

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

OA/21/457/2016

CAV on 13/03/2019

Date of order: 19/3/2019

BETWEEN:

S. Praveen Kumar,
S/o. Late N. Chander Rao,
Aged about 30 years,
Ex-GDS BPM, Waddepally, B.O.
a/w Ismailkhanpet SO,
R/o. H.No.1-25/1, Waddepally Village & BO,
Hatnur Mandal, Medak District.

..... Applicant

AND

1. The Union of India rep. by its
Secretary, Government of India,
Ministry of Communications and I.T.,
Department of Posts -India,
Dak Bhavan, Sansad Marg,
New Delhi – 110 001.
2. The Chief Postmaster General,
A.P. Circle, Abids,
Hyderabad – 500 001.
3. The Director of Postal Services,
Hyderabad Region,
O/o. The Postmaster General,
Hyderabad Region,
Hyderabad – 500 001.
4. The Superintendent of Post Offices,
Sangareddy Division,
Sangareddy – 502 001.

..... Respondents

Counsel for the Applicant : Mr. M. Venkanna, Advocate

Counsel for the Respondents : Mr. K. Venkateswarlu, Addl. CGSC

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

The applicant's father namely Nainani Chander Rao died in harness on 20.06.2015 while working as GDS Branch Postmaster, Waddepally B.O. a/w Ismail Khanpet S.O., Sangareddy Division, Medak District, leaving behind his wife, two sons and a daughter. The applicant has filed the present OA challenging the impugned order dated 10.03.2016 wherein the case of the applicant for compassionate engagement against the post of GDS under relaxation of Recruitment Rules has been rejected by the Circle Relaxation Committee (CRC) held on 01.03.2016 and 02.03.2016 due to applicant got 23 points which is below the threshold level of 36 marks.

2. Heard Mr. Venkanna, learned counsel appearing for the applicant and Mrs. Swarna representing Mr. K. Venkateswarlu, learned Standing Counsel for the Respondents.

3. It is the contention of the counsel for the applicant that while granting 23 points for assessment of indigent condition errors have occurred due to wrong assessment of merit points under i) income criteria, ii) Katcha House and iii) Terminal benefits. The applicant's counsel stated that if the merit points had been correctly assessed the applicant would get to 37 merit points which is above the threshold level of 36 points and his case could be considered under the 5% quota for compassionate appointment. The applicant has cited following documents with regard to the income, katcha house and terminal benefits.

i) The applicant has other source of income of Rs.52,000/- per annum

whereas there is no earning member.

ii) Applicant has a katcha house and its value at Rs.12,850/- as per the certificate issued by the grampanchat, Yellammaguda dated 22.03.2016.

Applicant has barren non yielding land as per the certificate issued by the Tahsildar, Hatnur Mandal on 01.04.2016.

iii) Out of the total amount of terminal benefits of Rs.1,61,680/- and amount of Rs.1,03,500/- has already been paid to the widow of the deceased GDS however the unpaid amount of Rs.58,180/- towards GDS group Insurance Scheme cannot be taken into consideration.

4. This Tribunal vide interim order dated 04.05.2016 directed the respondents to keep the operation and execution of impugned Notification Memo No. BIII/GDSBPM.WADEPALLI BO/2016 dated 31.03.2016, calling for applications for the post of Gramin Dak Sevak Branch Postmaster, Waddepalli, B.O. in abeyance until further orders.

5. It can be seen from para.g of reply statement, that the applicant is entitled to (6+6+2=14) extra merit points for assessment of indigent condition for compassionate appointment.

5. In view of the above, the OA is disposed by directing the respondents to examine the case of the applicant afresh in the light of the extant guidelines within a period of three months from the date of receipt of a copy of this order. No order as to costs.

**(NAINI JAYASEELAN)
ADMN. MEMBER**

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