

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**O.A.No.551/2007**

**Monday the 28<sup>th</sup> day of January, 2008**

**CORAM :**

**HON'BLE SHRI GEORGE PARACKEN, JUDICIAL MEMBER**

Lajeesh  
Kaniyattupara, Manimala PO,  
Kottayam

... Applicant

By Advocate Mr.S.Sujin

V/s.

- 1     The Chief Commissioner of Income Tax  
      C R Building, I S Press Road,  
      Cochin – 682 018.
- 2     Union of India represented by  
      Secretary to Government,  
      Ministry of Finance,  
      Department of Revenue, New Delhi ... Respondents

By Advocate Mr.Shaji V A for Mr.TPM Ibrahim Khan SCGSC

The application having been heard on 28.1.2008 the Tribunal on the same day delivered the following :

**(ORDER)**

**Hon'ble Shri George Paracken, Judicial Member**

The applicant has filed the present application aggrieved by the non consideration of his candidature to the post of Lower Division Clerk or to any other suitable posts on compassionate ground on the death of his father on 20.7.2001 while in service.

- 2             The respondents in their reply submitted that the applicant's request for compassionate appointment could not be considered because

direct recruitment vacancies in the department for the recruitment years 2002-03 to 2005-06 have been cleared by Central Board of Direct Taxes (CBDT for short) only in 2006. Hence, it was not possible for the respondents to assess the number of vacancies during these recruitment years. Therefore, all the applications including that of the applicant were kept pending for want of clear cut vacancies. As the CBDT has now relaxed the stipulation of three years period for consideration of the application for compassionate ground appointments and directed the respective departments under them to consider the cases which are eligible with reference to recruitment year 2002-03 onwards vide Annexure R-1 letter No.12012/09/2007-AD.VII dated 24<sup>th</sup> August, 2007 the applicant's case will also be referred to the Screening Committee constituted for considering the cases of compassionate appointment in Kerala Region shortly and on the basis of the merit list prepared by the said committee and subject to availability of vacancies earmarked for compassionate appointment, the applicant's case will be decided.

3 In the above facts and circumstances of the case, this OA is disposed of with the consent of both parties with a direction to the respondents to consider the case of the applicant for compassionate ground appointment as submitted by the Respondents in their reply. There shall be no orders as to costs.

abp

  
GEORGE PARACKEN  
JUDICIAL MEMBER