4681 05/12/14 RTI MATTER

1711/14

Ms. Meera Sisodia CPIO & Under Secretary(RTI) Ministry of External Affairs Room No. 2019, A wing Jawaharlal Nehru Bhawan 23 D, Janpath New Delhi – 110001

Subject: Application under Right to Information Act-2005

Madam,

This has reference to communication received from Shri P C Thapliyal, Under Secretary(Welfare) vide MEA's ID No. Q/Wel/851/11/2011 of 16 October, 2014 received on 29th November, 2014 by India Post (copy enclosed).

As mentioned in reply that the selection of candidates for appointment on compassionate grounds was made in accordance with the extant guidelines of DOP&T, it is requested to provide me the following information under RTI Act 2005:

- 1. Copies of the guidelines on the basis of which this appointment has been made.
- 2. Copy of the comparison chart prepared for selecting the candidate.
- 3. Copy of the note sheets of the file containing noting related to this appointment.
- 4. Details of movement of the file.
- 5. Copy of the approval of competent authority for age relaxation, in case the candidates selected do not fall within age criteria.

Declaration: The information sought does not fall within the restriction contained under the Act and to be the best of my knowledge, it pertains to your office.

Fee: A fee of Rs. 10 has been deposited vide IPO No.16F 262435 dated 04-12-2514

Yours Sincerely,

(Rajwati Devi)

(Rajwati Devi) K-73 B, Patel Nagar-IIIrd Ghaziabad (U.P.)-201001

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Dated: 04-12-2014

(SOU DOS) MISSES,



विदेश मंत्रालय, नई दिल्ली MINISTRY OF EXTERNAL AFFAIRS NEW DELHI

17th December, 2014

RTI MATTER REGISTERED POST

No.Q/Wel/551/2/2014

Smt. Rajwati Devi, SWo Late Shru Subhash Chand, K-73 B, Patel Nagar-IIIrd Ghaziabad (UP)-201001

Madam

Please refer to your RTI application dated 04.12.2014, received in Welfare Section on 8th December, 2014, seeking information on appointments on compassionate grounds under RTI Act 2005. The replies to your queries based on information available with the Welfare Division is as follows:

- (i) DOP&T's guidelines enclosed --- [A]
- (ii) Copy of comparison chart enclosed. --- [B]
- (iii) Copy enclosed. ---- [C to C 6]
- (iv) As evident from note sheet. --- [do]
- (v) Approval of AS(AD) as on note sheet enclosed [C to C6]

If you are aggrieved with this reply, you may file an appeal with Shri Sibi George Joint Secretary(AD & Welfare) & Appellate Authority, Ministry of External Affairs, Room No.149 C South Block, New Delhi-110011 within 30 days of receipt of this letter.

Yours faithfully,

Under Secretary (Welfare & CPIO)
Room No.4071, JNB, New Delhi
(Tele No.49015367)

Copy for information to:

1. US(RTI) .

2. DS(DD), by e-mail at dsdd@meaindia.in.

3. Publicity Officer(XMM), by email at poxmm@meaindia.in.



F.No.14014/02/2012--Estt. (D) Government of India Ministry of Personnel, Public Grievances and Pensions (Department of Personnel & Training)

North Block, New Delhi Dated the 16th January, 2013

OFFICE MEMORANDUM

Subject:-

Consolidated Instructions on compassionate appointment - regarding.

The undersigned is directed to invite attention to this Department's O.M. No.14014/6/94-Estt(D) dated 09.10.1998 vide which Scheme for "Compassionate Appointment under Central Government" was issued. Subsequently a number of instructions on compassionate appointments under the Central Government have been issued. The content of important/relevant O.Ms and orders on the subject have been further consolidated for the facility of reference and guidance and are being made available on this Department's website www.persmin.nic.in in the dynamic form (OMs & Orders>Establishment>(A) Administration (III) Concessions in appointment (a) compassionate appointment). This may be brought to the notice of all concerned for information, guidance and necessary action.

2. Hindi version will follow.

(Virender Slngh)

Under Secretary to the Government of India Tel. No. 2309 3804

To.

All Ministries/Departments of Government of India

Copy to:

- 1. President's Secretariat, New Delhi
- 2. Vice-President's Secretariat, New Delhi
- 3. The Prime Minister's Office, New Delhi
- 4. Cabinet Secretariat, New Delhi
- 5. Rajya Sabha Secretariat/Lok Sabha Secretariat, New Delhi
- 6. The Registrar General, the Supreme Court of India, New Delhi.
- The Registrar, Central Administrative Tribunal, Principal Bench, New Delhi.

- 3 -



SCHEME FOR COMPASSIONATE APPOINTMENT

1. OBJECT

The object of the Scheme is to grant appointment on compassionate grounds to a dependent family member of a Government servant dying in harness or who is retired on medical grounds, thereby leaving his family in penury and without any means of livelihood, to relieve the family of the Government servant concerned from financial destitution and to help it get over the emergency.

2. TO WHOM APPLICABLE

To a dependent family member —

- (A) of a Government servant who -
 - (a) dies while in service (including death by suicide); or
 - (b) is retired on medical grounds under Rule 2 of the CCS (Medical Examination) Rules 1957 or the corresponding provision in the Central Civil Service Regulations before attaining the age of 55 years (57 years for erstwhile Group 'D' Government servants); or
 - (c) is retired on medical grounds under Rule 38 of the CCS(Pension) Rules, 1972 or the corresponding provision in the Central Civil Service Regulations before attaining the age of 55 years (57 years for erstwhile Group 'D' Government servants); or
- (B) of a member of the Armed Forces who
 - (a) dies during service; or
 - (b) is killed in action; or
 - (c) is medically boarded out and is unfit for civil employment.

Note I "Dependent Family Member" means:

- (a) spouse; or
- (b) son (including adopted son); or
- (c) daughter (including adopted daughter); or
- (d) brother or sister in the case of unmarried Government servant or
- (e) member of the Armed Forces referred to in (A) or (B) of this para,
- -- who was wholly dependent on the Government servant/ member of the Armed Forces at the time of his death in harness or retirement on medical grounds, as the case may be.

