

Central Administrative Tribunal ,Lucknow Bench, Lucknow.

Original Application No. 441/2012

This the 20th day of March, 2015

Hon'ble Sri Navneet Kumar, Member (J)

Sri Krishna Gopal aged about 33 years son of late Sri Nathan Lal r/o Madarsa Kona, Jail Road, Balmiki Colony, Rampur.

Applicant

By Advocate: Sri A.Moin

Versus

1. Union of India, through Secretary, Ministry of Information and Broadcasting, New Delhi.
2. Prasar Bharti Corporation of India, New Delhi through its Chief Executive Officer, New Delhi.
3. Dy. Director General (P), Prasar Bharti Broadcasting Corporation of India, Akashwani Vidhan Sabha Marg, Lucknow.
4. Head of Department, All India Radio, Station Rampur..

Respondents

By Advocate: Sri Rajendra Singh

ORDER (ORAL)

By Hon'ble Sri Navneet Kumar, Member (J)

The present O.A. is preferred by the applicants under section 19 of the AT Act with the following reliefs:-

- i) To direct the respondents to appoint the applicant on compassionate ground on any suitable post within a specified time, anywhere through out India, keeping in view of the scheme for compassionate appointment dated 9.10.1998 more particularly paragraph 7(e) and (f) of the said scheme.
- ii) to direct the respondents to pay the cost of this application.
- iii) any other order which this Hon'ble Tribunal deems just and proper in the circumstances of the case be also passed.

2. The brief facts of the case are that the applicant is the son of the deceased employee who died in harness in 1997 and in pursuance thereof, applicant applied for grant of compassionate appointment.

The applicant was informed that his case would be considered in terms of the guidelines. He also sought certain information under RTI and it

was informed that his name is not find place in the waiting list, though he again submitted representation for kind consideration to the authorities vide his representation dated 10.9.2012 as contained in Annexure No.A-7 to the O.A. The learned counsel for the applicant also submitted that the said representation is still pending for final adjudication.

3. On behalf of the respondents, reply is filed and through reply, it is indicated by the respondents that the case of the applicant was duly considered for grant of compassionate appointment and only 5% of the total direct recruitment vacancies occurring in the year in Group 'C' and 'D' posts is considered and there is no vacancy as on date, as such the case of the applicant could not be considered and found fit for giving appointment on compassionate ground.

4. Applicant filed Rejoinder and through Rejoinder Reply, the averments made in the O.A. are reiterate and denied the contents of the counter reply.

5. Heard the learned counsel for parties and perused the records.

6. The applicant's father was working as Safaiwala under the respondents and died in harness in March 1997. The applicant immediately applied for compassionate appointment but the matter continued pending and by means of an order dated 14.9.2006, the applicant was informed that compassionate appointment can be made only under 5% quota and there is no sufficient number of vacancies are available. Accordingly, the same cannot be recommended and considered beyond a period of 3 years. The applicant also sought information under RTI and reply was given to the applicant. The applicant thereafter again submitted a representation to the authorities vide his representation dated 10.9.2012. The learned counsel for applicant has also made an innocuous prayer that a direction be issued to the respondents to consider and decide his representation.

7. Considering the submissions made by the learned counsel for parties and also after perusal of the records, the prayer so sought for by the applicant is absolutely innocuous.

8. Accordingly, the respondents are directed to consider and decide the applicant's representation dated 10.9.2012 (Annexure A-7 to the O.A.) in accordance with law within a period of 3 months from the date of certified copy of this order is produced. Applicant is also directed to provide copy of representation along with the order to facilitate the respondents for early disposal of the representation. The direction so taken be communicated to the applicant.

8. With the above observations, O.A. stands disposed of. No order as to costs.


(NAVNEET KUMAR)
MEMBER (J)

HLS/-