

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00466/2017

DATED THIS THE 31ST DAY OF MAY, 2018

HON'BLE SHRI DR. K.B. SURESH, MEMBER (J)

HON'BLE SHRI P. K. PRADHAN, MEMBER (A)

KM.Anil Kumar,
S/o (late) KM.Panchakshari,
8th Ward, Uppinmalli Comp Behind,
Anjinaya Temple,
Gangavathi,
Koppal District.
Karntaka.

....Applicant

(By Advocate Smt.MV.Thanuja)

Vs.

1. Department of Telecommunications,
O/o Controller of Communication Accounts,
II Floor, Amenity Block,
Bengaluru 560 001.

2. Chairman and Managing Director,
Bharat Sanchar Nigam Limited,
(A Government of India Enterprises),
Corporate Office, 102-B,
Statesman House,
New Delhi 110 001.

3. Chief General Manager,
Telecom, Karnataka Circle,
No.1, S.V. Road,
Halasuru, Bangalore 560 008.

4. Assistant General Manager (Admn),
Office of the General Manager,
Telecom District,BSNL,
Raichur 584 102.

...Respondents

(Shri Gajendra Vasu, Sr.Panel Counsel for R1
Shri Vishnu Bhat, Sr.Panel Counsel for R2 to 4).

ORDER (ORAL)DR. K.B. SURESH, MEMBER (J):

1. Heard. The matter relates to compassionate appointment. With the assistance of both the counsels we went through the Weightage Point System and check list. We found that 4 dependents were taken into account, whereas the claim of the applicant is that there are 5 dependents including the grandmother. An additional point has been raised in para 5 of the circular dated 1.10.2014 in relation to the issue, is produced as annexure R-2 and a methodology has been devised in extreme cases. As the applicant's sister is mentally retarded, as found by the Welfare Officer with 76% disability, we feel that she may fall within the clause 5 of the said circular. If, that is taken into account, the applicant will easily be eligible to be considered for appointment. Therefore, we will now dispose of the OA holding that the applicant is eligible to be considered along with others and an appropriate order may be passed in the light of clause 5 of the said circular and the fact that the applicant's grandmother is also dependent. Next consideration should be done within next 6 months.

2. OA is, thus allowed to this limited extent. No order as to costs.

(P. K. PRADHAN)
MEMBER (A)

(DR. K.B. SURESH)
MEMBER (J)

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Annexures referred to by the applicant in OA.No.466/2017

Annexure A-1: Copy of NOC Affidavit by K.M. Gouramma.

Annexure A-2: Copy of NOC Affidavit by K.M. Sharadha.

Annexure A-3: Copy of NOC Affidavit by K.M. Veeresh.

Annexure A-4: Copy of NOC Affidavit by K.M. Anitha.

Annexure A-5: Copy of the SSLC Marks Card.

Annexure A-6: Copy of the Diploma Marks Card.

Annexure A-7: Copy of Compassionate Ground Appointment – Guidelines.

Annexure A-8: Copy of the Order letter dated 09.11.2015.

Annexure A-9: Copy of the rental agreement.

Annexure A-10: Copy of the sanction order issued by Tahsildhar and translated copy.

Annexure A-11: Copy of the representation dated 25.12.2015.

Annexure A-12: Copy of the letter dated 25.01.2016.

Annexure A-13: Copy of the Corrigendum dated 03.03.2016.

Annexures referred to by the respondents in the Reply Statement

Annexure R1: Physical Verification Report.

Annexure R2: Compassionate Ground Appointments (CGA) – Policy Guidelines dated 27.6.2007.

Annexure R3: Check-list with reference to Weightage Point System.

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