6. A. EXEMPTIONS

Compassionate appointments are exempted from observance of the following requirements:-

5 -

- (a) Recruitment procedure i.e. without the agency of the Staff Selection Commission or the Employment Exchange.
- (b) Clearance from the Surplus Cell of the Department of Personnel and Training/Directorate General of Employment and Training.
- (c) The ban orders on filling up of posts issued by the Ministry of Finance (Department of Expenditure).

B. RELAXATIONS

- (a) Upper age limit could be relaxed wherever found to be necessary. The lower age limit should, however, in no case be relaxed below 18 years of age.
- Note I Age eligibility shall be determined with reference to the date of application and not the date of appointment;
- Note II Authority competent to take a final decision for making compassionate appointment in a case shall be competent to grant relaxation of upper age limit also for making such appointment.
- (b) In exceptional circumstances Government may consider recruiting persons not immediately meeting the minimum educational standards. Government may engage them as trainees who will be given the regular pay bands and grade pay only on acquiring the minimum qualification prescribed under the recruitment rules. The emoluments of these trainees, during the period of their training and before they are absorbed in the Government as employees, will be governed by the minimum of the - 1S pay band Rs.4440-7440 without any grade pay. In addition, they will be granted all applicable Allowance, like Dearness Allowances, House Rent Allowance and Transport Allowance at the admissible rates. The same shall be calculated on the minimum- IS pay band without any grade pay. The period spent in the-1S pay band by the future recruits will not be counted as service for any purpose as their regular service will start only after they are placed in the pay band PB-1 of Rs.5200-20200 along with grade pay of Rs. 1800. (Para 1 of O.M. No.14014/2/2009-Estt.(D) Dated the 11th December, 2009)
 - <u>Note</u> In the case of an attached/subordinate office, the Secretary in the concerned administrative Ministry/Department shall be the competent authority for this purpose.
- (c) In the matter of exemption from the requirement of passing the typing test those appointed on compassionate grounds to the post of Lower Division Clerk will be governed by the general orders issued in this regard:-



- (e) The Committee constituted for considering a request for appointment on compassionate grounds should limit its recommendation to appointment on compassionate grounds only in a really deserving case and only if vacancy meant for appointment on compassionate grounds will be available within a year in the concerned administrative Ministry/department/Office, that too within the ceiling of 5% of vacancies falling under DR quota in Group 'C' posts. (O.M.No.14014/18/2000-Estt.(D) dated 22.06.2001)
- (f) Calculation of vacancies by grouping of posts for small offices/cadres Grouping of posts in small Offices/Cadres for the purpose of calculation of vacancies for appointment on compassionate grounds is allowed. Consequently, Group 'C' 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 grounds subject to the condition that appointment on compassionate grounds in any such post should not exceed one. For the purpose of calculation of vacancies for compassionate appointment, fraction of a vacancy either half or exceeding half but less than one may be taken as one vacancy. (Para 2 and 3 of O.M. No. 14014/24/1999-Estt.(D) dated 28.12.1999)
- Liberalized method of calculation of vacancies for small (g) Ministries/Departments - The small Ministries/Departments may apply a more liberalized method of calculation of vacancies under 5% for compassionate appointment. The Ministries/Departments, for the purpose of these instructions, are defined as organizations where no vacancy for compassionate appointment could be located under 5% quota for the last 3 years. Such small Ministries/Departments may add up the total of DR vacancies in Group 'C' and erstwhile Group 'D' posts (excluding technical posts) arising in each year for 3 or more preceding years and calculate 5% of vacancies with reference to the grand total of vacancies of such years, for locating one vacancy for compassionate appointment. This is subject to the condition that no compassionate appointment was/has been made by the Ministries/Departments during 3 years or number of years taken over and above 3 years for locating one vacancy under 5% quota. (Para 4 of O.M. No. 14014/3/2005-Estt.(D) dated 09.10.2006
- (h) The compassionate appointment can also be made against technical 'posts' at Group 'C' and erstwhile Group 'D' level. The 5% quota of vacancies will be calculated on the basis of total DR vacancies arising in a year in the technical posts. (Para 2 of O.M. No. 14014/3/2005-Estt(D) dated 19.01.2007.

(12)

dependents, assets and liabilities left by the Government servant, income of the earning member as also his liabilities including the fact that the earning member is residing with the family of the Government servant and whether he should not be a source of support to other members of the family.

(b) In cases where any member of the family of the deceased or medically retired Government servant is already in employment and is not supporting the other members of the family of the Government servant, extreme caution has to be observed in ascertaining the economic distress of the members of the family of the Government servant so that the facility of appointment on compassionate ground is not circumvented and misused by putting forward the ground that the member of the family already employed is not supporting the family.

12. MISSING GOVERNMENT SERVANT

Cases of missing Government servants are also covered under the scheme for compassionate appointment subject to the following conditions:-

- (a) A request to grant the benefit of compassionate appointment can be considered only after a lapse of at least 2 years from the date from which the Government servant has been missing, provided that:
 - (i) an FIR to this effect has been lodged with the Police,
 - (ii) the missing person is not traceable, and
 - (iii) the competent authority feels that the case is genuine;
- (b) This benefit will not be applicable to the case of a Government servant:-
 - (i) who had less than two years to retire on the date from which he has been missing; or
 - (ii) who is suspected to have committed fraud, or suspected to have joined any terrorist organisation or suspected to have gone abroad.
 - (c) Compassionate appointment in the case of a missing Government servant also would not be a matter of right as in the case of others and it will be subject to fulfillment of all the conditions, including the availability of vacancy, laid down for such appointment under the scheme;
 - (d) While considering such a request, the results of the Police investigation should also be taken into account; and
 - (e) A decision on any such request for compassionate appointment should be taken only at the level of the Secretary of the Ministry/Department concerned.

