1988 1989 1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154 2155 2156 2157 2158 2159 2160 2161 2162 2163 2164 2165 2166 2167 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178 2179 2180 2181 2182 2183 2184 2185 2186 2187 2188 2189 2190 2191 2192 2193 2194 2195 2196 2197 2198 2199 2200 2201 2202 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2214 2215 2216 2217 2218 2219 2220 2221 2222 2223 2224 2225 2226 2227 2228 2229 2230 2231 2232 2233 2234 2235 2236 2237 2238 2239 2240 2241 2242 2243 2244 2245 2246 2247 2248 2249 2250 2251 2252 2253 2254 2255 2256 2257 2258 2259 2260 2261 2262 2263 2264 2265 2266 2267 2268 2269 2270 2271 2272 2273 2274 2275 2276 2277 2278 2279 2280 2281 2282 2283 2284 2285 2286 2287 2288 2289 2290 2291 2292 2293 2294 2295 2296 2297 2298 2299 2300 2301 2302 2303 2304 2305 2306 2307 2308 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319 2320 2321 2322 2323 2324 2325 2326 2327 2328 2329 2330 2331 2332 2333 2334 2335 2336 2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349 2350 2351 2352 2353 2354 2355 2356 2357 2358 2359 2360 2361 2362 2363 2364 2365 2366 2367 2368 2369 2370 2371 2372 2373 2374 2375 2376 2377 2378 2379 2380 2381 2382 2383 2384 2385 2386 2387 2388 2389 2390 2391 2392 2393 2394 2395 2396 2397 2398 2399 2400 2401 2402 2403 2404 2405 2406 2407 2408 2409 2410 2411 2412 2413 2414 2415 2416 2417 2418 2419 2420 2421 2422 2423 2424 2425 2426 2427 2428 2429 2430 2431 2432 2433 2434 2435 2436 2437 2438 2439 2440 2441 2442 2443 2444 2445 2446 2447 2448 2449 2450 2451 2452 2453 2454 2455 2456 2457 2458 2459 2460 2461 2462 2463 2464 2465 2466 2467 2468 2469 2470 2471 2472 2473 2474 2475 2476 2477 2478 2479 2480 2481 2482 2483 2484 2485 2486 2487 2488 2489 2490 2491 2492 2493 2494 2495 2496 2497 2498 2499 2500 2501 2502 2503 2504 2505 2506 2507 2508 2509 2510 2511 2512 2513 2514 2515 2516 2517 2518 2519 2520 2521 2522 2523 2524 2525 2526 2527 2528 2529 2530 2531 2532 2533 2534 2535 2536 2537 2538 2539 2540 2541 2542 2543 2544 2545 2546 2547 2548 2549 2550 2551 2552 2553 2554 2555 2556 2557 2558 2559 2560 2561 2562 2563 2564 2565 2566 2567 2568 2569 2570 2571 2572 2573 2574 2575 2576 2577 2578 2579 2580 2581 2582 2583 2584 2585 2586 2587 2588 2589 2590 2591 2592 2593 2594 2595 2596 2597 2598 2599 2600 2601 2602 2603 2604 2605 2606 2607 2608 2609 2610 2611 2612 2613 2614 2615 2616 2617 2618 2619 2620 2621 2622 2623 2624 2625 2626 2627 2628 2629 2630 2631 2632 2633 2634 2635 2636 2637 2638 2639 2640 2641 2642 2643 2644 2645 2646 2647 2648 2649 2650 2651 2652 2653 2654 2655 2656 2657 2658 2659 2660 2661 2662 2663 2664 2665 2666 2667 2668 2669 2670 2671 2672 2673 2674 2675 2676 2677 2678 2679 2680 2681 2682 2683 2684 2685 2686 2687 2688 2689 2690 2691 2692 2693 2694 2695 2696 2697 2698 2699 2700 2701 2702 2703 2704 2705 2706 2707 2708 2709 2710 2711 2712 2713 2714 2715 2716 2717 2718 2719 2720 2721 2722 2723 2724 2725 2726 2727 2728 2729 2730 2731 2732 2733 2734 2735 2736 2737 2738 2739 2740 2741 2742 2743 2744 2745 2746 2747 2748 2749 2750 2751 2752 2753 2754 2755 2756 2757 2758 2759 2760 2761

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THE UNIVERSITY OF CHICAGO

1. The first step is to identify the problem or question that needs to be answered.

J. C. HARRIS

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CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

O.A./~~XXXX~~ No. 1111 292 of 2003.

