



**GOVERNMENT OF ASSAM
PANCHAYAT & RURAL DEVELOPMENT (B) DEPARTMENT
JANATA BHAWAN :: DISPUR :: 781006
e-mail: pnr-d-eoffice@assam.gov.in**

ECF No. 691945/PRD(B)/1707250

Dated: 02-04-2026

Order

Whereas, an application for appointment on compassionate ground was submitted by Shri Sarat Kumar Nath, S/o Late Chandra Kumar Nath, whose father was an Ex-Tax Collector-cum-Road Mohorar under Morigaon Zilla Parishad, following the death of the Government employee on 14-03-2002; and

Whereas, the applicant had submitted his application for compassionate appointment on 20-07-2002 and the District Level Committee (DLC), Morigaon, in its meeting held on 22-01-2022, recommended the proposal for appointment of the applicant to a Tax Collector/Grade-IV post under the Panchayat & Rural Development Department; and

Whereas, the said proposal was placed before the State Level Committee (SLC) in its meeting held on 02-03-2023, wherein the Committee deferred consideration of the case due to non-availability of No Objection Certificate (NOC) and Next of Kin (NoK) certificate of the applicant, and

Whereas, the Hon'ble Gauhati High Court, vide order dated 27-06-2025 passed in WP(C) No. 1107/2025 (Sarat Kumar Nath vs. State of Assam & Ors.), directed the State respondents to dispose of the petitioner's application for compassionate appointment on merit within a period of two months by passing a reasoned order and communicating the decision to the petitioner, further directing that Office Memorandum dated 01-06-2015 shall not be relied upon, though the judgment of the Hon'ble Supreme Court in the case of Debabrata Tiwari (supra) may be considered, and clarifying that the order shall apply only to cases pending as on 03-04-2025; and

Whereas, in compliance with the aforesaid directions of the Hon'ble Gauhati High Court and the order dated 03-04-2025 passed in WP(C) No. 342/2025 (Abdul Kadir Bakshi vs. State of Assam & Others), the proposal of Shri Sarat Kumar Nath was placed before the State Level Committee (SLC) in its meeting held on 24-12-2025 for consideration; and

Whereas, the State Level Committee, examined the proposal in the light of the provisions contained in Office Memorandum No. ABP.50/2006/Pt/182 dated 01-06-2015 issued by Personnel (B) Department, read with other relevant provisions governing compassionate appointment which were in force prior to the year 2017, as applicable to cases pending as on 03-04-2025; and

Whereas, the State Level Committee observed that the application for compassionate appointment was submitted on 20-07-2002 and that an inordinate period of time has elapsed since the date of death of the Government employee and the date of application, thereby defeating the fundamental principle of immediacy which underlies the scheme of compassionate appointment; and

Whereas, the State Level Committee further observed that the case of the applicant is not at par with Principle-10 of Office Memorandum No. ABP.50/2006/Pt/182 dated 01-06-2015 and that the proposal has lost its force due to efflux of time, in view of

PRD-12/349/2025-PRD(B)-Panchayat & Rural Development Department I/1480163/2026
the law laid down by the Hon'ble Gauhati High Court in WP(C) No. 3875/2005 (Achyut Ranjan Das vs. State of Assam & Others), reported in 2006 (4) GLT 674, as well as the judgment of the Hon'ble Supreme Court in the case of Debabrata Tiwari (supra), wherein it has been held that compassionate appointment cannot be claimed or offered after a considerable lapse of time as the sense of immediacy stands lost; and

Whereas, the State Level Committee also took note of the settled legal position that compassionate appointment is not a matter of right but a welfare measure intended to provide immediate financial relief to the family of a deceased Government employee, and that once the period of immediate financial crisis is over, the very object of compassionate appointment ceases to exist; and

Now, therefore, upon due consideration of all relevant facts, records, applicable provisions, and judicial pronouncements, and in compliance with the directions of the Hon'ble Gauhati High Court, the Governor of Assam is pleased to accept the decision of the State Level Committee and hereby rejects the proposal for appointment on compassionate ground in respect of Shri Sarat Kumar Nath due to efflux of time and absence of the condition of immediacy.

Accordingly, the application of Shri Sarat Kumar Nath for appointment on compassionate ground stands disposed of.

By order and in the name of the Governor of Assam,

Digitally signed by

PUSPANALI DAS

Secretary to the Govt. of Assam,
Panchayat & Rural Development Department

Date: 02-04-2026
17:50:45

Memo ECF No. 691945/PRD(B)/1707250-B

Dated: 02-04-2026

Copy to information and necessary action to :-

1. The Commissioner, Panchayat & Rural Development Department, Assam.
2. The District Commissioner, Morigaon.
3. S.O. to the Chief Secretary, Assam, for kind information of the Chief Secretary.
4. PS to the Addl Chief Secretary to the Government of Assam, Panchayat & Rural Development Department for kind appraisal of the Addl. Chief Secretary.
5. Shri Sarat Kumar Nath, S/o Late Chandra Kumar Nath, Village No. 2 Morakalong, P.O. - Domal, District- Morigaon, Assam, 782105, mobile no. 8486089520, for information.
6. Office copy.

Digitally signed by

MANASHJYOTI SARMA

Date: 04-04-2026

13:36:22

Deputy Secretary to the Govt. of Assam,
Panchayat & Rural Development Department