13. PROCEDURE

- (a) The proforma as in Annexure may be used by Ministries/Departments/ Offices for ascertaining necessary information and processing the cases of compassionate appointment.
- (b) The Welfare Officer in each Ministry/Department/Office should meet the members of the family of the Government servant in question immediately after his death to advise and assist them in getting appointment on compassionate grounds. The applicant should be called in person at the very first stage and advised in person about the requirements and formalities to be completed by him.
- (c) An application for appointment on compassionate grounds should be considered in the light of the instructions issued from time to time by the Department of Personnel and Training (Establishment Division) on the subject by a committee of officers consisting of three officers one Chairman and two Members of the rank of Deputy Secretary/ Director in the Ministry/Department and officers of equivalent rank in the case of attached and subordinate offices. The Welfare Officer may also be made one of the Members/Chairman of the committee depending upon his rank. The committee may meet during the second week of every month to consider cases received during the previous month. The applicant may also be granted personal hearing by the committee, if necessary, for better appreciation of the facts of the case.
- (d) Recommendation of the committee should be placed before the competent authority for a decision. If the competent authority disagrees with the committee's recommendation, the case may be referred to the next higher authority for a decision.

14. UNDERTAKING FOR MAINTENANCE OF THE FAMILY OF THE DECEASED EMPLOYEE

A person appointed on compassionate grounds under the scheme should give an undertaking in writing (as in Annexure) that he/she will maintain properly the other family members who were dependent on the Government servant/member of the Armed Forces in question and in case it is proved subsequently (at any time) that the family members are being neglected or are not being maintained properly by him/her, his/her appointment may be terminated forthwith. The question of its legal enforceability has been examined in consultation with the Ministry of Law (Department of Legal Affairs) and it has been decided that it should be incorporated as one of the additional conditions in the offer of appointment applicable only in the case of appointment on compassionate grounds (O.M No.14014/16/1999-Estt.(D) dated 20.12.1999).



15. REQUEST FOR CHANGE IN POST/PERSON

When a person has been appointed on compassionate grounds to a particular post, the set of circumstances, which led to such appointment, should be deemed to have ceased to exist. Therefore, --

- (a) he/she should strive in his/her career like his/her colleagues for future advancement and any request for appointment to any higher post on considerations of compassion should invariably be rejected.
- (b) an appointment made on compassionate grounds cannot be transferred to any other person and any request for the same on considerations of compassion should invariably be rejected.

16. **SENIORITY**

A person appointed on compassionate ground in a particular year may be placed at the bottom of all the candidates recruited/appointed through direct recruitment, promotion etc. in that year, irrespective of the date of joining of the candidate on compassionate ground.

No.20011/1/2008-Estt.(D) dated 11.11.2010)

(Para 4.8 of O.M. No. No. No. 20011/1/2008-Estt.(D) dated 11.11.2010)

17. TERMINATION OF SERVICE

The compassionate appointments can be terminated on the ground of non-compliance of any condition stated in the offer of appointment after providing an opportunity to the compassionate appointee by way of issue of show cause notice asking him/her to explain why his/her services should not be terminated for non-compliance of the condition(s) in the offer of appointment and it is not necessary to follow the procedure prescribed in the Disciplinary Rules/Temporary Service Rules for his purpose.

In order to check its misuse, it has also been decided that this power of termination of services for non-compliance of the condition(s) in the offer of compassionate appointment should vest only with the Secretary in the concerned administrative Ministry/Department not only in respect of persons working in the Ministry/Department proper but also in respect of Attached/Sub-ordinate offices under that Ministry/Department.(O.M. No. 14014/19/2000-Estt(D) dated 24.11. 2000).



Government servants (which is at par with the age of retirement of 60 years applicable to erstwhile Group 'D' Government servants) or on any other ground should invariably be rejected so as to ensure that the benefit of compassionate appointment available under the scheme is not misused by seeking retirement on medical grounds at the fag end of one's career and also keeping in view the fact that the higher upper age-limit of 57 years has been prescribed therein for erstwhile Group 'D' Government servants for the reason that they are low paid Government servants who get meagre invalid pension in comparison to others.

19. IMPORTANT COURT JUDGEMENTS

The ruling contained in the following judgements may also be kept in view while considering cases of compassionate appointment:-

- (a) The Supreme Court in its judgement dated April 8, 1993 in the case of Auditor General of India and others vs. G. Ananta Rajeswara Rao [(1994) 1 SCC 192] has held that appointment on grounds of descent clearly violates Article 16(2) of the Constitution; but if the appointment is confined to the son or daughter or widow of the Government servant who died in harness and who needs immediate appointment on grounds of immediate need of assistance in the event of there being no other earning member in the family to supplement the loss of income from the bread winner to relieve the economic distress of the members of the family, it is unexceptionable.
- (b) The Supreme Court's judgement dated May 4, 1994 in the case of <u>Umesh Kumar Nagpal vs. State of Haryana and others</u> [JT 1994(3) S.C. 525] has laid down the following important principles in this regard:
 - (i) Only dependents of an employee dying in harness leaving his family in penury and without any means of livelihood can be appointed on compassionate ground.
 - (ii) The posts in Group 'C' and 'D' (formerly Class III and IV) are the lowest posts in non-manual and manual categories and hence they alone can be offered on compassionate grounds and no other post <u>i.e.</u> in the Group 'A' or Group 'B' category is expected or required to be given for this purpose as it is legally impermissible.
 - (iii) The whole object of granting compassionate appointment is to enable the family to tide over the sudden crisis and to relieve the family of the deceased from financial destitution and to help it get over the emergency.
 - (iv) Offering compassionate appointment as a matter of course irrespective of the financial condition of the family of the deceased or medically retired Government servant is legally impermissible.

-4-

Ministry of External Affairs Welfare Division

(b) (c)

Cadre Cell has provided two vacancies of LDC (Grade VI) for appointment on compassionate grounds.

- 2. The vacancies for appointment on compassionate grounds against MTS (Class IV) posts are yet to be conveyed by Cadre-Cell.
- 3. Last year as well as in the previous few years, a committee was constituted to make recommendations for appointment on compassionate grounds, comprising the following:
 - I. Director(ADP)
- Chairman
- 2. DS(FSP)
- Member
- 3. US (PD)
- Member (for LDC (Grade VI) post)
- 4. US(PE)
- Member (for MTS(Class IV) post)
- 4. Section Officer(Welfare) provided secretarial assistance to this Committee.
- 5. A list of dependents of deceased MEA employees who are eligible to be considered for appointment as LDC (Grade VI) is placed at flag 'A'.
- 6. A list of dependents of deceased MEA employees who are eligible to be considered for appointment as MTS (Class IV) is placed at flag 'B.'
- 7. Guidelines of the DOP&T are placed at flag 'C'.
- 8. If approved we may constitute the committee for selection of candidates for appointments on compassionate grounds, for this year, as per para 3 above. Recommendations of the committee would be put up to the competent authority for consideration/approval.

