

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. NO.492/2010

Dated this the 7th day of June, 2011

C O R A M

**HON'BLE Mr.JUSTICE P.R.RAMAN, JUDICIAL MEMBER
HON'BLE Mrs.K. NOORJEHAN, ADMINISTRATIVE MEMBER**

V.S. Satheesan, B/o late V.S.Bauthran
Sachithananda Bhavan, Chundavilakam,
Mancharilakam P.O, Trivandrum.

Applicant

By Advocate Mr P.P.Abdul Kareem

Vs

- 1 Union of India represented by the Secretary
to the Govt, Department of Information &
Broadcasting, New Delhi.
- 2 The Director General of Doordarshan,
Doordarsan Bhavan, Campico Marg
Mandi House, New Delhi..
- 3 The Director, Parsar Bharathi (Broadcasting
Corporation of India), Doordarshan Kendra
Thiruvananthapuram.

Respondents

By Advocates Mr. George Joseph, ACGSC for R1.
Mr. N.N.Sugunapalan Sr. for R2&3.

The Application having been heard on 23.5.2011 the Tribunal
delivered the following:

O R D E R

HON'BLE Mrs.K.NOORJEHAN, ADMINISTRATIVE MEMBER

The applicant is the brother of V.S.Bauthran, who died on 11.1.2003 while working as Engineering Assistant at Doordarshan. The deceased employee was left behind his mother, sister and his brother, the applicant, aged about 28 years as the sole legal heirs and successors. It is submitted that the entire family depended on the income of the deceased. The applicant submitted his application seeking appointment under the dying in harness scheme alongwith necessary documents to the respondents on 24.1.2005. The applicant ranked second in the list of candidates to be appointed on compassionate grounds. It is submitted that the first person in the list was appointed by order dated 14.7.2009. It is alleged that he was singled out for non-appointment on compassionate grounds without any rhyme or reason. Hence he filed this O.A.

2 Separate reply has been filed by respondent No.1 and respondents 2&3 resisting the O.A. It is averred in the replies that at the time of death of the deceased V.S.Bauthran the applicant was major and more than 28 years of age. Since the deceased was unmarried therefore his mother has been sanctioned Family Pension as admissible under rules. According to them the mother of the deceased is the only dependant and is getting Family Pension approximately Rs.7000/- per month and at the time of death of the deceased the applicant become major and about 28 years of age. They further submitted that the scheme of compassionate appointment is to grant appointment to a dependent family member of a Government servant dying in harness/retired on medical grounds leaving his family in penury and without any means of livelihood to relieve the family from financial



destitution. It is also submitted that the Administration constituted a Committee for considering compassionate appointments in the respondents department. They stated that the application submitted by the applicant alongwith others were considered thrice during the relevant period and the vacancy earmarked was filled up by giving appointment to the most deserving candidate as decided by the Committee. They further submitted that there was no delay on the part of the respondents in considering the request of the applicant. It is also submitted that when appointment could not be offered to the applicant within the prescribed time limit of 3 years as prescribed by DoPT the respondents decided to close his case.

3 We have heard learned counsel for the parties and perused the record.

4 The main contention of the applicant is that the respondents have not considered the application submitted by him nor did they offer him appointment depending on the degree of poverty and destitution.

5 The Scheme evolved by the Government of India for consideration for appointment on compassionate ground to a family member of a Government servant dying in harness leaving behind the family in penury is to extend immediate relief to the family to face the sudden and unexpected economic hardship. There are other parameters like number of dependents, extent of liabilities, etc. In this case, the dependant stated to be mother, sister and the applicant. The Committee met from time to time and recommended most deserving candidates for appointment during the period and the case

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of the applicant could not be recommended on the relative merit of the candidates. The respondents have considered the applicant continuously for 3 years and there appears to be no delay on the part of the respondents in considering the application submitted by the applicant. The whole objective of granting compassionate appointment is to enable the family to tide over the sudden crisis and it is not meant to give employment to one member of such a family.

6 In view of the above, we are of the opinion that the applicant has no case and this O.A devoid of any merit is liable to be dismissed. We, therefore, dismiss this O.A with no order as to costs.


K. NOORJEHAN
ADMINISTRATIVE MEMBER


JUSTICE P.R. RAMAN
JUDICIAL MEMBER

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