

**CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH**

**OA/020/633/2019**

HYDERABAD, this the 20<sup>th</sup> day of April, 2021

**Hon'ble Mr. Ashish Kalia, Judl. Member**



Mohd Gaffar,  
S/o. Late Mohd. Mahmood, Ex-RM,  
aged about 29 years,  
Occ: Unemployed, Gr. C,  
R/o. H.No.19-5-31/A/25/7/B, Asad Baba Nagar,  
Kishan Bagh, Hyderabad ó 64.

...Applicant

(By Advocate : Smt G. Manjula)

Vs.

1. Union of India,  
Department of Telecommunications,  
20 Ashoka Road, New Delhi ó 110 001.
2. Bharat Sanchar Nigam Limited rep. by its  
Chairman-cum-Managing Director,  
BSNL Corporate Office,  
Statesman House, New Deli ó 110 001.
3. The Chief General Manager,  
BSNL, Telangana Telecom Circle,  
Doorsanchar Bhavan, Nampally Station Road,  
Hyderabad ó 500 001.
4. The Circle High Power Committee,  
Office of the Principal General Manager,  
Hyderabad Telecom District, BSNL,  
Adarshnagar, Hyderabad ó 500 063.
5. The Principal General Manager,  
Hyderabad Telecom District, BSNL,  
Adarshnagar, Hyderabad ó 500 063.

... Respondents

(By Advocate: Smt K. Rajitha, Sr. CGSC  
Sri M.C. Jacob, SC for BSNL.)

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**ORAL ORDER**  
**(As per Hon'ble Mr. Ashish Kalia, Judl. Member)**

Through Video Conferencing:



The Original Application is filed seeking to call for the records in proceedings in Letter No.SR-146/593/MG/Gr D/2012/9 dated 27.6.2019 issued by the Assistant General Manager (Admn), BSNL, Hyderabad Telecom District, Hyderabad, to declare that removing the name of the applicant from the list of candidates to be considered for compassionate appointment in future is illegal, unjust and arbitrary and to direct the respondents to consider the case of the applicant in future vacancies.

2. The brief facts of the case are that the father of the applicant met with an accident and died on 24.4.2010, leaving behind his wife, three daughters and two sons. The applicant made an application for consideration of his case for compassionate appointment on 12.12.2011. It is also disclosed by the applicant that her mother is a chronic patient of heart and kidney ailments and thus could not apply for compassionate appointment. The total emoluments settled by the respondents is Rs.2,69,530/-. It is submitted by the applicant they borrowed loan from Canara Bank and are re-paying it. Applicant's mother is getting a meager amount of family pension of Rs.15000/-. Thus, he has prayed that his case may be considered for grant of compassionate appointment.

3. The respondents put appearance and filed a detailed reply. It is submitted in the reply that on 27.6.2007, they have formulated their own

compassionate appointment scheme under which, the applicant was considered and he was given 58 points. The requirement under the scheme is only 55 points. On 19.10.2016, a High Power Committee has recommended the case of the applicant for compassionate appointment.

His case was considered along with other candidates from 2011 to 2018.



As per the counter affidavit filed by the respondents, other candidates whose circumstances are more indigent than that of the applicant were granted compassionate appointment and thus the applicant was unsuccessful in getting compassionate appointment.

4. Sri M.C. Jacob, learned counsel for the respondents has drawn the attention of this Tribunal to the Compassionate Appointment Scheme and submitted that as per the Scheme, every candidate can be considered only three time for grant of compassionate appointment. He further submits that the Scheme is no longer in operation.

5. Heard the learned counsel for the parties at length, perused the records and appreciated the legal submissions made by the learned counsel.

6. The case of the applicant was duly considered by the respondents, giving weightage to his indigent circumstances i.e. 58 points, which is above the criterion of 55 points. His case was considered by the High Power Committee but he could not get compassionate appointment for want of vacancies as other candidates were found to be in more indigent circumstances. Thus, the applicant's case was duly considered three times by the respondents. Later on, his name was removed from the list of

candidates to be considered for compassionate appointment in future. Now, the Compassionate Appointment Scheme of the respondent's organization is stated to have been not in operation.



7. In the interest of justice, this Tribunal feels that the case of the applicant may be considered once again as one time measure, as and when the respondents consider other cases. If he is found suitable, he may be provided appointment, otherwise his case may be closed in accordance with law. This exercise shall be done within six months from the date of receipt of this order.

8. With the above observation, the O.A. is disposed of. No order as to costs.

**(ASHISH KALIA)**  
**JUDICIAL MEMBER**

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