(M.S.Kagra) SO(Welfare) 04.03.2014

JS(AD&Welfare)

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Ministry of External Affairs Welfare Division

JS(AD) has approved the committee consisting of Director(ADP) as Chairman and another three members for selection of candidates on compassionate grounds against two posts of LDC's made available by Cadre-Cell as follows:

1. Director(ADP)	-	Chairman
2. US(FSP)	-	Member
3. US(PD)	=	Member (for LDC (Grade VI) post)
4. US(PE)	-	Member (for MTS (Class IV) post)

The vacancies for MTS have not been received yet. We have prepared two lists one for appointment as LDC and the second list for appointment as MTS on compassionate grounds. The lists are placed at Flag 'A' & 'B' contains full details of each applicant.

The guidelines for appointment on compassionate grounds is placed below at Flag 'X'.

Director(ADP) may kindly indicate date and time convenient to him for the meeting. Thereafter the other members would be informed.

> (M.S.Kagra) Welfare Officer 14.03.2014

Director(ADP)

Welfare Division

Reference proposal for appointment on compassionate grounds against two posts of LDC made available by the Cadre Cell.

Constitution of the Selection Committee as follows was approved (page 2/ante).

1. Dir(ADP)

Chairman

2. US(FSP)

Member

3. US(PD)

Member (for LDC (Grade VI posts)

4. US(PE)

Member (for MTS (Class IV) posts)

However, in the meanwhile, Director(ADP) has been promoted as JS(ADP). The charge of US(PD & US(PE) is also being held by the same officer.

Accordingly the following constitution of the Committee is proposed:

1. JS(ADP)

Chairman

2. Dir(FSP)

Member

3. US(PD & PE) -

Member

4. US(E&S)

Member

Committee. may the reconstitute If agreed, we Recommendation of the committee would be put to SS(AD)for approval.

Submitted please.

(Jagdeep Kapoor) Under Secretary (Welfare)

AValoto

28.08.2014

JS(AD&Welfare)

Ministry of External Affairs Welafre Division

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5% of vacancies in Grade VI of IFS (B) are reserved every year for appointment as LDCs on compassionate grounds. Candidates whose parent or spouse passed away while in service and who have no source of livelihood are considered.

- 2. As per noting of Cadre Cell at Page 1/N, two posts of LDCs in Grade VI of IFS (B) are available for appointment on compassionate grounds in the recruitment year 2013-14.
- 3. A committee was set up with the approval of JS (AD & Welfare) vide noting at page 4/N ante in which JS (ADP) was appointed Chairman and Director (FSP), US (PC, PD & PE) along with US (Energy Security) were appointed members.
- 4. 25 applications of candidates who were eligible in terms of DOP&T's instructions issued vide OM No. 14014/02/2012-Estt. (D) dated 16.01.2013 (F/A) on the subject were considered. With the consent of the committee and keeping in mind these instructions, which emphasise on economic criteria being the basis of selection, a total of 11 candidates whose deceased spouse/parent had (i) done two or less than two foreign postings and (ii) whose family pension was less than Rs. 20,000/- pm. were selected for interview. List of these 11 candidates is at F/B.
- 5. The committee met on 16th September, 2014 under the chairmanship of Sh. Rajesh Vaishnaw, Joint Secretary (ADP) and interviewed the candidates mentioned in previous paragraph. One of the candidates did not turn up for the interview (Sh. Govind Yadav s/o late Sh. Mir Singh).
- 6. In terms of para 18 of the OM referred to, in para 4 above,

While considering a request for appointment on compassionate grounds, a balanced and objective assessment of the financial condition of the family has to be made, taking into account the assests and liabilities...... and all other relevant factors such as the presence of an earning member, size of the family, ages of children and essential needs of the family etc.

- - contd.

Welfare Division

The under-mentioned candidates have been approved for appointment by SS(AMS & AD) as LDCs in the Ministry on compassionate grounds.

- 1. Smt. Chander Kanta wife of late Shri Praveen Singh Aswal formerly MTS in the Ministry
- 2. Smt. Bharti Kalra wife late Shri Bhupesh Kalra formerly PA in the Ministry

PD Section may kindly see for further necessary action in the matter of appointment of the above candidates.

(Jagdeep Kapoor) Under Secretary (Welfare)

US(PD)

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Minutes of the meeting on selection of LDCs on Compassionate grounds for the recruitment year 2013-14

25 applications of candidates who were eligible in terms of DOP&T's instructions issued vide OM No. 14014/02/2012-Estt. (D) dated 16.01.2013 on the subject were considered. With the consent of the committee and keeping in mind these instructions, which emphasise on economic criteria being the basis of selection, a total of 11 candidates whose deceased spouse/parent had (i) done two or less than two foreign postings and (ii) whose family pension was less than Rs. 20,000/- pm. were selected for interview. List of these 11 candidates is at F/A.

2. Meeting to choose two candidates for the posts of LDCs on compassionate grounds was held at 1100 hrs. on 16th September, 2014 in Joint Secretary (ADP)'s room No. 4095, Jawaharlal Nehru Bhawan.

The following members were present:

- 1. Sh. Rajesh Vaishnaw, Joint Secretary (ADP)
- Chairman

2. Sh. B Vanlalvawna, Director (FSP)

- Member
- 3. Sh. Bhaskar Bhatt, Under Secretary (PC, PD &PE) -
- Member
- 4. Sh. Anup Dhingra, Under Secretary (Energy Sec.) -
- Member
- 3. On the basis of interview and keeping in mind the requisite educational qualifications for the post of an LDC, it was decided to select the following two candidates, both of whom are widows of former MEA personnel:
 - 1. Smt. Chander Kanta, w/o late Sh. Praveen Singh Aswal
 - 2. Smt. Bharati Kalra, w/o late Sh. Bhupesh Kalra

Both candidates are in dire need of jobs to support their families and fulfill the economic criteria. The committee recommeds their selection against the two posts of LDCs available for the recruitment year 2013-14.

