

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No.602/2001.

Friday this the 13th day of July 2001.

CORAM:

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

Smt. K.P.Seetalakshmi,
W/o Late A.P.Surendran,
Sreesadan, Edappilly,
Kochi -682 024. Applicant

(By Advocate Shri C.K.Ramakrishnan)

· vs.

1. Director General, Research and Development, Bharath Sarkar, Raksha Mantralaya Anusandhan, Tatha Vikas Sangathan Karmik Nideshalaya (Karmik-9), DHQ Dak Ghar, New Delhi-110011.

2. The Director, NPOL, Thrikkakara, Cochin-21.

3. Union of India, represented by the Secretary, Ministry of Defence, New Delhi. Respondents

(By Advocate Shri R.Prasanthkumar, ACGSC.)

The application having been heard on 13th July, 2001
the Tribunal on the same day delivered the following:

ORDER

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

The applicant is the widow of Shri A.P.Surendran who died on 28.12.99 while serving under the second respondent. She made a claim for employment assistance on compassionate grounds which was rejected by the impugned order A4 on the ground that on a consideration of the quantum of terminal benefits, the family pension and other assets and liabilities of the family, the family was not found to be deserving employment assistance on compassionate grounds. The applicant

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has challenged the order. It is stated in the application that Shri Surendran left behind the applicant, her two sons aged 27 and 24 and a daughter who is already married and that, apart from a residential house and terminal benefits, the family did not have any other income to live on. It is alleged that the impugned order has been issued without application of mind and therefore the applicant has filed this application seeking to have the impugned order A-4 set aside and to direct the respondents to appoint the applicant's son KP Sivadas on compassionate grounds.

2. On a careful scrutiny of the application and the connected papers appended thereto and on hearing the learned counsel on either side, I am of the considered view that there is no legitimate grievance of the applicant which calls for admission of this OA. The scheme for employment assistance on compassionate grounds was evolved with the laudable objective of assisting the families of Government servants suddenly thrown into the extreme poverty and indigence on the unexpected demise of the bread-winner. When a claim for employment assistance on compassionate grounds is made, the competent authority has to consider the relevant aspects like the size of the family, age of the members of the family, the liabilities and the assets of the family and then take a decision as to whether the situation demands employment assistance on compassionate grounds or not. It is not as if the scheme had been evolved to provide each and every son or near relative of an employee who died in harness with a job. In the case on

hand the family does not have any liability. The only daughter has already been married off, the widow is in receipt of family pension, ^{and the} two sons are aged 27 and 24 respectively, old enough to take care of themselves. The family has received substantial amount by way of gratuity and CGEGIS. In these circumstances, I am of the considered view that the impugned order rejecting the claim of the applicant for employment assistance for her son having been made on a careful consideration of the relevant factors, cannot be faulted. The application is therefore, rejected under Section 19(3) of the Administrative Tribunals Act, 1985.

Dated 13th July 2001.



A.V. HARIDASAN
VICE CHAIRMAN

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A-4: True copy of the impugned order No.DOP/PERS-9/95021/P 02 dated 10.5.2001 to the applicant issued by the first respondent.