

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 06th day of March 2002

Original Application no. 783 of 1995.

Hon'ble Mr. Justice R.R.K. Trivedi, VC
Hon'ble Maj Gen K.K. Srivastava, A.M.

Abdul Kadir, S/o Sri Abdul Karim, Mail Man,
H.R.O. 'X' Division Jhansi, Distt. Jhansi.

... Applicant

By Adv : Sri V. Bahadur
Sri M.S. Pipersenia

V E R S U S

1. Union of India through Secretary Post and Telegraph Department, New Delhi.
2. Post Master General, U.P., Circle Lucknow.
3. S.R.S. 'X' Division Jhansi Division, Jhansi.

... Respondents

By Adv : Km Sadhana Srivastava

O R D E R

Hon'ble Mr. Justice R.R.K. Trivedi, VC

By this OA, filed under section 19 of the A.T. Act, 1985 the applicant has prayed for a direction to the respondents to promote him to the cadre of clerk/shorter under Revised Incentive Scheme since the date on which the applicant attained the qualification. The qualification required is High School or equivalent examination for benefit under the aforesaid incentive scheme.

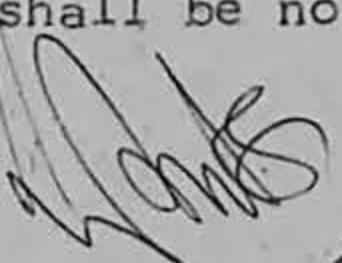
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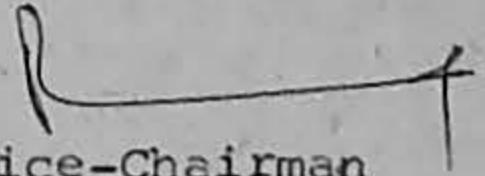
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2. It is not disputed that the applicant has not passed High School. The applicant claimed the promotion on the basis of his certificate of ~~Prathma~~ ^{Madhyama}. The respondents refused to recognise the same as equivalent to High School.

3. Counter affidavit has been filed by the respondents in which a letter of Ministry of Personnel, Public Grievances and Pensions, dated 10.07.1995 has been annexed as annexure CA-1 which shows that the Prathma and Madhyama examinations are recognised in the subject of Hindi in the equivalent examination. Para 2 of the letter specifically states that recognition accorded is not to be treated as equivalent to the full fledged certificate/degree to which it has been equated. Thus the Madhyama certificate held by the applicant could at the most, ~~be~~ be treated equivalent to Intermediate for the subject Hindi only. The applicant could not be treated as having passed Intermediate examination as whole. In the circumstances, the applicant is not entitled for any relief. The department is justified in not granting the promotion to the applicant under Incentive scheme. The O.A. is devoid of merit and the same is rejected.

4. There shall be no order as to costs.


Member (A)


Vice-Chairman

/pc/