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CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Registration No. O.A. 735/92

Shri Om Hari PandeyApplicant

Versus

Union of India & OthersRespondent

Hon'ble Mr. K. Obayya, Member (A)
Hon'ble Mr. S.N. Prasad, Member (J)

(By Mr. K. Obayya Member (A))

This application under section 19 of the Administrative Tribunals Act is for a direction to treat the applicant as a regular employee in the Postal Department. The facts of the case in brief are that applicant was appointed as Extra Departmental Branch Post Master (E.D.B.P.M.) in the Branch Post Office at Singhirampur, in the District of Farrukhabad U.P. The applicant claims that his appointment was on regular basis in a substantive vacancy after regular selection and he assumed charge of his duties on 25.11.91. The applicant seeks a direction to the respondents to consider his appointment as regular appointment in the Postal department notwithstanding the fact that his selection and appointment was only as E.D.B.P.M.

2. We have heard the learned counsel for the applicant. We have also carefully perused the record and given out serious consideration to averments made.

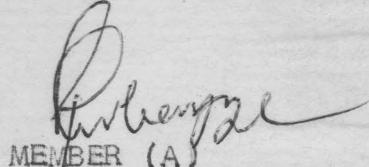
3. Admittedly the applicant was appointed as E.D.B.P.M. The extra departmental staff constitute a separate class and they are governed by separate rules known as E.D. Agents (Conduct and Service) Rules 1964 and their retirement age is at 65 years,

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the disciplinary and appeal rules applied to them are different. Even selection to the Post are on different footing; in which conditions relating to residence, financial status, qualifications etc are prescribed. For the E.D. staff to come to the regular side of the department, the avenues are through recruitment and promotion. 50% of the vacancies at Class IV level are available to E.D. staff, privded they have put in 3 years or more of service and satisfy, conditions of qualifications etc. Appointment/ Promotion on the regular side is by selection in competitive test, by merit. Evidently, the applicant is not eligible even to appear at the selection test for Group 'D' Post in the Postal department as he has not put in 3 years of service, as yet. Also it would appear, he has not applied to the department, to appear for selection to Group 'D' Post. The applicant appears to be all too in a hurry and enter the department, rule or no rule selection or no selection.

4. ~~the~~ In the circumstances we find that the claim of the applicant for regularisation in the department; is ill-founded. He has to take his chance at selection, as and when he is eligible and stake his claim if successful for a regular post. The application is devoid of any merit and accordingly we dismiss it, at the admission stage itself. We pass no order as to costs.


MEMBER (J)
MEMBER (A)

Date: 26, May 1992, Allahabad.
(mdp)