(B Vanlalvawna

Dir. (FSP)

(Bhaskar Bhatt)

US (PC, PD &PE)

(Anup Dhingra)

US (Energy Security)

Pilaishai

(Rajesh Vaishnaw)

JS (ADP)

Chairman

30/55(Wel)/2012 20.3-2012

MOST IMMEDIATE

Ministry of External Affairs Welfare Division

Subject: Appointment on compassionate grounds for the dependents of the deceased employees of the Ministry.

Keeping in view the DOPT guidelines of financial criteria and the time limit of within three years from the date of death the following three candidates have been selected.

For LDC

- 1. Shri. Amit Kumar S/o late ShriKrishan Kumar, Daftry
- 2. Shri Mohd Istak S/o late Shri Mohd Chulai, Peon.

For Peon

1. Shri Jitender Kumar S/o late Shri Raj Kumar, Peon

For kind information.

.Saxena)

AS(AD)

JS(Welfare)

Welfare Section

Reference notes on pre-page.

For the recruitment year 2011-2012, two vacancies for the post of LDC and one post of Peon, were made available. The ten candidates shortlisted for appointment against these vacancies were called for interview which was conducted 21st March, 2012 at 3.p.m. in the presence of the following members.

Director(ADP) -Chairman

2. US(Welfare) Member

3. US(PC) Member

US(FSP) could not attend the meeting.

Keeping in view the DOPT's guidelines on economic criteria, the following candidates have been selected for appointment on compassionate grounds.

For LDC

- 1. Shri. Amit Kumar S/o late ShriKrishan Kumar, Daftry
- 2. Shri Mohd Istak S/o late Shri Mohd Chulai, Peon.

For Peon

1. Shri Jitender Kumar S/o late Shri Raj Kumar, Peon

May kindly approve the appointments.

Welfare Officer

21.3.2012

22/3/12

one have been a

Administration is sequested to leave meessery action for appointment of the three candidales (2 in LDGS 1 in Peon).

LURD. 27/3

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Ministry of External Affairs Welfare Division

Cadre Cell has provided one vacancy in Grade VI for appointment as LDC and two vacancies in Class IV for appointment as MTS on compassionate grounds.

As like in previous years, a Committee would need to be constituted to make recommendations for appointment on compassionate grounds to the afore-mentioned posts which will then be put up to SS(AD) through JS(Welfare) for approval.

The following constitution of this Committee is proposed:

- 1. Director(ADP), Chairman
- 2. US(FSP)
- 3. US(/PC/PD) for LDC (Grade VI) post
- 4. US(PE) for Peon(Class IV) post
- 5. Welfare Officer

Staff of Welfare Section would provide secretarial assistance to this Committee.

Approval of SS(AD) is sought.

(P.Mukherjee) Welfare Officer 07.01.2013

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SS(AD)

JS(Welfare/A&RM)

So (wel)

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W. Hare

Welfare Division

Reference SS(AD)'s instructions on pre-page.

The Cadre Cell has made available one vacancy in Grade VI (LDC) three posts for appointment in Class IV Grade (MTS) against appointment on compassionate grounds for the recruitment year 2012-2013.

SS(AD) has approved the Committee consisting of .Director(ADP) as Chairman and US(FSP)/US(PD/US(PE) and Welfare Officer as members for making selection of candidates on compassionate grounds.

Director(ADP) may kindly indicate date and time convenient for holding the Meeting. Thereafter, a notice of meeting to all concerned will be issued.

4.3.2013

Director(ADP) 1200 fors an March 22 nd 2073.

SO (Cuyan)

Vindly brief Dir (ADP), well in advanu, before the meeting takes place.

Ahwire (1813/117)

J'O(Welfere)

-3 -Welfare Section



Reference notes on pre-page.

For the recruitment year 2012-2013, one vacancy for the post of LDC and three vacancies for the posts in MTS were made available by Cadre Cell for appointment as LDC and MTS respectively. Four candidates shortlisted for appointment against MTS and one for LDC were called for interview, which was conducted 22nd March, 2013 at 1200 hrs in the presence of the following members, besides the under-signed.

1. Director(ADP) - Chairman 2. US(FSP) - Member 3. US(PB/PE) - Member

The candidates below at S.No.1-3 and S.No.5 were interviewed.

- 1. Smt. Kumud Lata as LDC
- 2. Smt. Ganga Devi as MTS
- 3. Smt. Kamla Devi as MTS
- 4. Smt. Krishna as MTS
- 5. Smt. Renu as MTS

The fourth candidate viz Smt. Krishna S.No.4 above who was called for interview did not turn up. She informed requesting that since she has not been keeping good health and that she has to look after and get her two daughters married, her son may be considered for appointment in her place.

The committee decided to appoint the following four candidates on compassionate grounds this year since all the widows were deserving, in dire need of jobs and their incomes fulfilled the economic criterion.

- 1. Smt. Kumud Lata as LDC
- 2. Smt. Ganga Devi as MTS
- 3. Smt. Kamla Devi as MTS
- 4. Smt. Renu as MTS

The above three ladies at S.No.2-4 do not have the requisite educational qualification. In terms of DOPT's instructions, a relaxation can be given in case of widows if they do not possess the prescribed qualification, provided the duties of the post can be satisfactorily performed by her without possessing such educational qualifications.

SS(AD) is the competent authority for approving appointment of the candidates on compassionate grounds. We may solicit his approval to the appointment of the above four ladies as well as for relaxation of educational qualification and upper age limit in the light of instructions contained in Office Memorandum No.14014/6/94-Estt(D) dated October 9, 1998.

Submitted please.

