

CENTRAL ADMINISTRATIVE TRIBUNAL

JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 12.5.2015

OA No. 291/00260/2015

Mr. K.K.Sharma, Counsel for the applicant.

Heard the Ld. Counsel for applicant.

The Original Application has been filed seeking suitable appointment on the compassionate grounds. The applicant's claim for engagement on compassionate grounds was considered by the Circle Relaxation Committee. After making objective assessment of the financial position and liabilities the CRC observed that the applicant secured only 23 points against the prescribed minimum 50 points and was not found hard and deserving in view of the latest guidelines on the subject issued vide letter No.1217/2010/-GDS dated 14.12.2010 and 9.3.2012. The case of the applicant was not recommended by the CRC for compassionate appointment.

2. The applicant filed a writ petition No.8306/04 in the High Court of Rajasthan, Jaipur Bench and Court directed to reconsider the case as per the existing rules. In the meantime the GDS has been passed away on 11.12.2006. The CGIT directed that the GDS's legal heirs are entitled to receive all financial benefits as

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payable to deceased employee i.e. from 24.4.1994 to 11.12.2006 and in compliance of the orders, all the financial benefits were paid to the family of the deceased GDS.

3. The applicant filed another OA No.291/00057/2014 in the CAT, Jaipur Bench seeking engagement on compassionate grounds. This Tribunal vide order dated 8.2.2014 directed the respondents to decide the representation of the applicant according to provisions of law but not later than 3 months from the date of receipt of the representation of the applicant. Thereafter, the Circle Relaxation Committee considered the case of the applicant in the light of latest guidelines issued vide No.17-17/2010-GDS dated 14.12.2010 and 9.3.2012 (Ann.A/14). The CRC considered the case of the applicant by adopting yard sticks based on 100 points scale of the various attributes fixed by the competent authority to make balanced and objective assessment of financial conditions of case taking into account its assets and liabilities including discharge benefits received and all other factors like earning, size of family, age of children, marriage and education of minor children and essential needs of the family etc. The CRC observed that the ex-GDS expired on 11.12.2006 leaving behind widow and three sons. Two sons are married. Family has paid discharge benefits to Rs.330996/-. Family owns house and land. Family income of Rs.9167/- per month from other sources. Family has no liabilities like education of minor children and marriage of daughter. The

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CRC after making objective assessment found that the applicant secured only 23 points against the prescribed minimum 50 points. Therefore, the case of the applicant was not recommended for appointment on compassionate grounds.

4. I have considered the case in the light of submissions made by the respondents (Ann.A/14) and the materials on record. This Tribunal finds that the objective assessment was made by the CRC as per the guidelines. The applicant is, therefore, not entitled for appointment on compassionate grounds. The OA is without any merits and accordingly dismissed with no order as to costs.



(JUSTICE HARUN-UL-RASHID)
JUDICIAL MEMBER

Adm/