

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO. 170/00008/2017

DATED THIS THE 09TH DAY OF AUGUST, 2017

HON'BLE SHRI JUSTICE HARUN-UL-RASHID...MEMBER (J)
HON'BLE SHRI PRASANNA KUMAR PRADHAN, MEMBER (A)

Kiran S. Kulkarni,
Age: 35 years,
S/o Shri Suresh D. Kulkarni,
Ex Grade I Post Master
Residing at:
"Anugraha"
Mahamane Badavane,
C/o Dr. Karishetty M.K.
Navodyanagar,
KUD Road,
Dharwad – 58003.

... Applicant

(By Advocate Shri P. Kamalesan)

Vs.

1. The Union of India,
Represented by
Director General of Post,
Department of Post,
Dak Bhavan,
New Delhi – 110 001.

2. Chief Post Master General,
Karnataka Circle,
Bangalore – 56001.

3. Post Master General,
N.K. Region,
Dharwad – 580 001.

4. Senior Superintendent of Post Offices,
Dharwad Postal Division,
Dharwad – 580 008.

... Respondents

(By Shri K. Gajendra Vasu, Senior Panel Counsel)

ORDER (ORAL)

HON'BLE PRASANNA KUMAR PRADHAN, MEMBER (A):

The applicant in the present OA sought the following reliefs:

- i. Quash the letter No. R&E/2-5/661/13 dated: 30-6-2015 issued by Chief post master general, Karnataka Circle, Bangalore – 56001 Annexure-A10.
- ii. *Direct the Respondent No.2 to properly assess the indigence of the family, with all relevant materials, and reconsider the case of applicant for compassionate appointment.*

2. The applicant submits that his father who was working as Grade I Post Master expired on 10.05.2012 leaving behind his wife and two sons. The applicant who is the elder son submitted an application seeking compassionate appointment on 11.07.2012 explaining the indigent conditions of the family. The Chief Post Master General, Karnataka vide communication dated 29.11.2013, 26.05.2014 and 16.04.2015 (Annexure-A6 to A8) informed that his case was considered by the CRC in a meeting on 17.10.2013, again by a CRC on 27.03.2014 and again by CRC on 24.02.2015 and they rejected his case for appointment on compassionate ground. The applicant submits that in all the communication received from the respondents there is no material to show that the indigence of the family was assessed. Therefore he submitted that the rejection of compassionate appointment is liable to be set aside and he should be reconsidered for appointment on compassionate ground.

3. The respondents have filed a reply statement in which they have submitted that following the death of the father, the eldest son submitted application for compassionate appointment. His case was examined for the

post of Postman/Mail Guard as per the existing order by the Circle Relaxation Committee which met on 17.10.2013. The applicant had secured only 48 points. The details of calculation of points has also been indicated in the reply statement. The Committee, keeping in view the guidelines on the scheme of compassionate appointment and the fact that there are many other candidates who have secured more points than the applicant, could not recommend his case (Annexure-R1). The next CRC meeting held on 27.03.2014 also examined the case of the applicant. There were 7 vacancies in the PA/SA cadre under compassionate appointment quota. The CRC recommended 7 cases who secured more merit points than the applicant. The last merit point being 59 points as compared to 48 points secured by the applicant therefore the CRC could not recommend the case of the applicant (Annexure-R2). The next Circle Relaxation Committee met on 24.02.2015 and examined the case of the applicant as would be evident from the minutes (Annexure-R3). All those candidates who were recommended for consideration for compassionate appointment scored much higher marks than the applicant therefore the applicant's case was not considered. The respondents submit that the number of posts for compassionate appointment is limited to 5% of the available vacancies and since there are several applicants under that category, only those most deserving cases are considered. Therefore due to less indigency the applicant's case could not be considered and therefore the contention of the applicant does not merit any consideration.

4. During the hearing, the learned counsel for the applicant mentioned that the respondents had not clarified as to how the applicant could secure

only 48 points. When it was pointed out that the respondents had already given break up of 48 points in the reply statement, he mentioned that it should have been communicated to the applicant directly.

5. We have considered the matter in detail. It is clearly evident that the applicant's case was considered on 3 different occasions by the Circle Relaxation Committee and on each occasion the candidates who were recommended for compassionate appointment category were clearly more indigent than the applicant who had scored only 48 marks. Therefore we do not find anything irregular in the action taken by the respondents. Therefore we hold that the OA is clearly devoid of any merit and is liable to be dismissed.

6. Accordingly the OA is dismissed. No order as to costs.

(PRASANNA KUMAR PRADHAN)
MEMBER (A)

(JUSTICE HARUN-UL-RASHID)
MEMBER (J)

ksk