

(13)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

O.A. 419/97

Date of decision: 11.4.97

Between:

Chandi Bai

... Applicant

And

1. The Chief Administrative Officer,
O/o the India Government Mint,
Hyderabad.

2. The General Manager,
India Government Mint,
Khairatabad, Hyderabad.

3. Secretary to the Govt. of
India,
M/o Finance,
New Delhi.

... Respondents

Shri K.Venkateswara Rao ... Counsel for applicant

Shri NR Devaraj, SCGSC ... Counsel for respondents

CORAM

HON'BLE SHRI H. RAJENDRA PRASAD, MEMBER (ADMINISTRATIVE)

O R D E R

The applicant is the widow of one Amar Singh who passed away in March 1992 while working as Maistry in the India Government Mint at Hyderabad. His widow, i.e., the present applicant, applied for a suitable appointment on compassionate grounds for her son, Damodar Singh, who has studied upto 9th Class. The applicant belongs to Scheduled Tribe.

2. The processing of the application for compassionate appointment appears to have taken an inordinately long time. ^{impugned} The communication was received by the applicant from the Chief Administrative Officer of the Mint only in March, 1997.

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It would appear that the candidate, Damodar Singh, was called to report to the authorities on 27.11.95, along with all his certificates/testimonials, proof of age and other qualifications, caste and experience certificates. Even thereafter, nearly 1½ years elapsed before the impugned communication was issued by the authorities.

3. It cannot be said under the circumstances that the party was tardy in submitting an application for appointment for her son. Such delay as has occurred is apparently owing to the time taken by the authorities to decide the case. The impugned order does not say that Damodar Singh is ineligible for appointment on compassionate grounds. The sole reason for the rejection of his application is stated to be non-availability of vacancies. Mere non-availability of a vacancy to appoint an otherwise deserving person cannot obviously be an acceptable or valid ground for a final and permanent rejection of his claim. If no vacancies exist on a particular point of time under the relevant quota, it should not be difficult to keep the name of the candidate on the waiting list to be offered an appointment at an appropriate time on the availability of a vacancy. This aspect needs to be examined by the respondents.

4. The impugned order also suggests that the applicant may try for a job elsewhere. This is not a very satisfactory response inasmuch as the applicant's husband was an employee of the I.G. Mint. No other department would normally be in a position to offer compassionate appointments to the heirs of deceased employees of other departments since every department has its own list of candidates for appointment under this very scheme. Under the circumstances the suggestion made to the applicant to try for a suitable job for her son

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elsewhere does not appear to be quite meaningful.

5. It is therefore directed that the respondents shall enter the name of the candidate, Damodar Singh, at an appropriate place in the waiting list in their own organisation, if he has been found to satisfy all other conditions laid down under the scheme for compassionate appointments. In case he has been found eligible in all respects, his age as on the date of the final decision on his application shall be the date of his eligibility. Should the applicant be found to be over-aged on the date of offer of appointment against a suitable vacancy, necessary age relaxation shall have to be extended to him under the rules.

6. The learned Standing Counsel for the respondents was present and heard in the matter; he agrees with the views and directions incorporated above.

7. Thus the OA is disposed of at the stage of admission.


(H. Rajendra Prasad)
Member (Administrative)

11th April, 1997


DY. REGISTRAR (JUDL)

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OA.No.419/97

Copy to:-

1. The Chief Administrative Officer,
Office of the India Government Mint,
Hyderabad.
2. The General Manager,
India Government Mint,
Khartabad, Hyderabad.
3. Secretary to the Government of India,
Ministry of Finance, New Delhi.
4. One copy to Mr.K.Venkateswara Rao, Advocate,
CAT.Hyderabad Bench, Hyderabad.
5. One copy to Shri N.R.Devaraj, Sr.CGSC.CAT.Hyd.
6. One spare copy.
7. One copy to Honble Member (A)
8. One copy to D.R. (2)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

~~THE HON'BLE MR. JUSTICE~~
~~VICE-CHAIRMAN~~
and

THE HON'BLE MR. H. RAJENDRA PRASAD: M(A)

Dated: 11-4-1997

~~ORDER/JUDGMENT~~

~~M.A./R.A./C.A. NO.~~

O.A. No.

418/97

T.A. No.

(w.p.)

Admitted and Interim directions
Issued.

Allowed

Disposed of with directions *At the*

Dismissed.

Admission Stage

Dismissed as withdrawn

Dismissed for default.

Ordered/Rejected.

No order as to costs.

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केन्द्रीय प्रशासनिक अधिकरण Central Administrative Tribunal नियन्त्रण/DESPATCH 30. APR. 1997 हयदराब बेंच HYDERABAD BENCH
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