DATE OF DECISION 24.12.2003.

..Md. Nazimuddin Ahmed.....APPLICANT(S).

..Mr. I. Hussain & Mr. S. H. Saikia.....ADVOCATE FOR THE  
APPLICANT(S).

-VERSUS-

Union of India & Others.....RESPONDENT(S)

..Mr. A. K. Chaudhuri, Addl. C. G. S. C. ....ADVOCATE FOR THE  
RESPONDENT(S).

THE HON'BLE MR. JUSTICE B. PANIGRAHI, VICE CHAIRMAN.

THE HON'BLE MR. K. V. PRAHLADAN, ADMINISTRATIVE MEMBER.

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether the judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble ~~Member~~ Vice-Chairman.

5

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No.292 of 2003.

Date of Order : This, the 24th Day of December, 2003.

THE HON'BLE MR. JUSTICE B. PANIGRAHI, VICE CHAIRMAN.

THE HON'BLE MR. K. V. PRAHLADAN, ADMINISTRATIVE MEMBER.

Md.Nazimuddin Ahmed  
S/o Late Khasnur Ali  
Resident of Village &  
P.O: Moranjana  
Dist: Kamrup  
Assam.

. . . . . Applicant.

By Advocates Mr.I.Hussain & Mr.G.H.Saikia.

- Versus -

1. The Union of India  
Represented by the Secretary  
to the Government of India  
Ministry of Communication  
Department of Posts  
New Delhi - 110 001.

2. The Chief Post Master General  
N.E.Circle  
Shillong - 793 001.

3. The Divisional Superintendent of Post Offices  
Guwahati Division  
Guwahati- 781 001.

. . . . . Respondents.

By Mr.A.K.Chaudhuri, Addl.C.G.S.C.

ORDER ( O R A L )

PANIGRAHI, J.(V.C.)

~~Mr.A.K.Chaudhuri, learned Addl.C.G.S.C. who is present has been asked to appear on behalf of the respondents. Let a copy of the application be served by Mr.I.Hussain, learned counsel for the applicant to Mr.A.K.Chaudhuri, learned Addl.C.G.S.C. in course of the day.~~

1. In this case a prayer has been made by the applicant for compassionate appointment since his father died while in service in a distressed condition on 5.2.2003 leaving the applicant as dependent alongwith mother and other family

Contd./2

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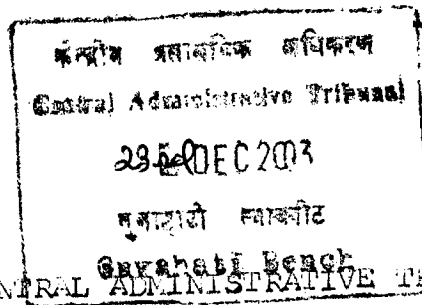
members. The prayer for compassionate appointment has been made by virtue of the application dated 25.2.2003 vide Annexure-3 to the Divisional Superintendent of Post Offices, Guwahati Division, Guwahati which awaits final disposal. Accordingly, we hereby direct the respondent Nos.2 & 3 to consider the prayer made by the applicant for compassionate appointment in the light of the Rules, Circulars, Notifications and Orders passed by the Department from time to time within four months from the date of receipt of the order.

With the above directions the application is disposed of. The applicant is further directed to serve a copy of this application once again to the respondents by registered post.

