

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH**  
**JABALPUR**

**Original Application No.200/01055/2016**

Jabalpur, this Tuesday, the 30<sup>th</sup> day of October, 2018

**HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER**

Vimal Kumar Gotia, S/o Late Shri Budhey Gotia, aged about 40 years, R/o-3/14, T.T.C. Colony, Ridge Road, Jabalpur, (M.P.) 482001  
-Applicant

**(By Advocate – Shri S.K. Nandy)**

**V e r s u s**

1. Chairman cum Managing Director, Bharat Sanchar Nigam Ltd. (BSNL), Sanchar Bhawan, S.C. Mathur Road, New Delhi 110001.
2. Chief General Manager, Bharat Sanchar Nigam Ltd. (BSNL), Hoshangabad Road, Bhopal (M.P.) 462001.
3. General Manager, Bharat Sanchar Nigam Ltd. (BSNL), Bharat Ratna Bhim Rao Ambedkar Institute of Telecom Training, Ridge Road, Jabalpur (M.P.) 482001 -Respondents

**(By Advocate – Shri P. Shankaran)**

**O R D E R (O R A L)**

The applicant is aggrieved by order dated 02.04.2016 (Annexure A-1) whereby his case for grant of compassionate appointment has been rejected.

2. He has, therefore, sought for the following reliefs:

“8.(i) This Hon'ble Tribunal may kindly be pleased to call for the entire records from the possession of the

respondents including the record of the High Power Screening Committee for its kind perusal;

8.(ii) Command the respondents to appoint the applicant on a suitable post on compassionate ground.

8.(iii) In other relief, which this Hon'ble Tribunal deems fit may also be granted together with cost of this litigation.”

**3.** Father of the applicant died in harness on 05.08.2007

(Annexure A-2) while working with the respondent department.

After death of his father, the applicant has preferred application/representation for providing him compassionate appointment, which has been rejected vide Annexure A-1 order dated 02.04.2016.

**4.** The contention of the applicant is that the case of the applicant has not been properly assed as per the policy dated 27.06.2007 and the applicant has not been supplied with the copy of the evaluation regarding grant of weightage points given in his case. It has been further contended that the respondents have calculated and granted only 41 merit points to the applicant despite the fact that he does not have any movable or immovable property.

**5.** The respondents have filed their reply. It has been stated that they have adopted the compassionate appointment scheme formulated by the Government of India and have a uniform

method of considering cases of family members who sought for employment assistance, by giving weightage point system as per policy guidelines dated 27.06.2007 (Annexure R-1). It has been further submitted that the marks are allotted to each points which are considered necessary to determine the pecuniary condition of the family of deceased employee. It has also been submitted that 55 or more merit points are considered for compassionate appointment, depending on availability of vacancies in Group C and D posts under the prescribed quota. The case of the applicant was considered strictly under the policy and the points were allotted on each attributes under the said policy. Since the applicant had scored only 41 merit points, which is less than the minimum benchmark of 55, he was not found eligible for grant of compassionate appointment.

**4.** Heard the learned counsel for the parties and perused the pleadings and the documents annexed therewith.

**5.** It is pertinent to mention that the policy for compassionate appointment is complete in itself and it has to be adhered to in its letter and spirit. In the reply of the respondents, it has been clearly mentioned that minimum 55 merit points are to be secured and the cases below the said benchmark are not to

be considered as per the policy dated 27.06.2007. Hence, the applicant's case was rejected, as he secured only 41 merit points. Since the applicant has failed to point out any discrepancy in awarding the above weightage points to him under the various attributes, I do not find any illegality in the impugned order dated 02.04.2016 whereby the case of the applicant for grant of compassionate appointment has been rejected.

**6.** In the result, the O.A is dismissed being devoid of merits.

No costs.

**(Ramesh Singh Thakur)  
Judicial Member**

am/-