

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD**

OA/20/181/2017
Dated:06/02/2019

BETWEEN:

P. Akhileswara Rao,
S/o. Late Sri P. Mohana Rao,
Ex-GDS MC/MD,
Aged about 42 years,
Bukkuru BO a/w. Palakonda SO,
R/o. H.No. 2-10, Tumarada Village,
Palakonda Mandal,
Srikakulam District.

..... Applicant

AND

1. The Union of India rep. by its
Secretary,
Ministry of Communications & IT,
Department of Posts – India,
Dak Bhavan, Sansad Marg,
New Delhi – 110 001.
2. The Chief Postmaster General,
A.P. Circle,
Vijayawada – 500 001.
3. The Postmaster General,
Visakhapatnam Region,
Visakhapatnam – 530 017.
4. The Superintendent of Post Offices,
Parvatipuram Division,
Parvatipuram – 535 501.

..... Respondents

Counsel for the Applicant : Mr. M. Venkanna, Advocate
Counsel for the Respondents : Mr. A. Vijaya Bhaskar Babu, Addl. CGSC.

CORAM

Hon'ble Mrs. Naini Jayaseelan, Admn. Member

ORAL ORDER
{ Hon'ble Mrs. Naini Jayaseelan, Admn. Member }

Heard both sides.

2. The present OA has been filed by the applicant on account of rejection of the claim of the applicant for engagement as GDS on compassionate grounds. The applicant's father while working as GDS MC/MD, Bukkuru BO a/w Palakonda SO, Parvathipuram Division, Srikakulam District died in harness on 12.02.2013 leaving behind his wife, two sons and one widow daughter. The wife of the deceased employee also died on 16.04.2013. The case of the applicant for compassionate appointment was rejected vide impugned order dated 07.02.2017 in which it was communicated that the Circle Relaxation Committee which met on 10.01.2017 and 11.01.2017 did not recommended the case for compassionate appointment as points awarded for assessing the indigent condition were less than 36. It is the case of the applicant that he deserves 42 points instead of 26 points. It is also the case of the applicant's counsel that as per certificate issued by the Tahsildar, Palakonda the sister of the deceased employee is dependent on her brother as per no earning certificate issued on 07.02.2017. These documents were not taken into consideration while calculating points. The applicant has also cited five judgments of this Tribunal i.e. OAs.Nos.419/2016, 497/2015, 55/2017, 1141/2014 and 75/2016 wherein the Tribunal had ordered for consideration of the compassionate appointment cases as per the extant guidelines.

3. It is pertinent to note that now the Department of Posts through Letter dated 30.05.2017 has done away with the points system. The counsel for

the respondents strongly argued that the sister of the deceased employee cannot be taken as dependent and since the revised scheme came into effect from 30.05.2017, and as per the said circular old cases which have already been settled cannot be reopened. However, since there appears to be inaccuracies in awarding marks w.r.t number of dependents, Own land / No land and earning members.

4. In view of the fact and circumstances of the case, it would be fair to direct the applicant to submit a revised application for compassionate appointment as per extant guidelines issued in Letter. No.17-1/2017-GDS dt.30.05.2017. Upon submission of a revised application by the applicant, the respondents are directed to consider the applicant's case within a period of two months.

5. The OA is accordingly disposed of with the above directions. No order as to costs.

(NAINI JAYASEELAN)
ADMN. MEMBER

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