  
( K.V. PRAHLADAN )  
ADMINISTRATIVE MEMBER

  
( B. PANIGRAHI )  
VICE CHAIRMAN

bb



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GAUHATI BENCH - GUWAHATI.

ORIGINAL APPLICATION NO. 292 OF 2003.

Md. Nazimuddin Ahmed

....Applicant

-Vs-

The Union of India & Ors.

....Respondents

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- |    |                |            |
|----|----------------|------------|
| 1. | Petition       | - 1 to 6   |
| 2. | Verification   | - 7        |
| 3. | Annexure No. 1 | - 8        |
| 4. | Annexure No-2  | - 9        |
| 5. | Annexure No. 3 | - 10       |
| 6. | Annexure No.-4 | - 11 to 15 |
| 7. | Vakalatnama    | -          |
| 8. | Notice         |            |

~~2~~ (A)

~~11.~~ LIST OF ENCLOSURES:

1. Petition
2. Verification
3. Annexure-1

The Copy of the H. S. L. C. Pass  
Certificate .

4. Annexure No.-2

The Copy of the death Certificate dt.  
5.2.2003

5. Annexure No.3.

The copy of the representation dt. 25.2.2003

6. Annexure No.4.

The copy of the abstract of the scheme for  
compassionate appointment.

7. Valalatnama

8. Notice .



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH-GUWAHATI.

(An application under section 19 of the Central  
Administrative Tribunal Act, 1985)

ORIGINAL APPLICATION NO. 292 OF 2003.

Md. Nazimuddin Ahmed

... Applicant

-Vs-

The Union of India & Others.

... Respondents

PARTICULARS OF THE APPLICANT : Md. Nazimuddin Ahmed

S/o Late Khasnur Ali

Resident of

Village and P.O. Moranjana

District-Kamrup, Assam.

PARTICULARS OF THE RESPONDENTS: 1. The Union of India

Represented by the Secretary  
to the Government of India  
Ministry of Communication,  
Department of Posts,  
New Delhi-110001.

2. The Chief post Master  
General, N.E. Circle,  
Shillong-793001.

3. The Divisional Superintendent  
of Post Officers  
Guwahati Division,  
Guwahati-781001.

Filed by the applicant  
Through  
Musannur Saikur  
Advocate  
23/12/03 9

1. PARTICULARS FOR WHICH THIS APPLICATION IS MADE:

This application is made with a prayer for a direction to the Respondents for appointing the applicant on compassionate ground whose father was died in harness on 05.02.03 while he was working as B.P.M(Post Master)in Moranjana post Office under Rangia Sub-Division.

2. JURISDICTION OF THE TRIBUNAL:

The applicant declares that the application is within the Jurisdiction of this Hon'ble Tribunal.

3. LIMITATION:

The Applicant declares that the application is filed before this Hon'ble Tribunal within time limit prescribed under section 21 of the Administrative Tribunal Act,1985.

4. FACTS OF THE CASE:

4.1. That the applicant is a Citizen of India being a permanent resident of village and P.O.Mananjana in the District of Kamrup,Assam.

4.2. That the applicant passed H.S.L.C.Examination in the year 1988 thereafter could not proceed with further Higher Studies due to financial hardships and as such he was looking for an adequate job which he could not manage.

The copy of the H.S.L.C.pass certificate is being annexed herewith and marked as Annexure No.1.

4.3. That the applicant states that his father late Khasnur Ali died in harness on 5.2.2003 while he was working as B.P.M(Post Master) in Maranjana post office under Rangia Sub-Division leaving ~~being~~ the big family consisting of 5(five) sons and 2(two) unmarried daughters along with old ailing wife .There are no service holder in the family of the applicant. Being the eldest son, the applicant has to bear all the responsibilities of maintaining the big poor family.

The Copy of the death certificate<sup>dt.5.2.2003</sup> is being annexed herewith and marked as Annexure-2.

4.4. That the applicant stated that he applied before the authority on requisite form for his appointment on compassionate ground in the month of February, 2003, i.e. after the demise of his father. Thereafter again on 25.2.03 the applicant filed a representation before the authority for consideration of his case for appointment on compassionate ground, but till date no action has been taken by the authority and hence this application for redressal of his grievances.