(P.Mukherjee) Welfare Officer 25.03.2013

S(PD/PE)

25/3/13

Kartiflat 25/3/12

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Sr. No.	Name/Desig. of deceased/date of death	Name of the applicant, date & relation with deceased	Date of receipt of application	Educational Qualifaction.	Whether SC/ST	Size of Family of deceased	No. of dependents
						8) 	
1.	Late Sh. Jai Prakash, DR 03.01.2008	Sh. Mukesh 08.09.1980 Son	11.03.2008	XII	SC	Wife Son Daughter	3
2.	Late Sh. Ram Chander Chauffeur 20.05.2008	Smt. Asha 17.02.1971 Wife	08.06.2008	V	OBC	Wife Daughter Son-2 26,25,&22	4
3.	Late Sh. Heera Lal Peon 10.05.2008	Smt. Anita Rani 31.08.1975 Wife	11.07.2008	IX	SC	Wife Daughter	2
4.	Late Sh. Jagat Singh Chauffeur 18.07.2008	Sh. Jitender Singh, 14.09.1987 Son	21.08.2008	XII	No	Wife Son	2
5.	Late Sh. Ashok Kumar Peon 06.09.2008	Sh. A. Kartik 19.11.1983 Son	25.09.2008	XII	SC	Wife Son	2
6.	Late Sh. Kundan Lal Sharma Section Officer 19.09.2008	Sh. Ashish Sharma 04.12.1981 Son	02.10.2008	ВА	No	Wife Daughter Son	3
7.	Late Sh.G.S.Negi, Chauffeur 15.10.2008	Sh.Gopal Singh 08.05.1980 Son	16.11.2008	XII	No	Wife Son	2
8.	Late Sh. Raj Bir Singh Attendent, MEA Hostal 04.11.2008	Sh. Raj Kumar 14.06.1972 Son	01.12.2008	X	SC	Wife Son	2
9.	Late Sh. D.K. Dey UDC 19.11.2008	Sh.M.K. Dey 26.05.1976 Son	17.12.2008	BA	No	Wife Son	3
10.	Late Sh. Braham Pal Peon 04.12.2008	Sh. Jitender Kumar 15.04.1986 Son	19.12.2008	V	SC	Wife Son-3 Daughter	5
11.	Late Sh. Radhey Shyam Peon 01.12.2008	Sh. Rahul Sharma 02.03.19	06.01.2009	XII	No	Wife Son Daughter	3
12.	Late Sh. T.B.G.Nayayar, US 09.01.2009	Sh. Anurag Nayar 13.09.1979 Son	09.01.2009	B.Sc	No	Wife Daughter Son	3

13.	Late Sh. P.S. Rawat, Assistant 12.12.2008	Sh. Yashpal Singh 10.07.1986 Son	12.02.2009	Intermediate	No	Wife Son-2	3
14.	Late Sh. K.S. Bhardwaj Assistant 27.01.2009	Smt. Shakuntala Bhardwaj 14.02.1964 Wife	02.03.2009	X	No	Wife Son Daughter	3
15.	Late Sh. Manjit Singh Peon 27.06.2009	Smt. Ritu Singh 17.03.1977 Wife	23.07.2009	X	NO	Wife Son-2	3
16.	Late Sh. Surinder Kumar, Peon 16.04.2009	Sh. Deepender Kumar 07.12.1989 Son	08.09.2009	X	SC	Wife Son	2
17.	Late Sh. Kamlapati Daftry 08.10.2009	Sh. Jagdish Chander Joshi 14.01.1979 Son	30.10.2009	BA	No	Wife Son-3	4
`18.	Late Sh. Jeet Singh Assistant 18.08.2009	Ms. Reena Singh 08.09.1979 Daughter	19.11.2009	BA	No	Wife Son Daughter	3
19.	Late Sh. Ram Rattan Daftry 31.12.2009	Sh. Manoj Kumar 15.07.1979 Son	07.01.2010	VIII	SC	Wife Son-2	4
20.	Late Sh. Pal Singh Helper, (Ex- ITDC) 12.11.2009	Sh. Mukal Kumar 22.01.1990 Son	04.02.2010	X	SC	Wife Son	4
21.	Late Sh. Murari Lal Peon 19.12.2009	Sh. Deepak 29.11.1990 Son	22.02.2010	VII	SC	Wife Daughter Son-2	4
22.	Late Sh. Rajesh Singh Chauffeur 10.12.2009	Sh. Ajay Singh 05.05.1982 Son	09.03.2010	BA	No	Wife Son-2	3
23.	Late Sh. Sunil Kumar Safai Karamchari 18.04.2010	Sh. Sandeep Kumar 28.08.1990 Son	05.05.2010	XII	SC	Wife Son-2	3
24.	Late Sh. Man Mohan Singh Rawat LDC 01.05.2010	Sh. Surender Singh Rawat 19.04.1988 Son	14.05.2010	XII	NO	Wife Son Daughter-2	4
25.	Late Sh. A.K. Saha Assistant 15.06.2010	Smt. Rinku Saha 20.05.1983 Wife	30.07.2010	XII	SC	Wife Son	2
26.	Late Sh. Rattan Singh Daftry 12.01.2010	Sh. Rakesh Kumar 20.05.1983 Son	28.10.2010	XII	NO	Wife Son Daughter	3

