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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.32 of 2016

Cuttack this the 22nd day of June, 2017

Smt.Kiru Parwati & Ors....Applicant

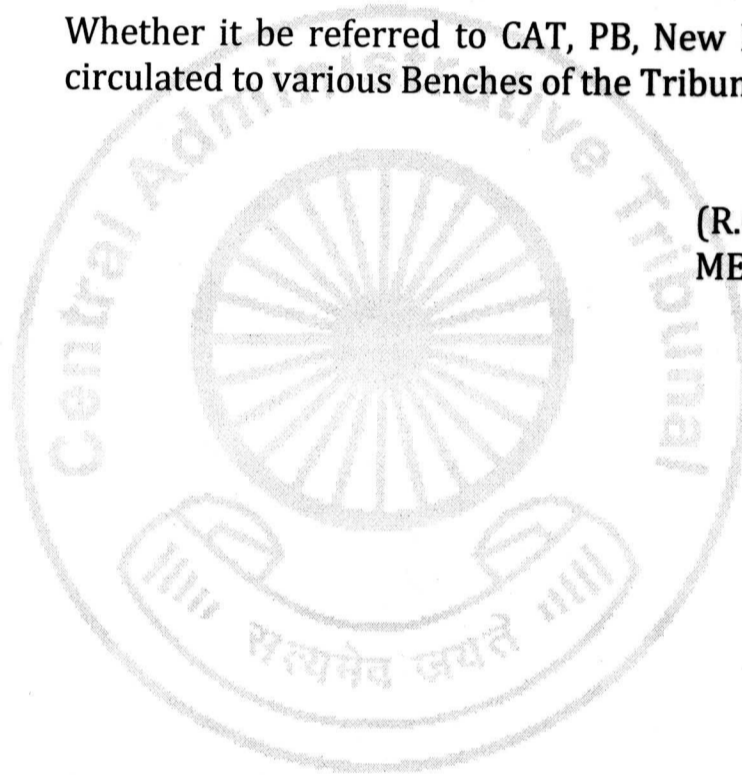
-Versus-

Union of India & Ors.

FOR INSTRUCTIONS

1. Whether it be referred to reporters or not? No
2. Whether it be referred to CAT, PB, New Delhi for being circulated to various Benches of the Tribunal or not No.


(R.C.MISRA)
MEMBER(A)



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CORAM:

HON'BLE SHRI R.C.MISRA, MEMBER(A)

1. Smt.Kiru Parwati, W/o. late Dharmaraju Reddy, aged about 52 years, House hold duties, resident of Village and Post Office-Gudipadra, District-Ganjam, Odisha State, Pin Code No.761 006.
2. Jiru Eswari, D/o. late Dharmaraju Reddy, aged about 30 years, House hold duties, resident of Village and Post Office-Gudipadra, District-Ganjam, Odisha State, Pin Code No.761 006.
3. Jiru Gangamma, D/o. late Dharmaraju Reddy, aged about 28 years, House hold duties, resident of Village and Post Office-Gudipadra, District-Ganjam, Odisha State, Pin Code No.761 006.
4. Jiru Raghavalu Reddy, S/o. late Dharmaraju Reddy, aged about 26 years, unemployed, resident of Village and Post Office-Gudipadra, District-Ganjam, Odisha State, Pin Code No.761 006.
5. Jiru Radha, D/o. late Dharmaraju Reddy, aged about 21 years, House hold duties, resident of Village and Post Office-Gudipadra, District-Ganjam, Odisha State, Pin Code No.761 006.
6. Jiru Dibhakar, S/o. late late Dharmaraju Reddy, aged about 18 years, House hold duties, resident of Village and Post Office-Gudipadra, District-Ganjam, Odisha State, Pin Code No.761 006

...Applicants

By the Advocate(s)-M/s.B.P.Yadav

T.K.Choudhury

-VERSUS-

Union of India represented through:

1. The Director General of Ordnance Services, OS-8C, Master General of Ordnances Branch, D.H.Q., PO, New Delhi-110 011.



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2. The Commandant, Vehicles Depot Panagarh, PIN-900 349, V/o 99 APO.

