

Central Administrative Tribunal
Jabalpur Bench

OA No.587/05

Jabalpur, this the 9th day of December 2005.

C O R A M

Hon'ble Mr. Madan Mohan, Judicial Member

Laxmi Narayan
S/o Late Babulal
R/o Bunglow No.10, Station Road
Near Senior Institute
Jabalpur.

Applicant

(By advocate: None)

Versus

1. Union of India through
Ministry of Defence
(Defence Production)
Through its Secretary
New Delhi.

2. The Director General of
Ordnance Factory Board
10-A, Shahid Khudiram Bose Marg
Kolkata.

3. General Manager
GCF, Jabalpur.

Respondents

(By advocate Shri A.P.Khare)

O R D E R

By Madan Mohan, Judicial Member

By filing this OA, the applicant has claimed the following reliefs:

- (i) Direct the respondents to grant compassionate appointment to the applicant.
2. The brief facts of the case are that the father of the applicant, who was employed in GCF, Jabalpur, was medically boarded out on

(Signature)

23.12.1998. Then he applied for compassionate appointment in favour of his son-the applicant herein. Applicant's father died on 4.10.2000 leaving behind his widow, 2 sons (including the applicant) and one daughter. In response to the application for compassionate appointment, the applicant was directed to appear before the committee constituted for the post and he appeared and completed all formalities like police verification etc. However, his case was rejected by the respondents on the ground that the family received sufficient amount by way of pension and other dues. Thereafter, the applicant along with 7 other candidates filed OA No.899/04 before the Tribunal and the Tribunal disposed of the OA with a direction to the respondents to consider and decide his representation by passing a speaking and detailed order. Vide impugned order dated 18.2.2005 (Annexure A1), the request of the applicant was rejected by the respondents for the reason that he had obtained 66 point out of 100 point grade scale. Hence this OA is filed.

3. None is present for the applicant. Hence the provisions of Rule 15 of the CAT (Procedure) Rules, 1987 are invoked.

4. Heard learned counsel for the respondents. He argued that as per the scheme for granting of compassionate appointment to the employee's dependents, a 100 point grading scale has been formulated for attributing to the various parameters for assessing similarly placed individual for a comparatively balance objective assessment. This is done in order to ascertain the indigent and the most deserving cases. The parameters are family pension, terminal benefits, movable/immovable property, number of dependents, unmarried daughters, minor children and left over service etc. On making an overall assessment of the parameters, the applicant had obtained only 66 points out of 100 point grade scale. Moreover, compassionate appointment can be made up to a maximum of 5% of vacancies falling under direct recruitment quota in any Group "C" or 'D' posts. Even persons who had secured more than 83 points could not be appointed due to lack of vacancies. The case of the applicant

having been considered on previous occasion by the screening committees and rejected, there exists no fresh grounds for the applicant to agitate the same issue. Moreover, in compliance with the directions of the Tribunal in the earlier OA filed by the applicant, a speaking, detailed and reasoned order was passed vide order dated 18.2.2005.

5. After hearing learned counsel for respondents and careful perusal of the records, I find that the applicant has secured 66 points out of 100 while 8 other candidates secured more points. One Parshottam and another Ishwari Prasad had secured 83 points. Even then they could not be appointed, as is shown in the impugned order. The case of the applicant has already outlived the three years time limit on 23.12.2001 as per DoPT OM dated 5.5.03. Thus it was not considered again along with fresh cases in July 2004. I have perused the order of the Tribunal dated 1.11.2004 (Annexure A2) passed in OA No.899/04 by which the respondents were directed to consider the representation of the applicant. I have also perused the impugned order (Annexure A1) which seems to be a speaking and reasoned one.

6. Considering all facts and circumstances of the case, I am of the considered view that this OA has no merit. Accordingly the OA is dismissed. No costs.


(Madan Mohan)
Judicial Member

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पृष्ठांकन रां ओ/व्या.....जखलपुर, दि.....
परिविधि ओ/व्या.....
(1) राजिय जा..... न. जखलपुर
(2) ओ..... न. जखलपुर
(3) ए. गो..... न. जखलपुर
(4) दंगपाल, दो..... न. जखलपुर
सूचना एवं आवश्यक पर्याप्त
12/12/05

*Avinash Shrivastava
22/12/05
B. P. Khar 22/12/05*

उप रजिस्ट्रार

*For
12/12/05*