

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

Original Application No.20/1058/2018

Date of Order: 19.08.2019

Between:

Dola Srinivasa Rao, S/o. late Yerram Naidu,
Aged about 24 years, Occ: Nil,
R/o. B.C. Colony, Rajolu Village,
Srikakulam Mandal and District.

... Applicant

And

1. Union of India,
The Bharat Sanchar Nigam Limited,
Rep. by its Managing Director,
Government of India Enterprise,
Corporate Office (Estt. IV Section), 5th Floor,
Bharat Sanchar, Janpath, New Delhi.
2. The Chief General Manager (Maintenance), BSNL,
Southern Telecom Region, Chennai, Tamilnadu State.
3. The Deputy General Manager (Maintenance), BSNL,
Vijayawada, Krishna District.

... Respondents

Counsel for the Applicant ... Mr. M. Srikanth

Counsel for the Respondents ... Mrs.P. Yarasvi, SC for BSNL

CORAM:

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

ORDER
{As per B.V. Sudhakar, Member (Admn.)}

2. The OA has been filed questioning the action of the respondents in not considering his case for appointment on compassionate grounds.

3. Brief facts of the case are that the applicant's father while working as Driver in the respondents organization died on 20.1.2010. Applicant, his mother and grandmother were dependent on the income of his late father. On the demise of his father, applicant preferred an application for compassionate appointment which was rejected on the ground that he did not secure the required merit points. Aggrieved for not being selected for appointment on compassionate grounds, OA has been filed.

4. Contentions of the applicant are that the applicant is eligible since he secured 55 points. As per the Circular dt. 1.10.2014 of the respondent organization, respondents need to consider his case based on the financial condition of the family of the deceased employee.

5. Respondents in the reply statement have stated that the cases for compassionate appointment are processed based on the objective system of awarding points for different attributes to assess the indigent circumstances of the family of the late employee. Accordingly, the case of the applicant was considered and rejected as he got only 40 points against the required 55 weightage points. Applicant stating that he was

awarded 55 points is incorrect. Only those candidates who got 55 and more points are eligible to be considered for compassionate appointment.

6. Heard learned counsel for both sides and perused the pleadings on record.

7. Applicant states that while awarding points for different attributes, respondents have erred in allotting eligible points in respect of the dependants and accommodation. Applicant claims that the number of dependents is '4' whereas the respondents have taken it as '3' and that for accommodation, he is eligible for 10 points, whereas the same have not been allotted. Hence, instead of 55 points, he was given 40 points. Learned counsel for the applicant has drawn the attention of this Tribunal in regard to the corrections made in awarding points in Annexure II filed along with reply statement. Learned counsel for the respondents has also submitted that the respondents organization have temporarily stopped the grant of compassionate appointment vide letter No. 273-18/2013/CGA/Estt-IV, dated 09.04.2019, for a period of three years in view of severe financial constraints in which the organisation is presently placed. Nevertheless, discrepancy pointed out by the learned counsel for the applicant in regard to the points allotted gives room for reconsideration of the case of the applicant for compassionate appointment.

However, as the respondent organization is going through a financial crisis, as submitted by the learned counsel for the respondents,

it would be appropriate to direct the respondents to consider the case of the applicant after a period of three years as and when they consider other cases for compassionate appointment. The respondents are directed accordingly. OA is disposed of with the above directions. There shall be no order as to costs.

(B.V. SUDHAKAR)
MEMBER (ADMN.)

Dated, the 19th day of August, 2019

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