

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00467/2019

DATED THIS THE 29th DAY OF OCTOBER, 2019

HON'BLE DR. K.B. SURESH, MEMBER (J)

HON'BLE SHRI CV.SANKAR MEMBER (A)

V.Girish

Age about 27 years,
S/o Late Vasudev Murthy,
R/O No.13, 10th Main Road,
Near Abaya Hospital
Muneshwar Nagar,
Bengaluru University,
Ullal Main Road,
Bengaluru 560056. Karnataka

...Applicant

(By Advocate Shri.N. Obalappa)

Vs.

1. The Union of India
Represented by its Secretary,
Min. of Information and Broadcasting,
'A' Wing, Shastry Bhavan,
New Delhi – 110 001.

2. The Chief Executive Officer,
Prasar Bharati, I "C" Tower,
Doordarshan Bhavan,
Copernicus Marg,
Mandi House,
New Delhi - 110 001

3. The Director General,
All India Radio,
Akashvani Bhavan,
Parliament Street,
New Delhi – 110 001.

4. The Director General,
Doordarshan,Doordarshan Bhavan,

Copernicus Marg,
Mandi House,
New Delhi - 110 001

5.The Addl. Director General/
Head of Office
Doordarshan Kendra,
JC.Nagar,Bangalore 560006

...Respondents

(By Shri MV.Rao, Senior Panel Counsel)

ORDER (ORAL)

HON'BLE DR K.B.SURESH, MEMBER (J)

1. Apparently the applicant had issued a proforma regarding
compassionate appointment in page 69 of the file which we quote:-

"CCS (PENSION) RULES APPX.2

*PROFORMA REGARDING EMPLOYMENT OF DEPENDENTS OF
GOVERNMENT SERVANTS DYING WHILE IN SERVICE/RETIRED ON
INVALID PENSION*

PART – A

I.(a) Name of the Government servant

(Deceased/retired on medical grounds). _ Vasudev Murthy

(b) Designation of the Government servant. Floor Assistant

(c)Whether it is Group 'D' or not? No

(d)Date of birth of the Government servant. 14/11/1965

(e) Date of death/retirement on medical grounds. 1/12/2009

(f) Total length of service rendered 19 yrs. 4 months

(g) Whether permanent or temporary. Pmt.

(h) Whether belonging to SC/ST/OBC No

II.(a) Name of the candidate for appointment. GIRISH.V

(b) His/her relationship with the government servant. -Son

(c) Date of birth. 12.12.1991

(d)Educational Qualifications.

SSLC

(e) Whether any other dependent family member has been appointed on compassionate grounds.

No

III.Particulars of total assets left including amount of:

(a) Family pension

Rs.10395/-

(b) D.C.R. Gratuity

Rs.316836/-

(c)G.P.F. Balance

Rs.34548/-

(d)Life Insurance Policies (including Postal Life Insurance)

Rs.100000/-

(e) Movable and immovable properties and annual income earned there from by the family.

Nil

(f) C.G.E., insurance amount & Saving amount

Rs.41994/-

(g) Encashment of leave

Rs.253030/-

(h) Any other assets

Nil

Total

Rs.756803/-

IV.Brief particulars of liabilities, if any.

Rs.24615/-

Rs.339800/-

Rs.800000(approx)

V.Particulars of all dependent family members of the Government servant (if some are employed, their income and whether they are living together or separately)

S.No.	Name(s)	Relationship with the Government servant	Age	Address	Employed or not (if employed particulars of employment and emoluments)
(1)	(2)	(3)	(4)	(5)	(6)
1.	Padma	Wife	39	No.9,11 th cross	No
2.				Thimmaiah Garder	
3.				RT.Nagar, Bangalore 32	
4.					
5.	Girish.V	Son	19 years		No

DECLARATION/UNDERTAKING

1. I hereby declare that the facts given by me above are, to be best of my knowledge, correct. If any of the facts herein mentioned are found to be incorrect or false at a future date, my services may be terminated. 2. I hereby also declare that I shall maintain properly the other family members who were dependent on the government servant/member of the Armed Forces mentioned against I(a) of Part-A of this form and in case it is proved at any time that the said family members are being neglected or not being properly maintained by me, my appointment may be terminated.

