

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00167/2018

Jabalpur, this Thursday, the 14th day of November, 2019

HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER

Ku. Priyanka Survey, D/o Late Pratap Rao Survey, aged about 20 years, R/o, H.No.1199, Behind Hanuman Mandir, Gokulpur Ward, Jabalpur (M.P) – 482005 **-Applicant**

(By Advocate – Shri R.S. Tripathi)

V e r s u s

1. The General Manager, South Block, Ordnance Factory, Jabalpur (M.P) – 482005.
2. The Chairman, Ordnance Factory Board, 10-A, S.K. Bose Road, Kolkata (W.B.) 700001.
3. The Union of India through its Secretary, Ministry of Defence Production, Govt. of India, South Block, New Delhi – 110001 **-Respondents**

(By Advocate – Shri N.K. Mishra)

ORDER (O R A L)

This Original Application has been filed against the order dated 18.03.2017 (Annexure A-2) passed by the respondents, whereby the respondents have rejected the claim of the applicant for grant of compassionate appointment.

2. Precisely, the case of the applicant is that her father late Pratap Rao Survey was an employee with the respondent

department. He died in harness on 03.08.2008. At the time of death of her father, the applicant was minor. Thereafter, on attaining the age of majority, she approached the office of respondent No.1 through her representation dated 24.06.2015 seeking appointment on compassionate ground. Since no action was taken on her representation, the applicant approached this Tribunal by filing Original Application No.200/01086/2016 before this Tribunal, which was disposed of vide order dated 22.12.2016 with the direction to the respondents to consider the representation and dispose of the same by a speaking order. However, the respondents, vide order dated 18.03.2017 (Annexure A-2), have rejected the representation of the applicant on the ground that she has obtained 58 merit points, whereas the candidates, who have scored 67 or more merit points, were recommended by the Board of Officers for appointment on compassionate ground. Hence, this Original Application has been filed.

3. The respondents have filed their reply, wherein it has been submitted that the application of mother of the applicant for appointment to her daughter (applicant) was forwarded for verification and financial status of the family. As per the

existing rules, a score sheet was prepared and 58 marks out of 100 were awarded to the applicant. Thereafter, the case of the applicant was forwarded to the Board of Officers for consideration, in which the candidates having 67 or more merit points were recommended for appointment under compassionate ground.

3.1 It has been further submitted by the respondents that Ordnance Factory Board, vide instruction dated 25.01.2018 (Annexure R/02) had issued directives to follow the revised procedure of selection and, therefore, all cases pertaining to compassionate appointment were reviewed by the Factory as per the above guidelines.

3.2 In their additional reply, in Para 6, the respondents have submitted that the case of the applicant was reviewed and revised score sheet was prepared in which the applicant was awarded 54 merits points instead of 58 (Annexure RJ-3). Para 6 of their additional reply reads as under:

“6. It is respectfully submitted that according to the OFB vide letter No.039(6)/Comp.Apptt/Per/Policy Dtd. 25/01/2018 the case of applicant was reviewed and revised score sheet prepared by which score of applicant is revised to 54 instead of 58. In this regard OFK Letter Dtd.29/05/2019 was forwarded to residence of applicant.

A copy of the same is annexed herewith as Annexure RJ-3, in which it is clearly mentioned that the case of applicant was submitted before Board of Officer's alongwith other cases for consideration of compassionate appointment during the year 2018. But in this year the cases which scored 63 or above marks were recommended for compassionate appointment by the B.O.O. The case of applicant was not considered due to less scoring for compassionate appointment. Apart from this, it is also submitted that the case of applicant will be submitted to B.O.O from time to time for consideration as per policy.”

4. Heard learned counsel for the parties and perused the pleadings available on record.

5. As per additional reply filed by the respondent department in Para 6, it has been indicated that the case of the applicant was reviewed and revised score sheet was prepared, in which the score of the applicant has been revised to 54 instead of 58 and the same was forwarded to the applicant vide Annexure RJ-3. It has been further submitted in the said para that the case of the applicant was submitted before the Board of Officers alongwith other cases for consideration on compassionate ground appointment during the year 2018. But in this year, the cases which scored 63 or above marks were

recommended for compassionate appointment by the Board of Officers.

6. Learned counsel for the applicant referred to Annexure R-02 dated 25.01.2018 whereby the guidelines have been issued regarding relative merit points and revised procedure for selection. In para 4 (b) of the said guidelines, 10 points are awarded under the head Lump sum amount upto Rs.10,00,000/- received by the family on death of Govt. servant. It has been submitted by the applicant that as per Annexure RJ-3, the lump sum amount received by the family on death of Govt. servant has been shown as Rs.402248/- and no marks have been awarded to the applicant under this head, whereas, as per policy guidelines at Annexure R-02, she ought to have been awarded 10 marks for the same.

7. At the threshold, I find that the calculation made in Annexure RJ-3 is wrong and is not as per policy guidelines at Annexure R-02. The applicant should have been given 10 marks due to the fact that as per policy, 10 marks are to be awarded for lump sum amount upto Rs.10,00,000/- received by the family on death of Govt. servant. Hence, the applicant is entitled for 10 marks under the said head. If it is so, the total marks increases

to 64 (54+10=64) and the applicant will be entitled for consideration of her case, as the cases, which scored 63 or above marks were recommended for compassionate appointment by the Board of Officers during the year 2018.

8. In view of the above, the O.A is allowed and Annexure A-2 dated 18.03.2017 is quashed and set aside. The respondents are directed to reconsider the case of the applicant for grant of compassionate appointment, within a period of 60 days from the date of receipt of certified copy of this order. No costs.

(Ramesh Singh Thakur)
Judicial Member

am/-