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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 2532/2000

New Delhi, this the 1st day of November, 2001

HON'BLE SH. S.A.T.RIZVI, MEMBER (A)

1. Anand Singh, s/o late Sh. Gavar Singh,
R/o New M.S. 45, Mohan Garden,
New Delhi-110059.
2. Smt. Leela Devi, w/o late Sh. Gavar Singh,
R/o New M.S. 45, Mohan Garden,
New Delhi-110059. Applicants
(None).

Versus

Union of India through,

1. The Secretary to the Government of India,
Department of Animal Husbandry & Dairying,
Ministry of Agriculture,
Krishi Bhawan, New Delhi.
2. The General Manager,
Delhi Milk Scheme,
West Patel Nagar,
New Delhi-110008. Respondents
(By Advocate: Sh. S.M.Arif)

O. R. D. E. R. (ORAL)

By Sh. S.A.T.Rizvi, Member (A)

1. Since none is present on behalf of the applicants, I am proceeding to pass this order in accordance with Rule 15 of CAT (Procedure) Rules, 1987.

2. Heard the counsel for the respondents.

3. It is a case of compassionate appointment in which the representation earlier made by Smt. Leela Devi, wife of the deceased employee has already been rejected. By the subsequent letter dated 6.2.2000 (Annexure A-1) a further representation made by her has also been rejected by stating that in her fresh representation Smt. Leela Devi has failed to bring out any new facts. The matter, according to the aforesaid letter, has been duly examined in the light of the

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provisions made in the policy framed by the Government of India in regard to compassionate appointments. No justification has been found in support of the applicant even after reconsideration of her claim.

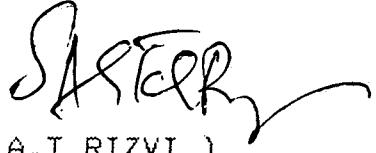
4. In their reply the respondents have clearly stated that the deceased employee has left behind four sons, three of whom are gainfully employed and are, after their marriages, living separately. The fourth and perhaps the youngest son is also married and lives with Smt. Leela Devi, the wife of the deceased employee. Smt. Leela Devi is receiving a family pension of Rs.1275/- p.m. and, in addition, the aforesaid fourth son is also employed in the DMS and is earning Rs.1500/- p.m. In the rejoinder filed by the applicants, the fact of the aforesaid fourth son being employed has been denied and it has been stated that he is an unemployed person.

5. The claim of the applicant for compassionate appointment was considered by a Committee consisting of Deputy General Manager (Administration), Staff Welfare Officer, Personnel Officer and Administrative Officer (G), keeping in view the guidelines/instructions on the subject of compassionate appointment. Learned counsel submits that after a due and proper consideration of the applicants' claim, the aforesaid Committee had reached the conclusion that the applicants' case is not one of acute financial distress, and therefore, the aforesaid Government of India guidelines could not be successfully invoked in favour of the applicants. According to him, even if it is assumed that the fourth son is not employed, it should be possible for the applicants to sustain themselves on the basis of the family pension received by one of them and on financial and other assistance that might be

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provided by the other sons, three in number, who are all gainfully employed and are in a position to render necessary financial and other assistance to the family of the deceased employee consisting of Smt. Leela Devi, the widow and the aforesaid fourth son.

6. I have considered the matter carefully and find that the present case cannot be said to be a case involving acute financial distress in terms of the Government of India guidelines and, therefore, the decision taken by the aforesaid Committee of officers cannot be convincingly assailed. In the circumstances, the OA is found to be devoid of merit and is dismissed.



(S.A.T.RIZVI)
Member (A)

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