27.	Late Sh. Balram Verma	Sh. Atul Verma 08.07.1984 Son	30.10.2010	B.Com	No	Wife Son-3	4	
	Clerk (Ex-ITDC) 21.09.2010							
28.	Late Sh. Bhupesh Kalra PA	Smt. Bharti Kalra 01.05.1974 Wife	16.01.2011	B.Com	No	Wife Son	2	
	16.12.2011					120		
29.	Late Sh. Gugan Singh Peon 07.01.2011	Sh. Vijay Kumar 25.07.1993 Son	10.02.2011	X	SC	Wife Son Daughter-4	6	
30.	Late Sh. Puran Chand Peon 07.05.2011	Sh. Jagdish Rahore 28.03.2011 Son	28.03.2011	B.Com	No	Wife Son Daughter	3	
31.	Late Sh. Vinod Kumar Peon 19.04.2011	Sh. Rohit Kumar 15.04.1994 Son	30.04.2011	Х	No	Wife Son Daughter	3	
32.	Late Sh. Subhash Chand Peon 07.05.2011	Sh. Rahul Mehra 29.11.1988 Son	30.05.2011	Intermediate	SC	Wife Son-2 Daughter	4	
33.	Late Sh. Naresh Kumar Chauffeur 10.05.2011	Km. Preeti Tomar 04.04.1989 Daughter	27.06.2011	Intermediate	No	Wife Daughter-2	3	
34.	Late Sh. S.L.Tripathi US 13.03.2011	Sh. Shubhendrdu Tripathi 21.03.1983 Son	19.07.2011	B.Com/ B.Sc	No	Wife Son Daughter	3	
35.	Late Shri Ganga Ram Daftry 15.08.2011	Sh. Ram Prakash 16.09.1986 Son	09.09.2011	XII	OBC	Wife Son-2 Daughter	4	
36.	Sh. Surender Singh Daftry 19.08.2011	Sh. Varun Singh 29.07.1986 Son	15.09.2011	X	SC	Wife Sons-2 Daughters-2	5	į
37.	Late Sh. Ram Avtar Sahani Assistant 26.09.2011	Sh. Ranjiv Sahani 25.06.1984 Son	16.11.2011	BA	No	Wife Son Daughter	3	
38.	Late Sh. Umesh Mehta LDC 05.05.2012	Sh. Man Mohan Mehta 07.10.1988 Son	11.06.2012	Post Graduate	No	Wife Son Daughter	3	
39.	Late N.N. Rao Assistant 20.06.2012	Sh. N. Sai. Komal Prakash 27.08.1989 Son	13.07.2012	XII	No	Wife Son Daughter	3,	

40.	Late	Miss Jyotsna	16.07.2012	B.Sc	SC	Wife	4
	Sh. R.P. Mordwaj SO 29.06.2012	Mordhwaj 21.07.1983 Daughter				Sons-2 Daughter	
41.	Late Sh. Raj Singh MTS 08.10.2012	Sh. Mohit Bhadana 10.09.1994 Son	26.10.2012	XI	OBC	Sons-2 Daughters-2	4
42.	Late Shri Bal Kishan UDC 04.01.2013	Sh. Neeraj 03.10.1985 Son	12.02.2013	XII	SC	Wife Son	2
43.	Late Sh. Mir Singh LDC 11.02.2013	Sh. Govind Yadav 28.06.1991 Son	04.03.2013	XII	No	Wife Sons-2	3
44.	Late Sh. Gaya Mahto MTS 04.04.2013	Sh. Sikender Mahto 13.09.1990 Son	25.04.2013	XII	OBC	Wife Sons-3	4
45.	Late Sh. Suresh Kumar MTS 28.07.2013	Smt. Shyamo Devi 12.07.1966	10.06.2013	IX	SC	Wife Daughters-4 Sons-2	7
46.	Late Sh. J.Srinivasan SO 03.06.2013	Sh. Aditya Srinivasan 20.02.1995	09.07.2013	XII	No	Wife Son	2
47.	Late Shri Ram Nath MTS 12.10.2013	Smt. Ranju Devi Wife 35 Yrs.				Wife Sons-2 Daughter	4
48.	Late Sh. Mithiles Kumar Prasad MTS 13.11.2013	Sh. Manoj Prasad 11.11.1995 Son	10.01.2014	XII	No	Wife Sons-4 Daughter	6
49.	Late Sh. R.K. Bhatia LDC 03.02.2014	Sh. Jayant Bhatia 17.12.1993 Son	23.02.2014	XII	No	Wife Sons-2	3
50.	Late Sh. Padam Kumar MTS 05.06.2014	Smt. Paramjeet 06.05.1967 Wife	10.07.2014		SC	Wife Sons-2 Daughters-2	5
51.	Late Sh. Pardeep Kumar Section Officer 11.09.2014	Smt. Shakuntla Devi 18.06.1962 Wife		BA+ GNM	No	Wife Son Daughter-2	4
52.	Late Sh. Mohinder Singh Peon 27.09.2014	Sh. Rahul Singh 24.05.1993 Son	11.11.2014	Intermediate	SC	Wife Sons-2 Daughters-4	7

53.	Late Umraw Singh MTS 04.11.2014	Sh. Master Himanshu Mehra 14.09.1993 Son	07.12.2014	XII	No	Wife Son Daughter	3
54.	Late Sh. Anand Singh Security Assistant 14.11.2014	Smt. Hansh Devi 09.07.1975 Wife	03.12.2014	VIII	No	Wife Son Daughter-2	4
55.	Late Sh. Manoj Kumar MTS 03.12.2014	Smt. Babita Verma 20.02.1975 Wife	26.12.2014	IX	No	Wife Sons-2 Daughter	4
56.	Late Sh. P.K. Das Section Officer 11.05.2014	Smt. Manjusha Das 22.11.1975 Wife	12.01.2015	Graduate	No	Wife Sons-2	3
57.	Late Sh. Celestine Bilung Asstt. 01.01.2015	Shruti Clara Bilung 12.09.1989 Daughter	16.02.2015	Graduate	ST	Wife Son Daughter	3

RTI REQUEST DETAILS

Registration No.: MOEAF/R/2015/00377 Date of Receipt: 12/02/2015

Type of Receipt : Local Receipt Language of English

Request:

Name: Rajwati Devi Gender: Male

Address: K-73 B. Patel Nagar-IIIrd, Near GDA Police Colony,

Ghaziabad, Pin201001

State: Uttar Pradesh Country: Details not

ate: Country: provided

Phone No.: Details not provided

Mobile No.: Details not provided provided

Email: Details not provided

Status(Rural/Urban): Details not provided Education Status: Details not provided

Letter No.: Details not provided Letter Date: 09/02/2015

Is Requester Below Poverty Line ?: No Citizenship Status Indian

Amount Paid: 10 Mode of Payment Cash

Does it concern the life or Liberty of a No(Normal) Request Pertains SO (Welfare)

Person?:

Information Sought: relates to US (Welfare)

Print Close

to:

IPO 107 RTH MEASIS RE.10

289/15

RTI MATTER

Ms. Meera Sisodia
Under Secretary(RTI)/CPIO
Ministry of External Affairs
Room No. 2019, 'A' Wing,
Jawaharlal Nehru Bhawan,
23-D, Janpath,
New Delhi - 110 011.

