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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.NO. 271/99

Date of Order : 19.2.99

BETWEEN :

G.Ranga Swamy .. Applicant.

AND

1. The General Manager,
S.C.Railway, Rail Nilayam,
Secunderabad.
2. The Chief Security Commissioner,
Head Quarters office: Security Branch,
S.C.Railway, Rail Nilayam,
Secunderabad.
3. The Principal,
R.P.F. Training Institute,
Modulali, Secunderabad. .. Respondents.

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Counsel for the Applicant .. Mr.P.Bhaskar

Counsel for the Respondents .. Mr.D.F.Paul

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CORAM :

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

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O R D E R

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

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Mr.Srinivas for Mr.P.Bhaskar, learned counsel for
the applicant and Mr.D.F.Paul, learned standing counsel
for the respondents.

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2. The applicant is the son of one Sri G. Gopal Swamy, Rakshak Cook, RPF Training Centre, Moula Ali. The said Sri Gopal Swamy died on 7.9.86 due to heart attack while in service leaving behind 3 daughters, one son (who is the applicant herein) and widowed wife. The applicant submits that he is in an indigent circumstances as the family pension ~~is~~ granted to her mother is not sufficient to maintain the family. The mother of the applicant submitted a representation addressed to R-2 for appointing her son as Cook/Khahat on compassionate grounds by her representation dated 9.4.98. That was rejected by the impugned letter dated 10.2.98 on the ground that the compassionate ground appointment cannot be considered as the ~~sequest~~ is time barred.

3. This OA is filed to declare that the action of the respondents in not granting compassionate ground appointment is illegal, arbitrary and for a consequential direction to the respondents to grant compassionate ground appointment to the applicant.

4. The reply given does not appear to be in order. There are number of cases where compassionate ground are granted after a considerable lapse of time after the death of the earning member of the family. Even in railways the General Manager has got powers to grant compassionate ground appointment

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even ~~after~~ ^{by} the request is made after certain lapse of time
 probably 5 or 10 years, ^{then} beyond that the case will go to
 Railway Board for consideration with the comments of the
 General Manager to the Railway Board. The learned counsel
 for the respondents submits that it should go with the personal
 recommendation of the General Manager while forwarding his
 application to the Railway Board. If so the case of the
 applicant if required should be sent to the Railway Board
 with the comments/personal recommendation of the General
 Manager.

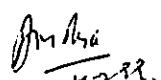
5. In view of the above the case of the applicant should
 be referred to the Railway Board by the General Manager for
 consideration. On the basis of the reply received from the
 Railway Board the applicant should be informed suitably.

6. With the above direction the OA is ordered with
 no costs.


 (R. RANGARAJAN)
 Member (Admn.)

Dated : 19th February, 1999

(Dictated in Open Court)


 J.M. B.
 2000

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