

CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCH

CIRCUIT BENCH AT RANCHI

OA/051/00442/2018

Date of Order:- 21-Dec-2018

C O R A M

HON'BLE MR. JAYESH V.BHAIRAVIA, MEMBER (JUDL.)

HON'BLE MR. PRADEEP KUMAR, MEMBER (ADMN.)

.....

Neha Soreng, D/o Late Noel Soreng, Ex-Postal Assistant, aged 223 years, village-Lowadih, PO & PS-Namkum-834 010 and District-Ranchi-Jharkhand.

.....Applicant.

By Advocate:- Mr. Rajendra Prasad

Vs.

1. Union of India through the Secretary (Post), Postal Service Board, Ministry of Communication, department of Posts, Dak Bhawan, Sansad Marg, New Delhi-110 001.
2. The Chief Postmaster General, Jharkhand Circle, PO & PS-Doranda-834 002, District-Ranchi, Jharkhand.
3. The Director, Postal Service, Jharkhand Circle, Ranchi, PO, PS-Doranda, - 834 002, District-Ranchi, Jharkhand.
4. The Asstt. Director of Postal Services (Personnel), Jharkhand Circle, Ranchi, PO & PS-Doranda-834 002, District-Ranchi, Jharkhand.
5. The Sr. Superintendent of Post Offices, Ranchi Division, PO, PS & District-Ranchi-834 001, Jharkhand. Respondents

By Advocate:- Mr. H.K.Mehta, Sr. Standing Counsel.

O R D E R (ORAL)

Per Jayesh V.Bhairavia, Member (Judl.):- In the instant OA the applicant has contended that her father died in harness on 15.10.2000 while he was working as Postal Assistant in the Postal Department under Doranda H.O leaving behind four dependent family members, including his widow, two sons and one minor daughter. The applicant was minor at the time of death of her father. Due to not having the requisite education qualification, the applicant's brother had not submitted any application for

compassionate appointment. Therefore, once the applicant became major the mother of the applicant sponsored her name for compassionate appointment.

The respondents have considered the case of the applicant in vacancy year 2015-16 in accordance with the policy in vogue, wherein the applicant had secured 56 points, out of 115, whereas the last selected candidate had secured higher points than the applicant and, therefore, her case was not recommended by the CRC for compassionate appointment (Annexure-A/2 refers). Thereafter, the applicant had submitted another representation for reconsideration and vide communication dated 06.04.2018 she was informed by the respondents that her representation for reconsideration on the basis of annual income certificate of Rs.70,000/- issued by the CO, Kamadra cannot change the total points awarded which is correct as per the prescribed norms and, therefore, 56 points, out of 115, was earned by her on various attributes is correct. As such, the case of reconsideration is not possible as per Rule (Annexure-A/1).

Aggrieved by the said decision, the applicant has preferred this OA and submitted that as per the policy in vogue if the dependent of the deceased employee was not successful during the scrutiny by the CRC for compassionate appointment for a particular year, in that event the case of such candidate is required to be placed before the next CRC for vacancy of next year. Therefore, learned counsel for the applicant submitted that limited request of the applicant is that her case be re-considered by placing it before the next CRC.

3. On the other hand, respondents have filed their written statement and have denied the contention of the applicant wherein it is stated that the applicant was not found meritorious in comparison to other candidate. The compassionate appointment is required to be offered to more deserving and needy candidate. The request of the applicant for reconsideration of her case by placing it before next CRC

will be considered in accordance with the provisions of the policy for compassionate appointment in vogue.

4. We have heard the learned counsel for the parties and perused the material on record.

5. Since the applicant has prayed for reconsideration of her case by placing the same before the next CRC, we deem it fit to direct the respondents to place the case of the applicant before the next CRC for reconsideration of the matter in light of the provisions of the policy for compassionate appointment in vogue. The concerned respondent shall pass a reasoned and speaking order within a period of two months from the date of consideration by the CRC.

6. With the aforesaid direction, the OA stands disposed of. No costs.

Sd/-
(Pradeep Kumar)/M(A)

Sd/-
(Jayesh V.Bhairavia)/M(J)

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