

(15)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD

O.A.NO.228/96

Between:

Date of Order: 20-2-96.

B.Lakshmikanthamma

...Applicant

And

1. The Divisional Railway Manager,
South Central Railway, Hubli.
2. The General Manager,
South Central Railway,
Railnilayam,
Secunderabad.
3. The Secretary,
Railway Board,
Rail Bhavan, N
New Delhi,
4. Commandant,
Railway Protection Force,
South Central Railway,
Hubli.
5. The Chief Security Officer,
South Central Railway,
Railnilayam,
Secunderabad.

...Respondents.

Counsel for the Applicant : Mr.G.V.Subba Rao

Counsel for the Respondents : Mr. D. Francis Paul

CORAM:

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

contd...

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C.A. 228/96.

Dt. of Decision : 20-02-96.

ORDER

1. As per Hon'ble Shri R. Rangarajan, Member (Admn.)

The applicant in this OA is the widow of Late Shri B. Govindarajuly, who died in harness on 20-06-80 while working as a Peon under the control of R-4.

2. It is stated that R-4 had recommended the case of her daughter for compassionate ground appointment to the concerned. But that recommendation was not given any cognizance. Further the applicant request for Group 'C' post for her daughter as her daughter had passed 10th standard and possess typewriting lower grade qualification and also she belongs to SC/Community. She is getting only a meagre family pension and her final settlement dues are very little. In her representation for compassionate ground appointment it is stated that a Welfare Inspector was deputed on 4-8-93 to find out the family composition and other details with a view to consider the case of her daughter for compassionate ground appointment. Inspite of the above her daughter is not favoured with job so far.

3. The applicant submits that as her daughter was minor at the time of the death of her husband she applied for the same soon after her daughter became major and hence there is no delay on her part for applying for compassionate ground appointment to her daughter.

4. This OA is filed for praying for a direction to the respondents for appointing her daughter on compassionate ground in Group-C posts in the railways.

5. The applicant's husband died in the year 1980. Compassionate ground appointment beyond 10 years of the death of the employee can be considered only by Railway Board and the regional authorities have no power to consider such cases. In view of the rule position, the case has to be considered only by R-3. An application for compassionate ground appointment dated 26-07-95 addressed to the Minister for Railways is enclosed to the OA and by this representation she had already approached the ministry in this connection. But that representation is also not disposed of so far.

6. In view of this, it is appropriate to dispose of this application with a direction to R-3 to dispose of the representation dated 26-07-95 addressed to the Minister. The applicant, if so advised, can also submit a fresh additional representation detailing her case to R-3. If such representation is received ~~the~~ same has to be disposed of along with the representation dated 26-07-95 within three months from the date of receipt of such fresh representation from the applicant.

7. In the result, the following direction is given:-

The applicant is permitted to submit a detailed representation by RPAD to R-3 in addition to her earlier representation dated 26-07-95. If such a fresh representation from the applicant is received by R-3, the same should be disposed of by competent authority in accordance with the rules within three months from the date of receipt of such representation.

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


(R. Rangarajan)
Member(Admn.)

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


Dy. Registrar (S)

15/3/96
TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD.

~~HON'BLE SHRI A. B. GORTHI : MEMBER(A)~~

HON'BLE SHRI R. Rangarajan : M(A)

DATED: 20.2.96.

ORDER/JUDGMENT

M.A. NO./R.A./C.A. No.

IN-

D.A. NO. 228/96.

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

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केन्द्रीय व्यापासनिक अधिकारण
Central Administrative Tribunal

DELIVERY/DESPATCH

11 MAR 1996 NEW

हैदराबाद व्यापासनीय
HYDERABAD BENCH