The copy of the representation dated 25.2.03, is being annexed herewith and marked as Annexure-3.

4.5. That the applicant states that the Government of India vide various notifications and memorandums has made a special provision for appointment on compassionate reserving 5% grade -III and Grade-IV

post to a widow on a son or daughter of a Government servant who dies in harness, while he was in service leaving his family in candidate need of assistance when there is no other earning member in the family. In the instant case the applicant as the elder most son of the deceased person who died in harness while he was in service, The applicant has to bear all the responsibilities to maintain his family.

Typed copy of the abstract of the scheme for compassionate appointment is annexed herewith and marked as Annexure-4.

4.6. That the applicant begs to state that no appointment has been made in the post of B.P.M, Mananjara till date and peon of the said office is doing the responsibilities of the B.P.M. Therefore the applicant prays for his appointment in the post of B.P.M. in Monangana post office.

5. GROUND FOR RELIEF WITH LEGAL PROVISIONS:

- i) For that, the applicant has got the requisite qualification to be employed in any Grade-III or Grade-IV posts on compassionate ground.
- ii) For that, after the death of the father of the applicant, the family is facing acute financial hardships to maintain their livelihood.
- iii) For, that there are no service holder in family of the applicant after the premature death of his father.

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- iv) For that, the applicant applied before the authority for his appointment on compassionate ground as per provisions laid down by Union of India.
  - v) For that, the respondents ought to have appointed the applicant against any existing vacant post of Grade-III Or Grade-IV on compassionate ground.
  - vi) For that, it is a fit case for a direction from this Hon'ble Tribunal to appoint the applicant on compassionate ground.

6. DETAILS OF REMEDIES EXHAUSTED:

The applicant has approached the respondent Nos 4

3 from time to time with a prayer for his appointment on compassionate ground including the representation dt. 25.2.2003 and \_\_\_\_\_.

7. MATTER NOT PENDING IN ANY OTHER COURT OR TRIBUNAL:

The applicant declares that he has not filed any application, writ petition or suit etc, regarding this matter in any court or law on Tribunal and no case is pending before any court.

8. RELIEF SOUGHT FOR:

In view of the facts and circumstances narrated above the applicant prays for the following reliefs.

- 14
- i) That the respondents may be directed to appoint the applicant against the vacant post occurred due to the premature death of his father in any other suitable vacant post, commensurating his educational qualification, under respondent No. 3... as per provisions laid shown in the office Memorandum, etc. ....
- ii) That any other relief or reliefs entitled by the applicant and this Hon'ble Tribunal deems fit and proper.

9. INTERIM RELIEF ANY PRAYED FOR:

- i) That the respondents may be directed to appoint the applicant against the vacant post occurred due to the premature death of his father in any other suitable vacant post, commensurating his educational qualification, under respondent No. 3... as per provisions laid down in the office memorandum, etc. ....
- ii. That any other relief or reliefs entitled by the applicant and this Hon'ble Tribunal deems fit and proper.

10. DETAILS OF POSTAL ORDER:

Postal order No: 7713 387127  
Date of Issue : 23.12.67  
Issued from :  
payable at : 14-P.O.

VERIFICATION

I, Md. Nazimuddin Ahmed, S/o Late Khasnur Ali,  
resident of Village- and P.O. Moranjara, in the District  
of Kamrup, Assam, do hereby varify that the  
contents made is paragraph 1, 2, 3, 4, 5, 6, 7, 10  
and 11 are true to my personal knowledge and  
paragraph 5, 8 and 9 are believed to be true as  
legal advice and I have not suppressed any  
material facts.

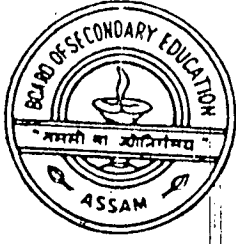
Date: 23.12.03

Place: Guwahati.

