

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 368 of 2012

Cuttack the 11th day of October, 2013

CORAM

HON'BLE MR. A.K. PATNAIK, MEMBER (JUDL.)

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Priyanka Bidyadhar, aged about 20 years, D/o.Late K.P.Bidyadhar, Ex-GDS BPM, Badanugaon BO, At/Po-Nuagaon, Harichandanpur, Dist. Keonjhar.

...Applicant

(Advocates: Mr.D.K.Mohanty)

VERSUS

Union of India Represented through –

1. The Chief Postmaster General, Orissa Circle, Bhubaneswar, Dist. Khurda-751 001.
2. The Postmaster General, Sambalpur Region, Sambalpur-768 001.
3. The Superintendent of Post Offices, Keonjhar Division, Keonjhar-758 001.

..... Respondents

(Advocate: Mr.S.Barik)

O R D E R


A.K. PATNAIK, MEMBER (JUDL.)

Tersely stated the case of the Applicant is that her father while working as GDSBPM, Badanugaon Branch Post Office in account with Harichandapur Sub Post Office under Keonjhar Head Post Office died in harness prematurely on 07.4.2011 leaving behind the mother of the applicant, two unmarried daughter the applicant and one minor daughter in a state of penury especially in absence of any provision for payment of pension and there being no other source of income of the family. Consequently, the Applicant who has studied upto +2 vocational has sought appointment on compassionate ground in any Gr.C,



D or GDS post commensurate with her qualification. The CRC did not find any justification to approve the case of the applicant which was duly intimated to the applicant in letter dated 10.1.2012. Being aggrieved by such rejection the applicant filed the instant OA with prayer to quash the letter of rejection dated 10.1.2012 and to direct the Respondents to provide him appointment in any Group 'C', 'D' or 'GDS' post on compassionate ground.

2. Respondents, in their counter, filed on 8th June, 2012 have submitted that the father of the Applicant, Late Krushna Prasad Bidyadhar, Ex-GDSBPM of Badanugaon BO in account with Ramchandrapur SO under Keonjhar Division expired on 07.4.2011 leaving behind the widow, two unmarried daughters and two married daughters. Out of the two unmarried daughters one of them is minor. The deceased official had rendered 39 years and 11 months of service as GDS. His daughter Priyanka Bidyadhar, the Applicant, applied for appointment on compassionate ground. It was found that she has studied +2 in vocational which was not taken into account as per the instruction contained in Gazettee of India Extraordinary Part II, Section III sub section (i) dated 3.11.2011. However, the Department of Posts vide Memo dated 14.12.2010 has worked out a system of allocation of points to various attributes based on 100 point scale. As per instruction contained in Directorate letter dated 1.8.2011 hard and deserving cases would mean cases over and above 50 merit points. The Applicant could score only 48 relative points out of 100. The case of the applicant was considered by the CRC met on 12.12.2011 but rejected on the ground that her merit point score less than




50 points on a 100 point scale. However, it was fairly contended by the Respondents in their counter that after the consideration of the applicant by the CRC on 12.12.2011 a modified procedure has come into effect wherein the points on educational qualification has been abolished and it has been instructed that all cases which were considered and rejected by the CRC based on the earlier provisions may be reconsidered afresh based on the revised criterion issued on 09.3.2012 and in view of the above the case of the applicant will be reviewed by the next CRC to be held for GDS candidates. Accordingly it is the contention of the Respondents that this OA being premature is liable to be dismissed.

3. Heard Mr.D.K.Mohanty, Learned Counsel for the Applicant and Mr.S.Barik, Learned Additional CGSC appearing for the Respondents and perused the records. Mr.Barik at the outset has submitted that he has no immediate instruction as to whether in the meantime the case of the applicant has been reviewed by the CRC. The objective of the policy for providing employment assistance on compassionate ground after the death of an employee in harness while in service, is to rescue the family from sudden event plunging it into penury. Therefore, there is need to give consideration to such cases without any delay. In view of the above, as agreed to, this OA is disposed of with direction to the Respondents that if review of the case of the Applicant for providing employment assistance on compassionate ground has not yet been taken place, the Respondents are hereby directed to do the same and communicate the result thereof to the Applicant in a well-reasoned order at an early date preferably within a period of 90



(ninety) days from the date of receipt of copy of this order. There shall be no order as to costs.


(A.K.PATNAIK)
Member (Judicial)

