

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.No.508/97

Hon'ble Sh. R.K. Ahooja, Member (A)

New Delhi, this the 20th day of February, 1998

Puran Singh
s/o late Shri Ramji Lal
r/o Mohalla: Bambolla
New Abadi 4/461
Aligarh (U.P.).

... Applicant

(By Shri D.R.Gupta, Advocate)

Vs.

1. The Director of Printing
'B' Wing, Nirman Bhawan
New Delhi - 110 001.

2. The Manager
Govt. of India Press
Aligarh (UP).

... Respondents

(By Shri S. Mohd. Arif, Advocate)

O R D E R (Oral)

The applicant's father, who was working as a Binder in the Govt. of India Press, Aligarh (UP), died in harness on 22.2.1994. The applicant submits that this happened after prolonged illness as a result of which the family was left in indigent circumstances. Thereafter the mother of the applicant applied to the respondents for applicant's appointment on compassionate basis. The respondents without taking in to account the circumstances of the family have rejected the same. He has now come before the Tribunal seeking a direction to the respondents to reconsider his case in the light of the points raised by him in his representation in accordance with the Scheme formulated by the Department of Personnel and Training.

2. The respondents have stated that the applicant's mother had requested for appointment of her son on compassionate grounds. Thereafter the applicant was interviewed and his case was forwarded to Respondent No.1 for consideration and recommendation. However, Respondent No.1 examined the request

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and turned down the same on the ground that the family of the widow consisted of only two persons, i.e., widow and her only son aged about 31 years. The applicant herein is major with his own family. The family of the deceased employee has also received an amount of Rs.1,06,216/- by way of DCRG, GPF balance, Insurance, encashment of leave and the widow is also in receipt of family pension of Rs.625/- per month plus Dearness Relief. Therefore they say that the case of the applicant does not deserve consideration.

3. I have heard the counsel. The learned counsel for the applicant has made three points for consideration. He submits that the widow of the deceased employee had failed to mention in the Original Application that she had also one unmarried daughter and she had responsibility towards getting her settled. This mistake was brought to the notice of the respondents soon thereafter. The respondents, nevertheless, rejected the application on the ground that the family consisted of only two members. He submitted that, as a matter of fact, there are also three married daughters and the widow has social obligations not only to get the unmarried daughter settled but also towards married daughters as well. Secondly, the learned counsel for the applicant points out that as per DoPT instructions the calculation of income while determining the circumstances of the family has been laid down and the same has to be assessed in relation to the number of the family members. Thirdly the learned counsel for the applicant submits that the Department of Printing has a Scheme under which they are keeping wards of their deceased employees on waiting list even though they have crossed the age of 30 or even 35 years.

Or

4. I have considered the matter. It is conceded that a mistake was committed by the applicant's mother who while seeking compassionate appointment for the applicant, had not mentioned the name of her unmarried daughter. It is also possible that the applicant's father may have left behind some liabilities. Nevertheless, I consider that the applicant has a weak case. It is an admitted position that he is more than 30 years of age and further that he has his own family. In the circumstances it cannot be said that he was dependent on his deceased father, who died nearly four years back. The object of compassionate appointment is to relieve the family from immediate hardship and distress. Here not only the widow has been given more than rupees one lakh by way of DCRG, etc. but also a pension of Rs.625/-. The applicant in question as already mentioned is also married and cannot be considered dependent on the widow. If the widow had applied for the compassionate appointment of the daughter then the matter could have been seen in a different light but in the circumstances, I am of the view that no adequate ground has been made out for interference. The OA is accordingly dismissed.

5. The learned counsel for the applicant submits that the applicant belongs to the Scheduled Caste community and in that capacity, he could also be considered for direct recruitment. I have no doubt that if he applies respondents will give due consideration to his case in accordance with rules.

There shall be no order as to costs.

R.K. Ahooja
(R.K. AHOOJA)
MEMBER (A)

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