

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

OA/21/186/2019

Dated: 16/07/2019

Between

C. Vinay Sheel, S/o. Late C. Yadaiah,
Hindu, aged 27 years, Occ: unemployee,
R/o. H.No.12-2-582/1, Gudimalkapur,
Mehdipatnam, Hyderabad - 500 028.

... Applicant

AND

1. Union of India,
Dept. of Telecommunications,
20, Ashoka Road,
New Delhi - 110 001
Rep. by its Secretary.
2. Bharat Sanchar Nigam Limited
Rep. by its Chairman-cum-Managing Director,
BSNL Corporate Office, Statesman House,
New Delhi - 110 001.
3. The Chief General Manager,
BSNL, Telangana Telecom Circle,
Doorsanchar Bhavan,
Nampally Station Road,
Hyderabad - 500 001.
4. The Circle High Power Committee,
Office of the Principal General Manager,
Hyderabad Telecom District, BSNL,
Adarshnagar, Hyderabad - 500 063.
5. The Principal General Manager,
Hyderabad Telecom District, BSNL,
Adarshnagar, Hyderabad - 500 063.

... Respondents

Counsel for the Applicant : Mr. T.P. Acharya

Counsel for the Respondents : Mrs. K. Rajitha, Sr. CGSC

Mr. M.C. Jacob, SC for BSNL

CORAM :

Hon'ble Mr. B.V. Sudhakar, Admn. Member

ORAL ORDER

{Per Hon'ble Mr. B.V. Sudhakar, Member (Admn.)}

2. The O.A. is filed for grant of compassionate appointment.
3. The brief details of the case that need to be adumbrated are that the applicant's father died on 23.10.2010, after working in the respondents' organization for nearly 21 years. The deceased employee was survived by his widow, daughter and two sons. The mother of the applicant made an application on 27.6.2011 requesting the respondent authorities to provide compassionate appointment to her elder son i.e. the applicant in the present O.A. The respondents have deputed a responsible official, who has submitted his report on 17.6.2017. The applicant thereafter was informed that his case for compassionate appointment was rejected. On receiving the rejection letter, applicant made a representation to the respondents on 1.7.2017, requesting to re-consider his case. Till date, it has not been re-considered and hence the present O.A.
4. The contentions of the applicant are that his family is living in indigent circumstances. Out of the terminal benefits of Rs.6,53,484/-, an amount of Rs.3,50,000/- was paid towards loans taken by the ex-employee. The family has no other source of income, excepting the family pension of Rs.15,000/- per month. Out of the family pension, Rs.4000/- is used towards medical expenses of the applicant's mother. The family does not own a

house. The rent burden is quite high. Consequent to the financial problems, the applicant could not pursue his Intermediate education. Without considering the financial distress of the family, rejecting his case by the respondents is unfair.

5. Respondents have been given ample opportunities to file their reply statement. However, they did not do so. Nevertheless, this being a case of compassionate appointment, it requires early adjudication and hence the case has been heard.

6. Heard the learned counsel for the applicant and the learned counsel for the respondents. Perused the pleadings on record.

7. The applicant's case was rejected by the respondents on 1.7.2017. The applicant made a request to re-consider his case. But the same is yet to be examined and decided by the respondents. The applicant has adduced that his family is in financial distress and even to pursue his education, they do not have the financial muscle. Therefore, he contends that his case is a genuine one which needs to be considered by the respondents' organization. Learned counsel for the respondents has informed that the respondent organization has decided not to consider compassionate appointment cases in view of their poor financial position and has taken a policy decision that the aspect of compassionate appointment could be considered later as and when the financial position of the respondent organization improves. Learned counsel for the respondents has submitted a letter dated 9.4.2019 issued by AGM (Estt.IV) of BSNL addressed to all Heads of Telecom Circles in this regard.

Therefore, the case of the applicant necessarily has to be considered only after the respondents once again review their policy for considering compassionate appointment cases. Hence, the O.A. is disposed of, directing the respondents to consider the case of the applicant as and when they review the policy of considering compassionate appointment cases. No order as to costs.

