CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
CIRCUIT SITTING : BILASPUR

Original Application No.203/01163/2016

Bilaspur, this Friday, the 07th day of December, 2018

HON'BLE MR. NAVIN TANDON, ADMINISTRATIVE MEMBER
HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER

Paras Ram Sahu, S/o (late) Shri Mansa Ram Sahu, aged about 30 years, Village Dharampura, P.O Mana Camp, P.S. – Raipur, District Raipur, Pin Code - 492006 **-Applicant**

(By Advocate – Ms. Deepali Pandey)

V e r s u s

1. The Union of India through Secretary, Ministry of Mines, Shastri Bhawan, New Delhi – 110001.

2. Director, Geological Survey of India, Training Institute, GSI Complex, Bandlaguda, Hyderabad 500068.

3. Director, Geological Survey of India, Training Institute, FTC Raipur, Dist-Raipur (C.G) Pin Code 492006

-Respondents

(By Advocate – Shri Vivek Verma)

O R D E R (O R A L)

By Navin Tandon, AM.

The applicant has filed this Original Application seeking direction to the respondents to grant him compassionate appointment.

2. Father of the applicant was working with the respondent department and died in harness on 18.12.2007. The applicant,

thereafter, submitted his application for grant of compassionate appointment on 02.01.2008 (Annexure A-8). Since the application was not considered for several years, the applicant approached this Tribunal vide OA No.203/203/00014/2014, which was disposed of vide order dated 14.05.2015 (Annexure A-6) directing the respondents to consider the application as expeditiously as possible and in any case within next two months. Accordingly, the respondent department considered the application of the applicant. It was informed to the applicant vide communication dated 14.03.2016 (Annexure A-1) that he scored 62 points, whereas the two selected candidates scored 86 and 85 points as per the merit points award scheme.

3. The applicant submits that his case is very old. Further, there are 75 posts vacant in Geological Survey of India as on 31.03.2016 and, therefore, the applicant may be offered appointment on compassionate ground.

4. The applicant, has therefore, sought for the following reliefs:

> "**8. Relief (s) sought for**
>
> For the reason stated above, the applicant humbly pray that the Tribunal may be pleased to :-

a. That, the Hon'ble Tribunal may kindly be pleased to quash the order/Memo No. A-2012/1/02/CA/TI/VOL-V/6976 dated 14.03.2016 (Annexure A-1).
b. That, the Hon'ble Tribunal be pleased to direct the respondents to grant applicant compassionate appointment.
c. Award cost of this application and litigation.
d. Pass such further other orders as this Hon'ble Tribunal may think fit and proper in the interest of justice."

5. The respondents, in their reply, have filed the recommendations of the Compassionate Appointment Committee (CAC) held on 27.05.2015 (Annexure R-2), wherein it has been mentioned that there was no compassionate appointment in GSITI since 2004 onwards due to non availability of vacancies for compassionate appointment. The CAC examined 19 applications in which the top two candidates scored 86 and 85 points respectively. The points scored by the applicant were 62.

5.1 The details of the relative merit points scored by the applicant are also available with Annexure R-2 (page 35).

6. We have heard the learned counsel for the parties and gone through the pleadings available on record.

7. It is seen that the respondents have correctly considered the case of the applicant in their CAC meeting and the applicant

could not be considered, as only two candidates, who have scored 86 and 85 merit points respectively, were found fit by the CAC.

8. During the course of argument, learned counsel for the applicant submitted that as per Para 4.2 of the scheme circulated vide letter dated 04.06.2015 of Geological Survey of India [Annexure R-1 (page 8)], it has been mentioned that, "In GSI, the reasonable period can be considered as five times consideration in CAC".

9. Since it is not clear that whether the case of the applicant has been considered for five times, as per the scheme of the respondent department, therefore, we direct the respondents that the case of the applicant should be considered for five times by the CAC, as per the scheme. The dates of such consideration and result thereof by the CAC should also be communicated to the applicant.

10. The O.A is disposed of in the above terms. No costs.

(Ramesh Singh Thakur)
Judicial Member

(Navin Tandon)
Administrative Member

am/-