

GAHC040010392022



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : WP(C)/304/2022

Jomba Ingo
Son of Late Rejom Ingo, Village Eyi, PO/PS Aalo, District West Siang, Arunachal Pradesh. 791001, Mobile No. 9436238210

VERSUS

THE STATE OF AP and 4 Ors.
Represented by the Chief Secretary, Govt. of Arunachal Pradesh, Itanagar, 791111

2:The Secretary
Age: 0
Occupation :
Power
Govt. of Arunachal Pradesh
Itanagar
791111

3:The Chief Engineer
Age: 0
Occupation :
(Power) Western Zone
Govt. of Arunachal Pradesh
Itanagar
791111

4:The Superintendent Engineer (E)
Age: 0
Occupation :
AP
Electrical Circle No. 1 cum Coordination
Naharlagun
Govt. of Arunachal Pradesh
791110

5:The Executive Engineer (E)
Age: 0
Occupation :
SLDC Division Itanagar
Department of Power
Govt. of Arunachal Pradesh
Itanagar
79111

Advocate for the Petitioner : Sunil Mow, S D Loda,Tali Umbey,Aruna Rai,Madan Mili

Advocate for the Respondent : GA (AP), Lissing Perme,SC(Power)

**BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 23-02-2026

Heard Mr. S. Mow, learned counsel for the petitioner. Also heard Ms. P. Pangu, learned State counsel appearing for the respondent No. 1 and Mr. L. Perme, learned Standing Counsel, Power Department, for respondent Nos. 2 to 5.

2. By filing this writ petition, the petitioner has prayed for a direction to the respondent authorities to consider his case for appointment on compassionate grounds.

3. The father of the petitioner, Late Rejom Ingo, died in harness on 09.04.2016 due to a tragic road accident while serving as a UDC in the office of the Executive Engineer (E), Power Department, Government of Arunachal Pradesh. The paternal uncle of the petitioner filed an application on 28.06.2016 before the concerned authority seeking appointment on compassionate ground, however, the same was not considered.

4. The petitioner, being the son, upon attaining the majority, submitted an application dated 05.07.2022 seeking appointment to any Group-C or Group-D post on compassionate ground in terms of the Scheme of State regulating the compassionate appointment.

5. The State of Arunachal Pradesh framed a scheme which has been notified on 12.05.2005 vide Office Memorandum No. OM-4/2001, whereby it is provided that the dependent family member of a government servant who died in harness, thereby leaving his family in a penury and without any means of livelihood and to relieve the family from financial destitution, be granted appointment on compassionate ground.

6. An elaborate guidelines are laid down in what manner the applications for compassionate appointment are to be processed in the cases of **Faziron Nessa vs. State of Assam**, reported in **2010 (4) GLT 340** and **Achyut Ranjan Das vs. State of Assam**, reported in **2006 (4) GLT 674**.

7. A Coordinate Bench of this Court, vide order dated 24.05.2022, passed in WP(C) 338/2020, has also considered the cases of **Faziron Nessa** (supra) and **Achyut Ranjan Das** (supra), whereby a similar case has been disposed of by directing the respondent authorities to consider the case of the petitioner therein and all other similar applications in terms of the aforesaid judgments. The relevant paragraphs are reproduced hereinunder:

“4. As the guidelines are accepted to the Government of Arunachal Pradesh, the provisions in Faziron Nessa (Supra) and Achyut Ranjan Das (Supra) are also adopted for the purpose of this writ petition and is made a part of the present judgment.

5. Accordingly, we direct the Government of Arunachal Pradesh through the Chief Secretary to take note of the guidelines provided by this Court in Faziron

Nessa (Supra) and Achyut Ranjan Das (Supra) and issue appropriate notifications to implement the same. The two core provisions of the guidelines are that there would be a District Level Committee in every district to be headed by the Deputy Commissioner who will process all the applications in the district concerned by sitting at a particular interval as may be required for the purpose. The District Level Committee will take note of all the available vacancies in various departments for that given period which may be available for compassionate appointment but it has to be within 5% of the existing vacancies for the period. After evaluating the vacancies, the District Level Committee shall make an inter-se financial comparison of all the applicants and thereafter, taking note of the number of vacancies available, make recommendation to the equal number of applicants comprising of the financially worse off candidates amongst the applicants, meaning thereby that amongst all the applicants, the applicants who would be financially worse off than the others would be recommended for the purpose of compassionate appointment. The recommendation made by the District Level Committee district wise then be sent to the State Level Committee for its consideration and approval and the decision of the State Level Committee shall be final for the purpose of making such appointments.

6. Accordingly, in this writ petition also the application of the petitioner be placed before the next available District Level Committee of Lower Subansiri District, which may be held as per the directions indicated above. The application of the petitioner to be considered in the above manner along with all other similar applications that may be available before the District Level Committee. It is expected that constitution of the District Level Committee and the State Level Committee be done as expeditiously as possible, preferably the District Level Committee be put in place within a period of 1(one) month from the date of receipt of certified copy of this order, for doing the needful."

8. Having considered the submissions of the learned counsel appearing for the parties and also considering the judgments and orders in the cases of

Faziron Nessa (supra) and **Achyut Ranjan Das** (supra) as well as the order dated 24.08.2022, passed in WP(C) 338/2020 and as agreed to by the learned counsel for the parties, I am of the considered view that the petitioner is also entitled to be granted similar relief as granted by a coordinate bench of this Court vide order dated 24.08.2022, as the cases referred to hereinabove squarely cover the case of the petitioner. Thus, it would be appropriate to direct the respondent authorities to consider the case of the petitioner as per the guidelines as laid down in the cases of **Faziron Nessa** (supra) and **Achyut Ranjan Das** (supra) and the law laid down by the Hon'ble Supreme Court, within a period of 3 (three) months from the date of receipt of the certified copy of this order.

9. The writ petition stands disposed of in terms of the above.

JUDGE

Comparing Assistant