*Md. Nazimuddin Ahmed*

Signature of the Applicant.

Board of Secondary Education, Assam



1988

Assam High Madrassa Examination  
(COMPARTMENTAL)

(Date of announcement of result—28.3.89)

I Certify that *Md. Nazimuddin Ahmed*  
*L-21 No. 50* passed the Assam High  
Madrassa Examination, 1988 of this Board being successful  
in the Compartmental (Last) Chance.

His/Her date of birth is *1-5-70*

REGISTRAR II

DILIP KR. KAKATI  
SECRETARY

*Certified True copy  
J.H. Saikia  
Advocate*



Form No. 6  
ফর্ম নং ৬



A-X NO. 2

SI No. 0056060  
সি নং ০০৫৬০৬০

GOVERNMENT OF ASSAM  
(অসম চৰকাৰ)  
DIRECTORATE OF HEALTH SERVICES  
(স্বাস্থ্য সেৱা সঞ্চালকালয়)  
CERTIFICATE OF DEATH  
(মৃত্যুৰ প্ৰমাণ পত্ৰ)

ISSUED UNDER SECTION 12/17 of the Registration of Births and Deaths Act, 1969.  
ভাৰা আৰু মৃত্যুৰ পঞ্জীয়ন আইন ১৯৬৯ ৰ ১২/১৭ অংশত নিৰ্ধাৰিত।

This is to Certify that the following information has been taken from the original record of Death which is in the register for Deaths Registration unit of Rangpur District Rangpur of the State of Assam.

ইয়াৰ দ্বাৰা প্ৰমাণিত কৰা হয় যে নিম্ন লিখিত তথ্য অসম ৰাজ্যৰ পৌৰসভা মৌজা অঞ্চল পঞ্জীয়ন পত্ৰ মৃত্যু পত্ৰ পৰা সংগ্ৰহ কৰা হৈছে।

Name Late Khosima Ali

Sex Male

Date of Death 05.02.03

Place of Death Rangpur

Registration No. 41

Date of Registration 15.02.03

Name of Father/Mother/Husband Late Chobi Ali

(পিতা/মাতৃ/স্বামীৰ নাম)

Signature of issuing authority [Signature]  
Designation Registrar  
Date 15/2/03  
Section Birth & Death

certified true copy  
J. H. Sarma  
Advocate

To,

The Divisional Superintendant of Post Offices,  
Gauhati Division  
Guwahati.

Dated-Guwahati the 25.2.03.

Sub:- Prayer for appointment on compassionate ground.

Sir,

I have the honour to inform you that my father late Khasnur Ali was working as B.P.M, (Post mater) under Rangia Sub-Division in Moranjanra post office. He died on 5.2.2003 while he was in service. There is no other service holder in our family. Being the eldest son I have to bear the responsibility of maintaining the big family consisting of 9 (nine) members. I passed HSLC Examination in the year 1988.

Therefore, I request you to kindly appoint me as B.P.M. or in any other suitable post under your jurisdiction on compassionate ground so as to enable me to maintain the poor family.

This is my humble prayer before your honour.

Yours faithfully,

Sd/-Md. Nazimuddin Ahmed  
S/o Late Khasnur Ali  
Vill and P.O. Moranjanra,  
District-Kamrup

*Certified True copy  
J. H. Saini  
Advocate*

### Compassionate Appointments of Dependants

(Swamy's Pension compilation)

Applicable to a dependant family member of-

- a) a Government servant who dies in service (including death by suicide),
- b) is retired on medical grounds before attaining the age of 55 years (57 years in the case of group 'D' officials)
- c) a member of the Armed Forces who-
  - i) dies in service, or (ii) killed in action, or (iii) is medically boarded out and unfit for civil employment.

Service includes extension in service (but not re-employment) service also includes re-employment of Ex-servicemen in civil post before the normal age of of retirement.

