

**GOVERNMENT OF ASSAM  
DEPARTMENT OF PERSONNEL ::: PERSONNEL (B)  
DISPUR::: GUWAHATI**

No ABP.357/80/Vol-I/303

Dated: Dispur, the 2<sup>nd</sup> March, 2009

**OFFICE MEMORANDUM**

**Subject: Revised guidelines for appointment on Compassionate ground of a son, daughter of a Government Servant.**

State Govt. had adopted a scheme vide O.M. No. ABP.357/80/137 dated 29.9.83 and as amended vide No. ABP.357/80/Pt/12 dated 23.3.92. No ABP. 357/80/Pt/79 dated 8.4.96 and Notification No. ABP.50/2006/58 dated 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 giving 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 upto 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 concerned Deptts should workout year-wise vacancy and calculate eligibility quota of 5% for compassionate appointment under their administrative control.

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

1) Application 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 office/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 appointment on compassionate ground. The Ceiling 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/General depending upon the category to which he/she belongs. For example if he/she belongs to SC category he/she will be adjusted against S.C. reservation point and if he/she belongs to ST/OBC category he/she should be adjusted against ST/OBC point and if he/she belongs 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 Finance (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 dtd. the 3<sup>rd</sup> Aug/2006 in W.P.(c) No 3875 of 2005 and 162 other connected cases, guidelines have already been issued to follow the process and examination of compassionate appointment cases by all Deptts and authorities vide Notification No ABP.50/2006/58 dated 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 Committees.

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 require no further consideration and must be understood to have spent their force.

8. However, if no candidate is available for appointment under compassionate scheme, then the posts may be filled up in the usual manner as per provision of Rules.

9. All the Administrative Deptts/Directorates/Appointing authorities should examine the cases including the proposal received from the District Level Committee with their recommendation as indicated in this Department's Notification mentioned at 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 be followed scrupulously. Any deviation from the above will be viewed seriously and will invite disciplinary action.

Sd/- JISHNU BARUA  
Commissioner & Secy. to the Govt. of Assam  
Personnel (B) Department.

Memo No. ABP.357/80/Vol-I/303-A

Dated: Dispur, the 2<sup>nd</sup> March, 2009

Copy to:

1. The Secretary to the Governor of Assam, Dispur
2. PPS. to Chief Minister, Assam, Dispur
3. PS. to Chief Secretary to the Govt. of Assam, Dispur
4. PS. to Additional Chief Secretaries, Assam
5. All P.S. Principal Secretaries/Commissioner & Secretaries/Secretaries to all Administrative Department.
6. All Heads of the Department
7. All Deputy Commissioners/Sub-Divisional Officers
8. The Secretary, Assam Public Service Commission, Khanapara, Guwahati-22
9. All Commissioner of Divisions.
10. All Administrative Departments
11. The Secretary, Assam Legislative Assembly, Dispur.
12. The Secretary to the Govt. of Assam, Judicial Deptt. Dispur.

By order etc,

Under Secretary to the Govt. of Assam  
Personnel (B) Department