

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.865/97

DATE OF ORDER : 16-07-1997.

Between :-

- 1.K.Suseela
2. K.Madhusudana Reddy

... Applicants

And

1. The Chairman,
Telecom Commission,
New Delhi.
2. The Chief General Manager,
Telecommunication Department,
AP Circle, Hyderabad.

... Respondents

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Counsel for the Applicants : Shri P.Krishna Reddy

Counsel for the Respondents : Shri Kota Bhaskar Rao, Addl.CGSC

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CORAM:

THE HON'BLE SHRI H.RAJENDRA PRASAD : MEMBER (A)

(Order per Hon'ble Shri H.Rajendra Prasad, Member (A)). *9/16/97*

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... 2.

(Order per Hon'ble Shri H.Rajendra Prasad, Member (A)).

Heard Shri A.V.Rama Rao for Shri P.Krishna Reddy on behalf of the applicant and Shri Kota Bhaskar Rao, standing counsel for the Respondents.

2. It is noticed that the Circle Relaxation Committee has duly considered the case of the second applicant for appointment in relaxation of normal recruitment rules on compassionate grounds but has rejected the same. The order is contained in Annexure-I. This impugned order has to be viewed in the light of the contents of Annexure-VII wherein it was stated that the selection committee had recommended the case of the wife of the deceased official instead of his son/daughter for a suitable post. It was submitted by Shri Kota Bhaskar Rao that A.P.Telecom Circle Relaxation Committee is of the view that the children of the deceased employees are liable to neglect the welfare of their dependant mothers (a deceased employee's wife) after being given an appointment and, therefore, as a matter of local policy they do not agree to entertain applications of children/wards of deceased employees, and instead make an offer of employment to the wives (widow of the deceased) in all such cases. This, however, is at variance with the instructions of the Government of India and the provisions of the relevant scheme. There is nothing in the rules and instructions issued by Central Government to indicate that sons and daughters of deceased employees shall not be considered for compassionate appointments on the grounds attributed by the Respondents in this case. The decision of the Circle Relaxation Committee in the instant case cannot therefore be sustained. Hence the same is hereby set aside.

3. Respondent No.2 is directed to have this case re-examined by the Circle Relaxation Committee with a view to arriving at a suitable decision strictly in conformity with the rules framed and instructions issued by the Government of India in this regard. This shall be done within a period of 90 days from the date of receipt of a copy of this order.

4. Thus the OA is disposed of at the admission stage. No order as to costs.


(H. RAJENDRA PRASAD)
Member (A)

Dated: 16th July, 1997.
Dictated in Open Court.


Deputy Registrar (S) C

avl/

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O.A. 865/97.

To

1. The Chairman
Telecom Commission,
New Delhi.
2. The Chief General Manager,
Telecommunication Dept.,
A.P Circle, Hyderabad.
3. One copy to Mr.P.Krishna Reddy, Advocate, CAT.Hyd.
4. One copy to Mr.K.Bhaskar Rao, Addl.CGSC. CAT.Hyd.
5. One copy to HHRP.M(A) CAT.Hyd.
6. One copy to D.R.(A) CAT.Hyd.
7. One spare copy.

pvm.

29/7/97

T COURT

TYPED BY

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COMPARED BY

APPROVED BY

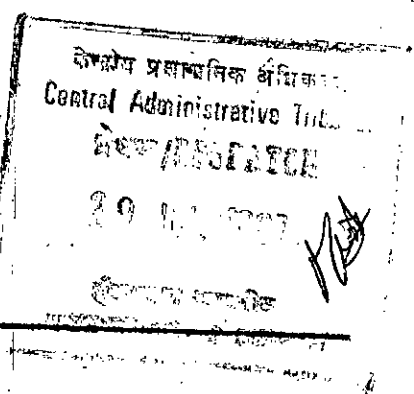
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE
VICE-CHAIRMAN

and

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

Dated: 16-7-1997



ORDER/JUDGMENT

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

in

O.A.No. 865/97.

T.A.No. (w.p.)

Admitted and Interim directions
Issued

Allowed

Disposed of with directions

Dismissed. *at the admission stage*

Dismissed as withdrawn

Dismissed for default.

Ordered/Rejected.

No order as to costs.

pvm

alw. O.A copy to R2