

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.470/2002

Thursday this the 4th day of July, 2002

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

Smitha T.Jose,
D/o the late T.C.Joseph,
aged 22 years, Thazhathuveetil
(Thundathil), Kizhathadiyoor PO
Pala, Kottayam District.

..Applicant

(By Advocate Mr.O.V.Radhakrishnan)

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1. Chief Postmaster General,
Kerala Circle, Trivandrum.
2. Circle Relaxation Committee,
represented by the Chief Post
Master General, Kerala Circle,
Thiruvananthapuram.
3. Superintendent of Post Offices,
Thalassery Division,
Thalassery.670102.
4. Union of India, represented by its
Secretary, Ministry of Communications,
New Delhi.

..Respondents

(By Advocate Mr. C. Rajendran, SCGSC)

The application having been heard on 4.7.2002, the Tribunal
on the same day delivered the following:

O R D E R

HON'BLE MR.A.V. HARIDASAN, VICE CHAIRMAN

The applicant's father T.C.Joseph while working
as a Group D in the Office of the Sub Divisional Inspector
of Post Offices, Koothuparamba died in harness on 1.10.1992.
The mother of the applicant who was then 48 years old was
illiterate and could not seek employment on compassionate
grounds. The family received only less than Rs. 2000/- as
family pension. The applicant is the only child who was 12
years old at the time of death of her father. Even before
the applicant attained the age of 18 years, a claim was

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made for employment assistance on compassionate grounds in the year 1997 by Annexure.A6 dated 4.11.97. The matter was further pursued by making further representations. The applicant by Annexure.A7 communication dated 9.9.97 was directed to meet the Sub Divisional Inspector of Post Offices, Palai. By Annexure.A8 again she was asked to appear before the Sub Divisional Inspector of Post Offices on 29.9.97 with the documents in support of the claim. The applicant was later by letter dated 24.1.2001 (A.12) directed to intimate whether she was willing for a job under other ministries/departments. The applicant intimated her willingness and has been waiting information regarding employment. Finding no response the applicant made a representation on 30.5.2001. She followed it up with another representation dated 2.3.2002. Finding no response and being in indigent circumstances, the applicant has filed this application for a declaration that the applicant is eligible and entitled to get appointment under the Scheme for compassionate appointment in the Department of Posts consequent on the death of her father while in service and for appropriate direction to the respondents 1&2 to consider the applicant's claim for employment assistance on compassionate grounds.

2. When the application came up for admission today, Sr.CGSC took notice on behalf of the respondents. Counsel on either side agree that the application may be disposed of directing the respondents 1&2 to consider the claim of the applicant for employment assistance on compassionate grounds and to give the applicant an appropriate reply within a reasonable time.

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3. In the light of the submission of the learned counsel on either side, the application is disposed of directing the respondents 1&2 to consider the claim of the applicant for employment assistance on compassionate grounds taking into consideration the rules and instructions and the relevant facts of the case and to give the applicant an appropriate reply within a period of three months from the date of receipt of a copy of this order. There is no order as to costs.

Dated the 4th day of July, 2002



T.N.T. NAYAR
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

(s)

A P P E N D I X

Applicant's Annexures:

1. A-1 : True copy of the representation dated 14.11.92 of the applicant's mother to the 1st respondent.
2. A-2 : True copy of the representation dated 30.6.97 of the applicant's mother to the 3rd respondent.
3. A-3 : True copy of the letter No.82/Misc dated 18.7.97 of the 3rd respondent.
4. A-4 : True copy of the representation dated 30.7.97 of the applicant's mother to the 1st respondent.
5. A-5 : True copy of the representation dated 4.11.97 of the applicant's mother to the 3rd respondent.
6. A-6 : True copy of the representation dated 4.11.97 of the applicant to the 1st respondent.
7. A-7 : True copy of the letter dated 9.9.97 of the Sub Divisional Inspector of POs, Palai Sub Division.
8. A-8 : True copy of the letter dated Nil of the Sub Divisional Inspector of POs, Palai Sub Division.
9. A-9 : True copy of the representation dated 17.6.98 of the applicant to the 1st respondent.
10. A-10: True copy of the letter No.82/Misc dated 22.6.98 of the 3rd respondent.
11. A-11: True copy of the representation dated 25.9.2000 of the applicant to the 1st respondent.
12. A-12: True copy of the letter No.82/Misc dated 24.1.2001 of the 3rd respondent.
13. A-13: True copy of the representation dated 31.1.2001 of the applicant to the 3rd respondent.
14. A-14: True copy of the representation dated 30.5.2001 of the applicant to the 1st respondent.
15. A-15: True copy of the representation dated 2.3.2002 of the applicant to the 1st respondent.
