

**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-10 of 2025**

**Rimil Hembram. -- VERSUS – The State of West Bengal & Others.**

Serial No. and  
Date of order

For the Applicant

: Mrs. S. Mitra,  
Learned counsel.

03  
19.06.2025

For the State Respondents

: Mr. D. Kole,  
Learned counsel.

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 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

The prayer in this application is for a direction to the respondent authorities to cancel the impugned order of rejection of appointment on compassionate ground passed by the Deputy Secretary on 20.07.2022.

The Deputy Secretary, Department of Food and Supplies conveyed the decision of the Department that the proposal for appointment under compassionate ground in respect of Rimil Hembram was regretted due to delayed submission of the proforma application. The submissions of the learned counsels and the records in this application show that the applicant's father, Mansing Hembram died while in service on 12.03.2013. It has been admitted by the applicant that at the time of death of his father, he was a minor boy of only 13 years. Soon after attaining the age of employment, the applicant furnished an application in the prescribed format before the respondent authorities praying for an appointment under compassionate ground. Later, the three men Screening-cum-Enquiry Committee which had enquired into the financial status of the family submitted its report on 18.04.2022. The Department after examining the proposal regretted the same on the ground that the proforma application was submitted beyond the two years time allowed.

It is clear from the applicant's version in the application that he was a minor at the time of death of his father. Therefore, he was not at that point of time entitled for an appointment under compassionate ground. Although, the

Form No.

Case No. **OA-10 of 2025.**

---

**Vs.**

The State of West Bengal & Ors.

---

Rules governing the Scheme allows an extended period of two years for submission of proforma application but even after considering such relaxation the applicant would still remain a minor of only 15 years old. It is of no consequence that the applicant submitted his proforma application after attaining the age of appointment. By then the extended time of two years had already passed. Further, the Scheme for compassionate employment, being a need-based Scheme does not entitle a minor to benefit from such an employment. The Tribunal cannot but agree with the decision of the Department in regretting his application for appointment under compassionate on the above grounds.

Thus, finding no merit in the prayers, this application is disposed of without passing any orders.

SAYEED AHMED BABA  
Officiating Chairperson & Member (A)

S.M.