

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. NO. 253/2009

Dated 8th March 2010

CORAM

HON'BLE MR.JUSTICE K. THANKAPPAN, JUDICIAL MEMBER
HON'BLE MRS. K. NOORJEHAN, ADMINISTRATIVE MEMBER

Sheeba D/o Seethamma
Santhi Nagar, Vadakkathil Veedu
Kazhakuttam PO
Thiruvananthapuram.

..Applicant

By Advocate Mr. R. T. Pradeep

vs

By Advocate Mr. Sunil Jacob Jose, SCGSC

The Application having been heard on 25.2.2010 the Tribunal delivered the following:

ORDER

HON'BLE MRS. K. NOORJEHAN, ADMINISTRATIVE MEMBER

The applicant is the grand daughter of Bhawani Sarasamma, who was evicted from the land and building in Survey No. 2403/33-1 of

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Attipra Village for the establishment of ISRO Thumba under LA Case No. 8/70. No member of the family was given employment. The applicant got her name registered with the respondents for employment as an evicted person. Though she was called for interview for several Group-D posts on different occasions from 17.1.1995 onwards, she could not get employment. She was informed that she was not successful in all those interviews and shall be considered for future vacancies (A-3). She was called for interviews for a Group-D post on 7.4.2003 (A-4), 16.4.2008 (A-5) without any positive result. Her family consists of unemployed husband and two daughters. Her husband could not do manual work due to physical ailments. Aggrieved by the non materialising of any appointment for the last 14 years, she approached this Tribunal to direct the respondents to give preference to her in the matter of selection and appointment being an evicted person. The main grounds raised in the O.A. are that the offer of employment to the evicted family being a rehabilitation package, she has got a vested right to seek employment, she has participated in a number of interviews from the year 1995 onwards but could not get employment, had preference been afforded she would have got through the interview and denial of preference to evicted person is illegal, improper, arbitrary and perverse.

2 The respondents opposed the O.A by filing reply statement. They admitted that a consensus was reached with the representatives of evicted families that one of the members from each evicted family may be considered for suitable employment in VSSC without the sponsorship of Employment Exchange for three generations, subject to all other requirements for the post. They stated that all evicted families were given adequate and due compensation for the land and

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considering one person from one family for employment subject to availability of posts and suitability. They denied that any scheme for providing employment for evicted family was evolved or any quota is fixed. It was an oral assurance given in 1960 by late Vikram Sarabhai, the then Chairman, ISRO to consider the case of evictees for employment. The applicant was called for interview for five times along with other evicted/ general candidates, in the first interview she was placed in the waiting list but could not be appointed for want of vacancy. and in the three interviews she was not empanelled and she did not respond to call for interview once. They submitted that a total of 360 persons have been appointed in VSSC in various categories out of 780 registered candidates for appointment under evictee status. This would show that those who are suitable and successful in the recruitment procedure have been provided with employment. The applicant's educational qualification suits for Group-D post alone and the upper age prescribed for Group-D post is 25 years. Even though the applicant is now 34 years, she was given age relaxation and adequate opportunities were afforded, but she could not succeed in the selection, therefore, no further consideration is possible.

3 Heard learned counsel for the parties.

4 According to the respondents only a consensus was reached with the representatives of evicted families that one member from each evicted family within the first three generations, may be considered for suitable employment in VSSC without insisting sponsorship by Employment Exchange, subject to all other requirements for the post. No material is produced before us to show that preference/reservation would be given to evicted persons in the matter of selection and

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appointment. We notice that the applicant had been considered for various posts along with other evicted family members and general candidates, but could not be appointed as she was not successful to be included in the select list. She had been given relaxation in the upper age limit also. We further notice that neither any scheme evolved for appointment of the evictees, nor any quota fixed for them. Therefore, we do not find any mandatory obligation on the respondents to give further chance to the applicant. The O.A is therefore, devoid of any merit, it is accordingly dismissed. No costs

Dated 8th March, 2010

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K. NOORJEHAN
ADMINISTRATIVE MEMBER

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JUSTICE K. THANKAKPPAN
JUDICIAL MEMBER

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