20世紀 日本日 1 月日 Sec.12015 日本日本 12402月2015

Dated: 09-02-2015

Subject: Application under Right to Information Act, 2005.

Please provide the following information in respect of compassionate appointment made during last two years against the post of LDC:

- 1. Please provide certified copy of original document of marks awarded by the Compassionate Appointment Committee (CAC) to all the applicants on the basis of balanced and objective assessment of the financial condition of the family, assets and liabilities, presence of an earning member, size of the family, ages of the children and the essential needs of the family, etc as required by DoP&T Office Memorandum No. F.No.14014/02/2012--Estt. (D), para 18(c) dated 16th January, 2013. Please provide the information in the format showing following columns:
 - a. Family Pension
 - Terminal benefits (DCRG, GPF, Contributed Provident Fund (CPF), CGEGIS, Leave Encashment, and Pension Commutation)
 - c. Left over service
 - d. Number of dependent family members,
 - e. Age and No. of unmarried children's
 - f. Monthly Income of the earning member and income from property
 - g. Moveable and immovable property
 - h. Financial liabilities
 - Financial conditions and essential needs of dependent(s) of the Govt. Servant
 - i. Total marks awarded to each candidate
- Please provide a Copy of original list showing applicants recommended / not recommended, eligible / not eligible to be called for interview in last two appointments against LDC post.
- Please provide a copy of methodology followed by Compassionate Appointment Committee in compliance with the DOP&T Rules and Regulations for making compassionate appointment for LDC post during last two appointments.

4. Please provide a copy of relative Merit Points prepared for appointment of candidates on compassionate grounds.

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- Please provide a copy of procedure followed by Compassionate Appointment Committee in compliance with the DOP&T Rules and Regulations for making compassionate appointment during last two appointments.
- Does the appointment made comply with Hon'ble Central Administrative Tribunal (CAT), Lucknow Bench Order Dy. No. 717 of 2013 dated 04.04.2014?
- 7. Does the rank of Chairman and Members in last two Appointments (for appointment against LDC post on compassionate grounds) comply with DoP&T's directions?
 - (a) If not then is the appointment valid?
- 8. If the rank of Members of Compassionate Appointment Committee in last two years is not as per DOP&T's Guidelines then please advice if MEA will reconstitute the committee and review the appointment?
- 9. If the appointments made in last two years are not as per DOP&T's Guidelines then please advice if MEA will cancel/review the appointment?
- 10. Do the last two Appointments against LDC post on compassionate grounds comply with Hon'ble Supreme Court's Judgment dated 05-04-2011 on Civil appeal No. 2206 of 2006 and implemented by DoP&T vide DoP&T Office Memorandum No. 14014/3/2011-Estt.(D) dated 26-07-2012?
- Please provide certified copy of all noting, approvals and decisions pertaining to appointments made on compassionate grounds in last two years against LDC post.

Note: A fee of Rs. 10 has been paid vide vide IPO No. 29 F 738354.

Yours Sincerely,

Rajwati Devi

K-73 B, Patel Nagar-IIIrd Near GDA Police Colony Ghaziabad-201001 Uttar Pradesh



विदेश मंत्रालय, नई दिल्ली MINISTRY OF EXTERNAL AFFAIRS NEW DELHI

3rd March 2015

No.O/Wel/551/2/2014

Smt. Rajwati Devi, Wo Late Shri Subhash Chand, K-73 B, Patel Nagar-IIIrd Ghaziabad (UP)-201001

Madam

Please refer to your RTI application dated 09.02.2015, received on 12.02.2015, seeking information on appointments on compassionate grounds under RTI Act 2005. The relevant information is furnished below:

- Para 1-2: The information sought, to the extent available, has already been provided to you in response to your RTI application dated 16th October, 2014. However, the papers are enclosed again for your ready reference.
- Para 3 : While considering a request for appointment on compassionate grounds, a balanced 'and objective assessment of the financial condition of the family has to be made, taking into account the assets and liabilities...... And all other relevant factors such as the presence of an earning ember, size of the family, ages of children and essential needs of the family etc.
- Para 4 : List of applicants is enclosed. However, Pension and other details of other Pensioners cannot be Provided under Section 8(1) (J) and II(1) of the RTI Act, 2005 as disclosure of the information would cause unwarranted invasion of the privacy of the individual and it relates to third party.
- Para 5 : Copy of guidelines is enclosed
- Para 6 : CAT Judgments are not relevant in instant case.
- Para 7 : Yes, as per DOPT's guidelines enclosed.
- Para 8 : As per Office Memorandum circulated by DOP&T, Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training, Government of India, vide No.17204/IR dated 1st June, 2009 as per decision taken dated 3.4.2008 of the Hon'ble High Court of Bombay, the term "information" as defined in the Right to Information Act does not include answers to Questions like 'Why'. As per the observation of Hon'ble High Court of Bombay in Writ Petition No.419 of 2007, "Justifications are matter within the domain of adjudicating authorities and cannot properly be classified as information".
- Para 9 : NA
- Para 10 : Yes, in accordance with the extant DOPT guidelines
- Para 11 : Papers relating to appointment made in the last two years are enclosed as Annexure. I & II

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If you are aggrieved with this reply, you may file an appeal with Shri Sibi George Joint Secretary(AD & Welfare) & Appellate Authority, Ministry of External Affairs, Room No.149 C South Block, New Delhi-110011 within 30 days of receipt of this letter.

Yours faithfully,

(P.C.Thapliyal) Under Secretary(Welfare & CPIO) Room No.4071,JNB, New Delhi (Tele No.49015367)

> (पी सी. सप्रांत्याल)
> (P.C. THAPLIYAL)
> अन प्रांत (तेत्व, सेर्स, प्रांत वर्ष व्यवस्थ Under Secretary of PG LC & Marries विदेश नीमालय, नई विकली Ministry of External Affilia

Copy for information to:

1. US(RTI)

2. DS(DD), by e-mail at dsdd@meaindia.in.

3. Publicity Officer(XMM), by email at poxmm@meaindia.in