

CENTRAL ADMINISTRATIVE TRIBUNAL  
MADRAS BENCH

Dated the 9<sup>th</sup> day, Thursday of January Two Thousand And Twenty

PRESENT:

THE HON'BLE MR. P. MADHAVAN, MEMBER(J)  
THE HON'BLE MR. T. JACOB, MEMBER(A)

O.A.310/373/2015

S. Ranjithkumaran,  
S/o. R. Rajendran  
186, Main Road,  
Sivathiyapuram,  
Thoothukudi District.

.Applicant

(By Advocate: M/s. T.Padmanabhan)

Vs.

1. Union of India Rep. by  
The Director General of Posts,  
Department of Posts, Government of India  
New Delhi- 110 001;
2. The Chief Postmaster General,  
O/o. the Chief Postmaster General,  
Tamilnadu Circle,  
Chennai-600 002;
3. The Postmaster General,  
Southern Region,  
Madurai-625 002.

.....Respondents.

(By Advocate: Mr. M. Kishore Kumar)

**ORDER**

(Pronounced by Hon'ble Mr. P. Madhavan, Member(J))

The applicant's case in brief is as follows:-

The applicant has applied for the post of Postal Assistant/ Sorting Assistant, Postmen and Multi -tasking Staff under Sports Quota for Volley ball on 25.08.2014 as per notification of the respondents dated 20.08.2014. Thereafter, the applicant had received a call letter dated 01.11.2014 from the 3<sup>rd</sup> respondent's office to attend the fitness trail at Armed Force Reserve Line Ground, Madurai on 07.11.2014 at 11.a.m. The applicant had attended the fitness test and sports eligibility test for Volleyball on the same day of 07.11.2014 and the applicant had submitted all his necessary certificates and undergone the practical test and the applicant was the only person available for the said category. Thereafter, the applicant did not get any communication or orders from the respondents selecting him. He had sent representation to the respondents on 23.11.2014. Since the respondents failed to reply, he filed O.A. 221/2015 before this Tribunal and this Tribunal had directed the respondents to consider the representation of the applicant and pass orders within eight weeks. Thereafter on 17.02.2015, the applicant received a notice stating that the recruitment stated by the applicant was cancelled by the competent authority on 21.10.2014 and also stated that the subsequent selection was completed and candidates were recruited. Hence, aggrieved by the same the applicant filed the instant OA prays for the following reliefs:-

“i. to call for the records pertaining to the 3<sup>rd</sup> respondent’s notice no. BIII/2-26/SPQ/2014 dated 17.02.2015 quash the same and direct the respondents to appoint the applicant under Sports quota;

ii. to pass such further or other orders as this Hon’ble Tribunal may deem fit and proper on the circumstances of the case.”

2. Respondents appeared and filed a detailed reply to the allegations made in the OA. They admitted the notification issued for selection of meritorious Sports persons in the cadre of Postal Assistant/Sorting Assistant, Postman and Multitasking Staff for the vacancies of the year 2012-2014 and for the unfilled vacancies of the years 2006 to 2011. According to them, one vacancy in the discipline of Volley Ball under Men category in Postal Assistant cadre was allotted to Madura Postal Division. While issuing notification, the detailed procedure of the selection was also made known. The Meritorious Sports Candidates will be selected for appointment on the basis of instructions contained in the DoP&T circular O.M. dated 4.8.1980. They also clearly stated the preference given to various levels of performance by the Sports persons. According to them, 105 applications were received for the post of Postal Assistant in Madurai Postal Division and the applicant is one among them. The applications received were scrutinized and 58 applications were found suitable. The Departmental Selection Committee was constituted and applications were scrutinized and short listed all the meritorious candidates for fitness trial in the ratio of 1:2 and that the Departmental Selection Committee met on 21.10.2014

