

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/021/290/2020

HYDERABAD, this the 3rd day of July, 2020

***Hon'ble Mr.Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member***



S. Govinda Raju,
S/o. Pandu Ranga Raju,
Aged: 38 years,
Occ: GDS BPM, Pagidimarry BO,
A/w SLBC SO. 508 004, under Nalgonda Division,
R/o.Pagidimarry, T.S.

... Applicant

(By Advocate: G. Satyanarayana Yadav)

Vs

1. Union of India rep. by its
Secretary,
Ministry of Communications & IT,
Department of Posts,
New Delhi – 110 001.
2. The Chief Postmaster General,
Telangana Circle,
Hyderabad – 500 001.
3. The Postmaster General,
Hyderabad Region, Hyderabad – 500 001,
T.S.

... Respondents

(By Advocate: Mrs. Megha Rani Agarwal, Addl. CGSC)

O R D E R (ORAL)

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

The O.A. is filed, challenging the impugned order dated 05.03.2018, in regard to the selection of the applicant to the post of Postman/ Mail Guard.



2. The brief facts of the case are that the applicant is working as Grameena Dak Sevak from 07.01.2003 and based on his experience, he appeared in the Limited Departmental Competitive Examination conducted by the respondents, for the post of Postman/ Mail Guard. The relevant notification is dated 18.12.2017 and examination was held on 04.02.2018. The applicant was qualified under 'OC' category, even though he belongs to 'OBC' category. The applicant claims that as per the information placed on the official website of the respondents, none of the GDS officials of RMS division who appeared in the said examination have qualified for the Mail guards posts identified under GDS quota in RMS 'Z' Division, Hyderabad.

3. The contention of the applicant are that the Recruitment Rules dated 16.12.2010 laid down for the post of Postman/ Mail Guard provide for absorbing qualified Gramin Dak Sevaks in the neighbouring Divisions, if they could not be absorbed in the home division for want of vacancies, relative merit, etc. The applicant, in fact, submitted representations to the Respondent No.3 on 20.02.2018 & 24.02.2018, with a copy to the Respondent No.2 ventilating his grievance. Respondent No.3 has not given

a reply till date. The applicant contends that he is eligible to be promoted against the Mail Guard vacancies available in RMS-Z Division, Hyderabad as per the recruitment rule referred to supra. Another contention is that his representations have not been disposed of till date.



4. Heard Sri G. Satyanarayana Yadav, learned counsel for the applicant and Smt. Megha Rani Agarwal, learned counsel for the respondents. Learned counsel for the applicant stressed on the rule position and the eligibility of the applicant for promotion to the post of Postman/ Mail Guard. Learned counsel for the respondents sought time to file a reply.

5. After hearing both the sides and perusing the documents on record, it is seen that Respondent No.2 has examined the case of the applicant and gave a reply vide Annex.A-1, wherein it has been observed as under:

“You are requested to give suitable reply to the applicant as provided in rules that there is no provision to fill up the unfilled Mail Guard vacancies of LDCE by surplus qualified candidates of neighbouring division. The unfilled MG vacancies by LDCE among GDS are to be filled by drawing combined seniority of GDS for both Postal/ RMS Division in the Region.”

6. As seen from the above clarification, only those Grameen Dak Sevaks, who figure in the combined seniority of GDS drawn for both Postal/ RMS Division in the Region and are eligible as per relevant norms, shall be reckoned for absorption in neighbouring divisions. It needs to be examined by the respondents as to whether the applicant is eligible as per clarification issued by the 2nd Respondent. Respondent No.3 was expected to give a

reply to the applicant, based on the clarification given by Respondent No.2.

The same has not been given till date is the claim of the applicant.

7. In view of the above, Respondent No.3 is directed to give a reply to the applicant by taking into consideration the various grounds taken by the applicant in the O.A, 2nd respondent clarification, relevant rules and in accordance with law, in the form of a speaking and reasoned order, within a period of 8 weeks from the date of receipt of this order.

With the above direction, the O.A. is disposed of, at the admission stage itself. No order as to costs.

(B.V. SUDHAKAR)
ADMN.MEMBER

(ASHISH KALIA)
JUDL. MEMBER

pv/evr