HIGH COURT OF TRIPURA
AGARTALA

WP(C) No.1286/2019

Sri Saikat Ikbal

----Petitioner(s)

Versus

The Chairman-Cum-MD, BSNL & others

-----Respondent(s)

For Petitioner(s)	:	Mr. P.K. Ghosh, Advocate.
For Respondent(s)	:	Mr. Biswanath Majumder, CGC.

HON'BLE THE CHIEF JUSTICE MR. AKIL KURESHI

Order

12/02/2020

The petitioner is the son of deceased employee of Bharat Sanchar Nigam Limited (BSNL, for short) who died while in service on 04.06.2014. He applied for appointment on compassionate grounds. The petitioner had not kept a copy of such application. However, the respondents do not dispute having received such application and in fact, such application was considered but rejected. Thereupon this petition has been filed.

2. Learned counsel for the petitioner submitted that the BSNL follows the rules and regulations framed by the Government in respect of die-in-harness scheme. Petitioner had applied for such appointment. The orders passed by the department do not contain reasons for rejection of such application.

3. The respondents have filed a reply in which it is contended that the petitioner's case was considered by the high power committee in terms of the formula for considering whether compassionate appointment should be granted. It is stated that the

assessment criteria contains various headings. Any applicant who secures less than 55 points shall be treated as non-indigent and his case would be rejected. In case of the petitioner, his score came to only 36 points. The respondents have also produced the point system for assessment of indigent condition. Broadly stated, this point system comprises of items with positive points under Part-A. Part-B contains items with negative points. The items with positive points are the number of dependents. Part-A contains several sub-heads. For example, item No.1 refers to the number of dependents in the family of the deceased. 5 points would be awarded for each member up to a maximum of 30. Item No.2 pertains to the basic family pension. Depending on the amount of family pension points would be awarded up to a maximum of 20. Item No.3 pertains to number of years of left out service of the deceased carrying maximum of 15 points. These items also include the terminal benefits received by the family.

4. In part-B pertaining to negative points are the monthly income of the earning members of the family and the effect of belated claims of compassionate appointment. On the basis of such mathematical formula the petitioner was awarded 36 points way below a minimum of 55 points required.

5. In the result, I do not find any error in the decision of the respondents. Petition is dismissed.

(AKIL KURESHI), CJ

Pulak