at the 3<sup>rd</sup> respondent's office and shorted two candidates for fitness trail 1. Shir R. Ranithkumaran and another Sri C. Yogaraja. The fitness test for the short listed candidates had been fixed on 07.11.2014 at Armed Force Reserve Lines ground, Madurai. They were issued call letters and only the applicant participated in the fitness test on 07.11.2014. While the said fitness test was being conducted by the Department Selection Committee, one of the candidates named Sri C. Rajkumar came to the venue and reported that he has not received the call letter for fitness test on the basis of certificates held by him. Hence the Chairman of the committee decided to re-examine the eligible applications and it was found that 18 candidates are found to be eligible for zone of consideration in the category of 2<sup>nd</sup> preference and it was not properly considered by the committee on 21.10.2014. The list of candidates were annexed to the reply. Therefore, the Chairman of the Departmental Selection Committee did not finalize the selection on that date i.e. 7.11.2014 and the facts were reported to the 3<sup>rd</sup> respondent and requested to constitute a review Departmental Selection Committee to short list the eligible candidates for fitness test. On the basis of the said report, the 2<sup>nd</sup> respondent has cancelled the earlier minutes of the DSC and ordered to convene a fresh Departmental Selection Committee to select meritorious candidates for fitness trail and finalize the selection of candidates. On the basis of the said decision, they had cancelled the earlier minutes of the Departmental Selection Committee and fresh Departmental Selection committee was convened on 11.12.2014 and the committee again scrutinized

all the applications and found 40 applications are to be considered as eligible. It was also observed by the committee that about 29 applications only were found eligible as they fulfilled the conditions prescribed in the notification dated 20.08.2014 and brought them under the zone of consideration. Thereafter they short listed Sri N. Surender, S/o. E. Nagappan, 51/E Staff Qtrs, Madhavaram Milk Colony, Chennai in the first place. He was selected because he was having 4 Form II than the other candidates. The two other candidates one Shri R. Madhusudhanan, Dugalur Post Uthamapalayam and Shri C. Rajkumar, NGO Colony, Sachiapuram, Sivakasi produced three Form II certificates (secured after 18 years of age) were selected for wait list by the Departmental Selection Committee. Hence, the committee has recommended Shri N. Surender who is having first place in the selection and Shri R. Madhusudhanan who is having certificate for participation latest 2013 for testing the proficiency in Volley ball tournament held on 18.12.2014 and Shri N Surendar has been recommended by the DSC and the minutes are submitted to the Postmaster General, Southern Region who conveyed the approval on 16.02.2015. According to the respondents, Shri R. Ranith Kumaran, the applicant herein, was not selected in the said selection. According to them, the applicant was not found eligible for inclusion in the zone of consideration and it was only because of that he was not called for proficiency test subsequently. The respondents completely denied the allegations made in the O.A. According to them the first selection was cancelled only because of the irregularities committed by the committee and

the irregularities were rectified by the subsequent committee and selection was done. According to the respondents, they had not finalized the selection on 7.11.2014 as stated by the applicant in the OA.

3. The main contention put forward by the applicant in this case is that the respondent had not categorically stated the reasons for non-selection of the applicant and the action of the respondents in cancelling the proficiency test held on 07.11.2014 as arbitrary and illegal. He was not called for subsequent proficiency test even though he is eligible for the post.

4. Heard both sides and perused the pleadings of the applicant and the respondents and various documents produced along with it.

5. On perusal of the pleadings, we find that there is no dispute regarding the fact that the applicant had applied for the post of Postal Assistant/Sorting Assistant, Postmen and Multi Tasking Staff. There is also no dispute to the fact that at first the applicant was called for proficiency test but he was not called for or selected thereafter. According to the respondents, the first selection committee committed mistakes in shortlisting the eligible candidates in a proper manner when the proficiency test was conducted on 7.11.2014 and, therefore, the respondents had not finalized the result of proficiency test dated 07.11.2014 and DSC ordered for scrutiny of the applications again and about 40 persons came up as eligible. Thereafter the committee had considered all the applications on the basis of qualifications and merit and then found 29 persons out of 40 as eligible. Subsequently, the committee continued the selection and

short listed one Sri N. Surender and Sri R. Madhusudhanan for the proficiency test for the one post of Postal Assistant belonging to Sports Quota in Madurai Division. Sri N Surendar was found more meritorious than the other 28 candidates short listed. Mr. N. Surendar, who is at Sl. No.28 of the list had 4 Form II certificates and he had one Form –II certificate within 18 years of age. The applicant in this case had only lesser number of Form-II certificate and he was not found eligible to be considered for appointment. Sri N. Surendar had highest mark in the Sports Quota and he was selected by the department after due completion of proficiency test.

6. On a perusal of the above facts, we find that there is absolutely no material to show that the respondents had acted arbitrarily or illegally in not selecting the applicant to the post of Postal Assistant/Sorting Assistant, Postman and Multitasking Staff and we find that there is no merit in this OA.

7. In view of the above findings, we find that OA lacks merits and it is liable to be dismissed. No costs.

(T. JACOB)  
MEMBER(A)  
Asvs

09.01.2020

(P. MADHAVAN)  
MEMBER(J)