

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM

OA 565/2002

Tuesday, this the 12th day of November, 2002.

CORAM :

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

Arunkumar V.,
Prasanthy House,
Kotta P.O., Karakkad,
Pathanamthitta,
Kerala.

Applicant

(By Advocate Ms. K. Indu)

Vs

1. Union of India, rep. by the Director General, Department of Posts, Dak Bhavan, New Delhi.
2. The Chief Postmaster General, Kerala Circle, Thiruvananthapuram.
3. Director of Postal Services(HQ), O/o the Chief Postmaster General, Thiruvananthapuram.
4. Superintendent of Post Offices, Pathanamthitta Division, Pathanamthitta.

Respondents

(By Mr. S.K. Balachandran, ACGSC)

The application having been heard on 12.11.2002, the Tribunal on the same day delivered the following :

ORDER

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

The applicant's father while working as ED Sub Post Master died on 29.7.1986, at a time when the applicant was 7 years old leaving behind his mother, the applicant and his younger brother. The request made for employment assistance on compassionate grounds was considered and as there was no vacancy in the department under the 5% of direct recruitment quota in the Group C and D posts for compassionate appointment, the bio-data of the applicant was circulated to other departments by the 1st respondent by Annexure A3 letter dated 31.5.2001. Finding that the applicant did not get any employment assistance on

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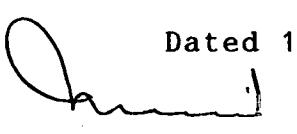
compassionate grounds, the applicant has filed this application for a direction to the respondents to consider the applicant's request for compassionate appointment in any of the existing vacancies in Kozhencherry or Adoor Post Offices under the 4th respondent and to direct the respondents to implement Annexure A3 and to grant compassionate appointment.

2. The respondents filed reply statement in which they resist the claim of the applicant by stating that as there was no vacancy under 5% "direct" recruitment quota available for compassionate appointment, appointment could not be offered to the applicant, and that applicant's mother having regular employment under the Telecom Department as Signaller, the family does not deserve employment assistance on compassionate grounds.

3. On a careful scrutiny of the pleadings and material placed on record and hearing the learned counsel on either side, we find no reason to interfere with the decision of the respondents rejecting the applicant's claim. Applicant's mother is a regular employee under the Telecom Department and the family consists of only three persons namely the applicant's mother, applicant and a younger brother. Since the mother of the applicant is employed, we are of the considered view that on the death of the applicant's father, his family was not driven to extreme indigent situation.

4. In the light of what is stated above, we find that the application is without any merit and the same is dismissed. No costs.

Dated 12th November, 2002.


T.N.T. NAYAR
ADMINISTRATIVE MEMBER

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A.V. HARIDASAN
VICE CHAIRMAN

A P P E N D I X

Applicant's Annexures:

1. A-1: True copy of the pass certificate dated 25.11.96 issued to the applicant by the University of Kerala.
2. A-2: True copy of the letter No.BB/40/Rectt/R1x/VA dated 6.4.2000 issued by the Superintendent of Post Offices, Mavelikkara.
3. A-3: True copy of the Office Memorandum No.124/192/99-SPB-I dated 31.5.2001 issued by the 1st respondent.
4. A-4: True copy of the representation dated 2.1.2002 submitted by the applicant to the 1st respondent.

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28.11.02