

**Central Administrative Tribunal  
Principal Bench, New Delhi.**

**TA-05/2015**

**New Delhi this the 30<sup>th</sup> day of May, 2016.**

**Hon'ble Mr. Shekhar Agarwal, Member (A)**

1.Afsari Begum,  
W/o late Mohd. Hassan,  
R/o Type-II/14,  
Ganga Appts, Schedule 'B',  
President's Estate,  
New Delhi-110004.

2.Mohd. Arman,  
S/o late Sh. Mohd. Hassan,  
R/o Type-II/14,  
Ganga Appts, Schedule 'B',  
President's Estate,  
New Delhi-110004.

..... Applicants

(through Sh. Harish Sharma, Advocate)

Versus

1.Under Secretary,  
(Establishment Section),  
President's Secretariat,  
Rashtrapati Bhavan,  
New Delhi-110004.

2.Under Secretary,  
(Establishment Section),  
President's Secretariat,  
Rashtrapati Bhavan,  
New Delhi-110004.

.... Respondents

(through Sh. VSR Krishna, Advocate)

**ORDER (Oral)**

The applicants are wife and son of one late Mohd. Hassan, who was working on the post of Senior Laundryman in President

Secretariat. He unfortunately expired on 13.05.2012 while in service. The applicant No.1 then made a representation to the respondents regarding granting compassionate appointment to her son, the applicant No.2. This was rejected by the respondents vide impugned order dated 04.01.2013. The applicant No.1 then moved an application on 05.08.2013 with the request that she herself may be granted compassionate appointment. However, this was also rejected on 13.05.2014. Both mother and son have now approached this Tribunal by filing this O.A. through which they have challenged the impugned orders dated 04.01.2013 and 13.05.2014 vide which their cases for compassionate appointment were rejected.

2. Learned counsel for the applicants argued that both the impugned orders were cryptic and do not disclose the reasons on which their cases have been rejected.

3. In reply, the respondents have opposed the averments made by the applicants. They have stated that cases of both the applicants for compassionate appointment were considered by them in accordance with the Scheme for compassionate appointment. According to them, the President Secretariat has been following a system and awarding points to determine priority that each be given, considering the fact that the number of persons

seeking appointment on compassionate ground was much higher than the 5% vacancies that can be utilized for this purpose as provided under the Scheme. Their point system was based on the following parameters:-

- “ (i) Family Pension.
- (ii) Terminal benefits (DCRG, GPF, CGEGIS, Leave encashment & Pension Commutation.
- (iii) Monthly income of earning members and income from property.
- (iv) Movable/immovable property.
- (v) Number of dependents including number of marriageable age Daughters.
- (vi) Number of Minor children.
- (vii) Left over service.”

3.1 The respondents have stated that the applicant No.2 secured only 40 points whereas applicant No.1 secured 55 points. However, since persons with higher points were available, the applicants could not be offered appointment. Learned counsel for the respondents submitted that this was primarily due to the fact that one of the sons of the applicant No.1, Mohd. Usman was already employed in a private job. Learned counsel for the respondents fairly submitted that the case of the applicants for compassionate appointment has already been considered twice over and may be considered again as per the provisions of the Scheme.

4. I have considered the submissions made by both sides. I find that the cases of the applicants have been duly considered by the respondents in accordance with the Scheme for compassionate appointment. However, the applicants could not be offered appointment as more deserving candidates were available for filling up the vacancies available under 5% quota allocated for compassionate appointment.

5. In view of the above, I do not find any merit in the contention of the applicants. I, therefore, dismiss this O.A. No costs.

**(Shekhar Agarwal)  
Member (A)**

/Vinita/