...Respondents

By the Advocate(s)-Mr.M.R.Mohanty

ORDER

R.C.MISRA, MEMBER(A):

This Original Application has been filed by the widow, sons and daughters of late Dharmaraju Reddy, who while working under the Respondent No.2, i.e., Commandant Vehicles Depot, Panagarh, passed away on 19.10.2008, with a prayer that the order of the respondent-authorities dated 26.9.2015 rejecting compassionate appointment in favour of applicant no. 4 may be quashed and the respondents may be directed to reconsider the matter and award compassionate appointment in favour of applicant no.4.

2. Short facts of this case are that the husband of applicant no.1 and father of applicant nos. 2 to 6 while working as Mazdoor in Group-^D cadre under the respondent-organization, passed away on 19.10.2008. At the time of death, the family was indigent as it was a large family encumbered with various liabilities. Applicants received a total amount to the tune of Rs.6,79,295/- towards DCRG, GPF, Group Insurance and unutilized leave. In the O.A., applicants have pointed out the details of debts and liabilities of the family to drive home the point that the Death cum Retirement benefits were not adequate even to pay back the debts and liabilities of the family.

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3. Applicant no.4 submitted an application dated 30.4.2009 seeking compassionate appointment in his favour. After consideration of his case, the respondent-authorities have rejected his prayer for compassionate appointment vide order dated 26.9.2015 which is impugned and challenged in this O.A.

4. Upon perusal of counter-reply filed by the respondents, I find that the Director General of Ordnance Services, Army Headquarters is the competent authority to consider the cases of compassionate appointments. Applicant nos.4's representation dated 30.4.2009 on being forwarded, ~~the same~~ was considered by the competent authority along with other cases on three successive occasions by the Board. The respondent-authorities followed a system of awarding marks for each of the parameters for compassionate appointment, as a result of which the applicant got a scoring point 68 in respect of three successive years, i.e., 2010-11, 2011-12 and 2012-13. The names of the candidates scoring cut off marks, i.e., minimum marks 76, 70 and 73, respectively, were recommended for compassionate appointments. In none of the years, applicant, therefore, could ~~not~~ meet the cut off marks prescribed by the Board. The respondents have further submitted that they have followed the guidelines as laid down by the DoP&T which is the nodal Department for consideration of compassionate appointment. After three successive considerations, when the applicant no.4 could not be

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recommended for compassionate appointment, applicant's request for compassionate appointment was turned down vide communication/order dated 26.9.2015.

5. On perusal of this communication, I find that this is very detailed, in which ~~the~~ all aspects of the matter have been discussed in great detail. Finally, it has been communicated to the applicant that even after consideration for three times on the basis of criteria laid down to determine the relative hardships and limited number of vacancies available, it has not been feasible to consider his case against the existing policy. While challenging the impugned communication/order applicants have not been able to point out any specific ground on which the same could be faulted. They have, of course, in great detail, ~~have~~ mentioned about the indigent condition of family. However, since the respondents have considered the matter for three times in a very detailed manner, further intervention by the Tribunal appears to be uncalled for in this case.

6. It is to be noted in this connection that compassionate appointment scheme has been formulated in order to come to the rescue of the families which are in distress conditions on account of the sudden passing away of the breadwinner. The scheme does not confer any right of employment and therefore, the Tribunal cannot give a direction to the respondents to ~~appointment~~ the applicant against the compassionate



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appointment quota. All that it can do is to give a direction for consideration of the case as per the rules.

7. In the present case, the matter has been considered in detail by the respondent-authorities and the applicant no.4 having scored less marks than the others could not be recommended for compassionate appointment. Therefore, there is hardly ^{any} ~~no~~ scope for the Tribunal to interfere with the order impugned as passed by the respondent-authorities. In view of this, the O.A. is held to be without any merit and accordingly, the same is dismissed, with no order as to costs.

R.C.


(R.C.MISRA)
MEMBER(A)

BKS

