

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

(Through video conferencing)



O.A/350/593/2021

Date of Order: 14.07.2021

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

Smt. Laxmi Singh, D/O Sri Sanatan Singh, Vill. +

P.O. – Kanpur, Dist. – Howrah – 711410.

.....Applicant

-Versus-

1. Union of India, service through the
Secretary, Ministry of Communication &
Information Technology, Government of India,
New Delhi – 110001.

2. The Chief Post Master General, West Bengal
Circle, Yogayog Bhawan, Chittaranjan Avenue,
Kolkata – 700012.

3. The Sr. Superintendent of Post Offices,
Howrah Division, Howrah – 711101.

.....Respondents

For The Applicant(s): Mr. P. C. Das & T. Maity, Counsel

For The Respondent(s): Mr. K.K. Maity, Counsel

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ORDER (ORAL)Per: Dr. Nandita Chatterjee, Administrative Member

The applicant, an aspirant for the post of GDS, has approached this Tribunal praying for the following relief:

- (a) An order directing upon the respondents to quash and set aside the speaking order dated 22.03.2021.*
- (b) An order directing the respondents to allow casual appointment to the applicant herein in any of the vacant GDS posts in Howrah Division or any other available job to the applicant herein, so that the very existence of the family of the applicant be protected in the interest of justice.*
- (c) An order directing the respondents to consider and dispose of the representation dated 30.01.2021 by the applicant in a time bound manner to offer some casual engagement to the applicant in the interest of justice.*
- (d) An order directing the respondents to consider the applicant as ST candidate.*
- (e) An order directing the respondents to produce entire records of the case with copy to the Ld. Advocate appearing for the applicant for conscionable justice.*
- (f) Any other order or orders as to this Hon'ble Tribunal may seem fit and proper.*

2. Heard both Ld. Counsel. This matter is taken up for disposal at the admission stage.

3. Ld. Counsel for the applicant would submit that the applicant is a SC graduate who, having been subjected to penury, would pray for a GDS posting at vacant posts in Kanpur B.O., Manikura B.O. or Radhanagar B.O. under the Howrah Division. The applicant had represented, accordingly, at annexure A-2 to the O.A., in which she had prayed for consideration in terms of this Tribunal's orders in O.A. 513 of 2020 at A-5 to the O.A. Ld. Counsel for the applicant would also urge

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that as the applicant belongs to the preferential category as per para-6 of the Method of Recruitment (Annexure A-4 to O.A.), the applicant's prayer should be considered by the respondent authorities on priority.

4. Ld. Counsel for the respondents would, however, refer to a communication dated 22.03.2021 at Annexure A-3 to the O.A. which reads as follows:

" In response to your application which received by this office on " 19.03.2021, this is to intimate that there is a specific method of engagement relating to the recruitment of Gramin Dak Sevak(GDS) in the Department of Posts and it is called as Gramin Dak Sevaks (Conduct and Engagement) Rules. Department of Posts has introduced Online Selection \ Processes for all categories of GDS for its transparency. Here the selection will be made as per the automatic generated merit list as per the rules based on the candidate's online submitted applications. So under the above circumstances, there is no scope in any way to deal any application manually by the undersigned bypassing/ignoring the automatic generated merit list in online recruitment process."

5. Upon perusal of the above mentioned communication, the following is deciphered:

- (i) That this communication is in response to the representation of the applicant dated 31.01.2021.
- (ii) That recruitment of Gram Dak Sevak in the Department of Posts is processed in accordance with the GDS(Conduct and Engagement) Rules.
- (iii) That the Department of Posts had introduced online selection process for recruitment of all categories of GDS so as to ensure transparency.
- (iv) Accordingly, selections will abide by automatically generated merit lists prepared in accordance with the rules and based on the online application of aspiring candidates.

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Ld. Counsel for the applicant very fairly submit that as online selection process has been introduced as mandatory, the applicant would participate in the same whenever required.

6. Accordingly, without entering into the merits of the matter, this O.A. is disposed of with liberty to the applicant to apply online whenever a vacancy in the concerned jurisdiction is notified by the respondent authorities. In the event when the applicant so applies online, such application shall be decided upon as per rules and merit and with particular reference to preferential categories as notified under the "Methods of Recruitment" at annexure A-4 to the O.A. or as per amendments thereof.

7. With these directions, the O.A. is hereby disposed of. No costs.

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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