

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

Dated the Thursday 20th day of June Two Thousand And Nineteen

PRESENT:

THE HON'BLE MR. R. RAMANUJAM, MEMBER (A)

OA.310/975/2017

R. Magendran,
S/o. (late) S.V. Ramasamy,
No.1/1A, Keela Street,
Manaloor (PO), Sankarankoil Taluk,
Tirunelveli District,
Pin- 627 756.

....Applicant

(By Advocate: Mr. R. Malaichamy)

Versus

1. Union of India Rep. by
The Director (Staff),
Ministry of Communications and IT,
Department of Posts, Dak Bhavan,
Parliament Street,
New Delhi- 110 001;
2. The Chief Postmaster General,
Tamil Nadu Circle,
Anna Salai,
Chennai- 600 002;
3. Senior Superintendent of Post Offices,
Kovilpatti Division,
Kovilpatti- 628 501;
4. Postmaster,
Tenkasi HO
Tenkasi.Respondents

(By Advocate: Mr. S. Padmanaban)

ASVS

ORAL ORDER

[Pronounced by Hon'ble Mr. R. Ramanujam, Member (A)]

Heard. Applicant has filed this OA seeking the following relief:-

"to direct the respondents to appoint the applicant on compassionate grounds in any one of the posts, on considering his educational qualification and technical qualification with all attendant benefits by taking into the penury condition of the applicant's family at the time of death of the applicant's father and not the date of selection."

2. It is submitted that the applicant's request for compassionate appointment had been rejected by Annexure-A/14 communication dated 2.02.2017 on the ground that the applicant had been granted 60 merit points against 66 merit points of the last selected candidate in the Postal Assistant cadre, 73 in the Postman cadre and 85 in the M.T.S. cadre. As a person with 60 merit points could not be accommodated within the limit of 5% of the direct recruitment vacancies, the applicant's case could not be considered favourably. The impugned communication also stated that the applicant's case would be placed before the CRC when it met again.

3. Learned counsel for the applicant would urge that as the CRC has been holding meetings presently, the applicant's case be directed to be considered afresh.

4. Attention is also drawn to the consolidated instructions on compassionate appointment issued by the DOP&T dated 16.1.2013 wherein at 11(a) of the scheme, it is stated that compassionate appointment could be granted in cases where the competent authority is satisfied that the same is justified having regard to the number of dependents, assets and liabilities left by the government servant, income of the earning member as also his liabilities including the fact that the earning member is residing with the family of the Government servant and whether he should not be a source of support to other members of the family.

5. It is alleged that the CRC in its meeting dated 28.07.2015 had not taken into account the liabilities of the family of the deceased. Accordingly, the applicant would be satisfied if the CRC is directed to consider the case of the applicant in terms of the various parameters prescribed, duly allowing for the liabilities left by the family of the deceased as well.

6. Learned counsel for the respondents submits that the CRC would consider the claim of the applicant in accordance with the scheme for compassionate appointment as per Office Memorandum dated 16.01.2013 as adopted by the respondents.

7. Keeping in view the above submissions, the OA is disposed of with a direction to the respondents to place the claim of the applicant before the on going CRC for its recommendation regarding the applicant's claim for compassionate appointment in terms of the consolidated instructions on

compassionate appointment issued by DOP&T dated 16.1.2013, which have admittedly been adopted by the respondents in the matter of compassionate appointments.

8. OA is disposed of as above. No costs.