### Welfare Measures

Dependant family member means (a) spouse (b) son/ daughter (including adopted son/adopted daughter) and (c) brother or sister in the case of unmarried Government servant/ member of the ~~xxx~~ Armed forces at the time of his death in harness/retirement on medical grounds as the case may be.

In the case of a missing employee-Compassionate, appointment can be considered after two years from the date of missing-

*certified true copy  
J.H. Saini  
Advocate*

- a. if FIR has been filed and the missing official is not traceable
  - b. if he had at least two years to retire.
  - c. if he is not suspected to have committed /joined terrorist organization/gone abroad.
  - d. if the competent authority feels that the case is genuine and,
  - e) decision is to be taken at the level of Secretary
- Concession of compassionate appointment is admissible to ~~max~~ one dependant only.

EXCEPTIONS- (1) In exceptional circumstances, with the prior approval of the Secretary of the Ministry/Department concerned the appointment on compassionate grounds may be considered even when there is an earning member in the family of the deceased.

2. If the deceased was unmarried one of the dependent brothers/sisters will be eligible for consideration on giving were dependent on the deceased Government servant.

3. Posts to which appointment made-Only in Group 'D' and Group 'C' posts.

3. Appointing Authority  
Ministry/Department.

:Joint Secretary in-charge  
of the Administration of  
Secretary.

Attached and Subordinate: Heads of the Departments  
offices. under SR 2(10).

~~-11-~~

Department of Tele- : Respective Circle Selection  
communications. Committee.  
Department of posts.

#### 4. Conditions

- i. Compssionate appointment can be made only against the direct recruitment quota and
- ii. Applicants should fulfil all eligibility conditions in recruitment rules.

#### 5. Relaxations-

i. Age-Maximum age-limit may be relaxed wherever necessary but no relaxation is permissible in the minimum limit of 18 years .If the ward is below 18 years of age at the time of death of the Government servant and if he alone is available for employment ,he should apply as soon as he attains 18 years.

ii. Qualification- For group 'D' post and LDC,

Qualification may be temporarily relaxed by the Department subject to the condition that such relaxation will be permitted up to two years only. The appointee should get qualified within the period as otherwise his services are liable to be terminated.

Widow appointed to a Group 'D' post will exempted from the prescribed educational qualification, if the duties can be performed satisfactorily.

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iii. Procedure- Conditions in the recruitment procedure viz, clearance from Surplus Cell, recruitment through SSC, Employment Exchange etc, will be relaxed, compassionate appointments are exempted from ban orders on filling up of vacant posts.

6. Limitations- Compassionate appointment can be made only up to 5% of direct recruitment vacancies. No compassionate appointment can be made if there is no vacancy.

7. Reservations Person selected for compassionate appointment to be adjusted in the recruitment roster against the appropriate category i.e. SC/ST/OBC/General category, depending upon the category to which he belongs.

8. Procedure for appointment: Heads of offices will make the proposal and the Head of Department/Ministry will decide the appointment proposal will be made in the prescribed form containing all particulars of the candidate and the specific relaxation required in age, qualifications, etc. The Head of Department /Ministry will take into account all the circumstances of the family, the benefits such as CGELs payments, GPF/CPF, gratuity, etc, received the existence of any earning member in the family on the one hand and on the other, size of the family, ages of children, essential needs, liabilities and the financial condition of the family. Financial benefits received need not necessarily be a ground for rejecting the proposal vis-a-vis other adverse factors urging acceptance.

contd/-13

9. Other provisions-

i. Widow in appointment after re-marriage-There is no bar against a widow appointed on compassionate grounds continuing in the appointment after re-marriage.

ii. Dependant of Group 'D' deceased considered for Group 'C' also-The appointment of the family member of a deceased (Group 'D' ~~employee~~ employee need not be restricted to a Group 'D' post such a member, if qualification can be appointed to a Group 'C' post also.

iii. No consideration for change in post- Once the compassionate appointment is made, request for a change in the post on compassionate grounds will not be entertained. The appointee will be treated like his colleagues for career advancement in the normal course -Chapter 29.