

ORDER SHEET
WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA 1006 of 2017

Nilratan Barman -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mrs. S. Agarwal,
Ld. Advocate.
For the State Respondents : Mr. S. Ghosh,
Ld. Advocate.

17
30.07.2025

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

This matter was earlier heard elaborately and finally disposed of by order no. 15 dated 21.03.2025 with the following observations of the Tribunal :

“Having heard the submission and after examination of the records, this Tribunal is clear in its view that the prayer for an employment under compassionate ground is not in observance of the rules stipulated in the Scheme. The following specific grounds does not entitle the applicant for such an employment :

- (i) It is a belated application furnished after 14 years from the date of death of the employee.*
- (ii) The applicant failed to produce copy of any application furnished before the respondent within the two years window available to him after the date of death of the employee.*
- (iii) A mother or a guardian's application even submitted within the two year period does not substitute the application of the applicant.*
- (iv) The Scheme's primary objective is to extend a helping hand by way of an employment if it has been seen that due to the death of employee, the financial condition of the family has deteriorated. In this case, the family has not proved such condition.”*

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Thereafter, the applicant approached the Hon'ble High Court who disposed of the same by directing the Tribunal to hear the matter afresh considering the letter dated 13.12.2002 written by the mother of the applicant.

In view of the above observations, this application is disposed of by directing the respondent no. 1, the Additional Chief Secretary, Department of Agriculture to consider the matter afresh in the light of above observations and to take a final decision within a period of six (06) months from the date of communication of this order and the final decision be communicated to the applicant within two (02) weeks thereof.

Accordingly, this application is **disposed of**.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

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