

**GOVERNMENT OF WEST BENGAL  
HIGHER EDUCATION DEPARTMENT  
(APPOINTMENT BRANCH)  
BIKASH BHAVAN, SALT LAKE,  
KOLKATA-700091**

No: 741 - Edn(A)/10M - 17/24

Dated: Kolkata, the 26<sup>th</sup> of September, 2024

**Subject:-Standard Operating Procedure (SOP) relating to Compassionate appointment under Labour Department's Notification 251-Emp Dated 03.12.2013**

**WHEREAS** Hon'ble Supreme Court Civil Appeal No 8842- 8855 of 2022 ( State of West Bengal Vs DebabrataTiwari)observed that Delay on the part of the authorities of the State to decide claims for compassionate appointment would no doubt frustrate the very object of a scheme of compassionate appointment. Government officials are to act with a sense of utmost proactiveness and immediacy while deciding claims of compassionate appointment so as to ensure that the wholesome object of such a scheme is fulfilled;

**AND WHEREAS** Hon'ble Supreme Court further observed that the operation of a policy/scheme for compassionate appointment is founded on considerations of immediacy. A sense of immediacy is called for not only in the manner in which the applications are processed by the concerned authorities but also in the conduct of the applicant in pursuing his case, before the authorities;

**AND WHEREAS** in view of speedy disposal of cases relating to compassionate appointment applicable for Government Employees under Higher Education Department/ Directorates/Government Colleges in accordance with Labour Department's Notification No 251-Emp Dated 03.12.2013 read with No 26 - Emp Dated 01.03.2016 read with 63-EMP Dated 06.04.2022 in its letter and Spirit, it is essential to formulate Standard Operating Procedure ( SOP) in the following manner.

**THEREFORE** The dependent family members of the deceased/ incapacitated employee should be informed by the concerned office head or any authorized officer regarding the provision and procedure of application for appointment on compassionate ground in prescribed format as enumerated under Notification No 251-Emp Dated 03.12.2013 **within one month** from the date of Death/incapacitation of the Govt. employee. Register of such meeting in all cases should be maintained with date.

**AND THEREFORE** all concerned shall follow the timeline in disposing the cases relating compassionate in the following manner:-

Name of the office	Timelines for Institution/College	Timelines for Education Directorates	Timelines for HE Deptt	Total time
Government Colleges	On receiving application from the applicant, the concerned authority is to form a 3(three) men Screening cum Enquiry Committee. Along with the report of the Committee, prayer should be forwarded to the Education Directorate within <b>10 Weeks</b> of receiving the prayer from the	Prayer as received from the institution/college should be forwarded to the HE Deptt with views of the DPI,WB within <b>next 3 Weeks</b> .	To settle the issue with the approval of the highest authority within <b>next 3 Weeks</b> .	16 weeks

	applicant.			
Education Directorates	On receiving application from the applicant, the concerned authority should forward the prayer to the Education Directorate within <b>next 2 Weeks.</b>	<p>1. On receiving the forwarded prayer from the Institution/College authority, the DPI,WB is to form a 3(three) men Screening cum Enquiry Committee. Along with the report of the Committee, prayer should be forwarded to the HE Deptt within <b>next 11 Weeks</b> of receiving the prayer from the Institution/College</p> <p>2.If it is the case of a staff of Education Directorate or of a staff directly under the control of the DPI,WB, on receiving application from the applicant, the DPI,WB is to form a 3(three) men Screening cum Enquiry Committee. Along with the report of the Committee, prayer should be forwarded to the HE Deptt within <b>next 8 Weeks.</b></p>	To settle the issue with the approval of the highest authority within <b>next 3 Weeks.</b>	16 weeks
			2. To settle the issue with the approval of the highest authority within <b>next 4 Weeks</b>	12 weeks
Higher Education Department	On receiving application from the applicant, the concerned authority should forward the prayer to the Education Directorate within <b>next 2 Weeks.</b>	Prayer as received from the institution/college should be forwarded to the HE Deptt with views of the DPI,WB along with proposed names of the 3(three) men Screening Committee within <b>next 2 Weeks</b>	To form 3(three) men Screening cum Enquiry Committee. To obtain the report of the Committee and to settle the issue with the approval of the highest authority within <b>next 8 Weeks</b>	12 weeks

**AND THEREFORE** Application will be taken up generally on the basis of date of receipt of application, maintaining Chronological order. While forwarding application to the next higher authority as prescribed in the Table above, along with other documents, a certificate is to be issued by the concerned authority stating that all previous cases have been processed serially and the present case satisfies all the criteria (as can be verified up to the level of concerned office) for consideration for such appointment. If the fit case is not submitted according to the time limit, then justification behind the delay is to be mentioned by the concerned authority.

**AND THEREFORE A register containing all details of such applications is to be maintained at the concerned offices. i.e. College/Education Directorate / HE Deptt. At the time of submission of proposal, soft copy of such register in PDF form in e-file/photocopy of register in case of hard file, is to be attached.**

**AND THEREFORE** before placing the matter relating to compassionate appointment for approval /rejection before the Principal Secretary and the Hon'ble MIC, Higher Education Department, views of Integrated Law Cell shall be obtained within the timeframe.

N.B:- This SOP is applicable for Government Colleges only in view of Labour Department's Notification No 251-Emp Dated 03.12.2013 read with No 26- Emp Dated 01.03.2016 read with 63-EMP Dated 06.04.2022. This SOP is not applicable for Government Aided Colleges as there is no Policy for Compassionate appointment.

Sd/-

Deputy Secretary to the Government of West Bengal

Encl : **Format of Register**

No: 741/1(9) - Edn(A)/10M - 17/24

Dated: Kolkata, the 26<sup>th</sup> of September, 2024

Copy forwarded for information and necessary action to:

- 1) The Director of Public Instruction, WB.  
He is requested to circulate this to all institutions under his control.
- 2) The Addl(Admn) Director of Public Instruction, WB.
- 3) The Director of Technical Education, WB.
- 4) The Director of State Archives, WB.
- 5) The P.S. to the HMIC, Higher Education Department.
- 6) Sr. Law Officer, Higher Education Department.
- 7) The Sr. P.S. to the Pr. Secy, Higher Education Department.
- 8) The Sr. P.S. to the Sr. Spl. Secy (Appointment Br), Higher Education Department.
- 9) Guard file.

Deputy Secretary to the Government of West Bengal

