

(24)

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

O.A. NO. 984/96.

T.A. NO.

DATE OF DECISION 20-8-96.

T. Srinivasa Rao

(PETITIONER (S)

Mr. C. Suryanarayana

ADVOCATE FOR THE PETITIONER(S)

VERSUS

1. The General Manager, Vijayawada
Telecom District, Vijayawada-10
and 2 others.

RESPONDENT (S)

V. Rajeswara Rao, Addl. CGSC.

ADVOCATE FOR THE RESPON-
DENT (S).

THE HON'BLE

SHRI R. RANGARAJAN : MEMBER AADMIN.)

THE HON'BLE

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgement ?
4. Whether the Judgement is to be circulated to the other Benches ?

Judgement delivered by Hon'ble


HRRN M(A)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A. 984/96.Dt. of Decision : 20-08-96.

T. Srinivasa Rao

.. Applicant.

Vs

1. The General Manager,
Vijayawada Telecom District,
Vijayawada-10.
2. The Chief General Manager,
Telecommunications, AP,
Hyderabad-1.
3. The Director General, Telecom,
(representing Union of India)
New Delhi-1.

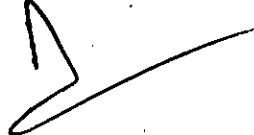
.. Respondents

Counsel for the applicant : Mr. C. Suryanarayana

Counsel for the Respondents : Mr. V. Rajeswara Rao, 6661022222
Addl. CGSC.CORAM:

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

.. 2



ORDER

Oral Order (Per Hon'ble Shri R. Rangarajan, Member (Admn.))

Heard Mr.C.Suryanarayana, learned counsel for the applicant and Mr.V.Rajeswara Rao, learned counsel for the respondents.

2. The applicant in this OA is the son of one Mr.T.V. Narayana Rao, who was working as Telephone Supervisor under R-1. He died on 8-6-94 while he was on a personal tour. It is stated that he had put in 26 years of service at the time of his death. The applicant is having one elder brother and one younger brother and two sisters. It is further averred in the OA that his elder brother is working getting paltry sum and he is not also assisting the family and living away from Vijayawada. His younger brother is a student and un-employeed. His two sisters are already married.

3. The mother of the applicant filed a representation dated 30-09-94 (Annexure-A-5) for compassionate ground appointment to her second son who is the applicant herein. Thereafter also another representation was made by the mother of the applicant dated 14-11-95 (Annexure A-11) addressed to the Chief General Manager(R-2). These representations were rejected by the impugned order No.TA/STA(R)/13-121/94 dated 15-5-96 (Annexure A-1) on the ground that the applicant is well placed financially and hence the compassionate ground is not warranted.

4. Aggrieved by the above, he has filed this OA for setting aside the impugned order No.TA/STA(R)/13-121/94 dated 15-5-96 (Annexure A-1) and for a consequential direction to the respondents to consider the case of the applicant for appointment as Junior Telecom Officer or to any other suitable post on compassionage ground in view of his educational qualification.

5. The main contention of the applicant for considering him for the post ~~for~~ of Junior Telecom Officer are as follows:-

1) He has studied B.Sc., Science group and hence he is ~~eminently~~ suitable for considering him for the post of JTO. 2) He compares his case with that of other cases mentioned in para 4.5 of the OA to state that his case was not considered on the same footing as was done in the case of others, thereby he was discriminated against. 3) His financial position is not ~~and hence on the basis of financial status~~ satisfactory ~~on which ground his case was rejected earlier.~~ ^{in our court}

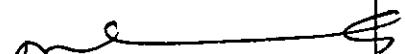
6. This Tribunal is consistently taking the view whenever the case of compassionate ground appointment is rejected by the high power committee at the circle level, the same may have to be reconsidered ~~in appeal~~ ^{in charge of} by the Member/personnel of DOT. As the present case has been rejected by the high power committee the case may have to be reconsidered by the Member Personnel of the DOT in accordance with rules.

7. Under the present circumstances, the following direction is given:-

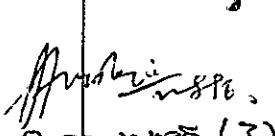
The Member Personnel of the DOT should consider the case of the applicant for compassionate ground appointment on the basis of the extant instructions and inform the applicant suitably in this connection.

8. The OA is ordered accordingly at the ~~admission~~ stage itself. No costs.

(Registry should send a copy of this OA with the enclosures along with the judgement to the Member Personnel of the DOT. The learned counsel for the applicant shall give the exact address of the Member Personnel of the DOT to the registry for sending the judgement to that official).


(R. Rangarajan)
Member (Admn.)

Dated : The 20th August 1996.
(Dictated in Open Court)


M. S. N. (3)