Date:

Signature of the candidate

*Name: **Girish.V***

*Address: No.9, 11th cross
Thimmaiah Garder
RT.Nagar, Bangalore 32*

*Shri/Smt/Kum_ **Girish.V** is known to me and the facts mentioned by him/her are correct.*

Date: 23/4

*Signature of permanent
Government servant*

Name:BN.Chandrakumar

Address:

I have verified that the facts mentioned above the candidate are correct.

Date:

Signature of the Welfare Officer

Name: AS.Chandra Mouli

*Address: Dy.Director (AR & Mktg)
Doordarshan Kendra,
JC.Nagar,
Bangalore 560006*

PART – B

(TO BE FILLED IN BY OFFICE IN WHICH EMPLOYMENT IS PROPOSED)

- I. (a) Name of the candidate for appointment Girish V
- (b) His/Her relationship with the government servant Son
- (c) Age (date of birth), educational qualifications and experience, if any 19 years 4months
12.12.1991
- (d) Post for which employment is proposed and whether it is Group 'C' or 'D'. 'C'
- (e) Whether there is vacancy in that post within the ceiling of 5% prescribed under the scheme of compassionate appointment. Vacancy position
available in the date.
- (f) Whether the post to be filled is included in the Central Secretariat Clerical Service or not. No
- (g) Whether the relevant Recruitment Rules provide for direct recruitment. Yes
- (h) Whether the candidate fulfils the requirements of the Recruitment Rules for the post. Yes
- (i) Apart from waiver of Employment Exchange/Staff Selection Commission procedure what other relaxations are to be given. Nil
- II. Whether the facts mentioned in Part-A have been verified by the office and if so, indicate the records. yes. A separate list
enclosed about indication
Of records
- III. If the Government servant died/retired on medical grounds more than 5 years back, why the case was not sponsored earlier. Not applicable
- IV. Personal recommendation of the Head of the Department in the Ministry/Department/ Office. Recommended
- (With his signature and office stamp/seal). Mahesh Joshi,
Sr. Director
Doordarshan Kendra,
Bangalore 560006

It seems to be forwarded by the Welfare Officer Shri AS.Chandra Mouli then it went up to Shri Mahesh Joshi, the Sr. Director and somewhere it seems that the file was lost.

2. Now the respondents claim that there is no application with them. We take it that they might have missed somewhere in transit and so they could not act. But, then since they now say that according to the turn of seniority he will now be considered. The respondents would say that according to the seniority available he will be considered. But then that does not seem to be correct because he had given his application much earlier and due to the fault of the respondents that application got missed in the mean while. So his seniority would be considered as arising on the date mentioned in the document which had quoted above. We will now direct the respondents to consider the applicant also along with suitable others, particularly so, as it is pointed out that there are 1300 vacancies now available. Therefore, this consideration shall be done within the next 6 months and appropriate order to be passed. OA is allowed as above. No orders as costs.

(CV.SANKAR)
MEMBER (A)

(DR. K.B. SURESH)
MEMBER (J)

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Annexures referred to by the applicant in OA.No.467/2018

Annexure A1: Copy of SSLC & BA marks card

Annexure A2: Copy of medical certificate and death certificate

Annexure A3: Copy of DOPT OM Dtd.16.1.2013

Annexure A4: Copy of Prasar Bharati advertisement notice 23.3.2013

Annexure A5: Copy of order reg. Programme Executive regularization during 2013

Annexure A6: Copy of compassionate appointment application dt.9.10.2015

Annexure A7: Copy of revised SOP guidelines

Annexure A8: Copy of reply statement in RA.66/2016

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