

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA 580/98

Wednesday this the 20th day of December, 2000

CORAM

HON'BLE MR. A.M.SIVADAS, JUDICIAL MEMBER
HON'BLE MR. G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

Surendran P.R.
Extra Departmental Letter Box Peon
Ernakulam Head Post Office
Kochi - 682 011.

...Applicant

By advocate Mr.P.C.Sebastian

Versus

1. The Senior Superintendent of Post Offices
Ernakulam Division, Kochi - 682011.
2. The Postmaster General
Central Region
Kochi.
3. The Director General
Department of Post
Dak Bhavan, New Delhi.
4. Union of India represented by
its Secretary
Ministry of Communications
Department of Post
New Delhi.

...Respondents

By advocate Mr.Thomas Mathew Nellimootttil

The application having been heard on 20th December, 2000,
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.M.SIVADAS, JUDICIAL MEMBER

Applicant seeks the following reliefs:

- i) To call for the records leading to the issue of Annexure A3 and A5.
- ii) To quash A3 to the extent it stipulates the educational qualification of matriculation as a pre condition for the ED agents to appear the postman examination and A5 in so far as it relates to the applicant.
- iii) To declare that applicant is entitled to appear for the examinations for promotion/recruitment to the cadre of postman to be held on 26.4.98.
- iv) To direct the 1st respondent to admit the applicant for the said examination to be held on 26.4.98.

2. Applicant is working as Extra Departmental Letter Box Peon on regular basis with effect from 5.3.92. Extra Departmental Agents have been provided with a promotional avenue to the cadre of postman as per Recruitment Rules of the year 1989. He satisfies all the requirements prescribed for an

ED agent to appear for the departmental examination for promotion to the cadre of postman as per the Recruitment Rules in force. He submitted an application for appearing in the examination for promotion to the cadre of postman in the prescribed format in pursuance of the notification issued by the 2nd respondent. Applicant was not permitted to appear in the examination on the ground that he is a non-matriculate.

3. Respondents resist the Original Application contending that ED Agents are classified at par with direct recruits, that the minimum educational qualification is applicable to ED Agents also and that ED Agents cannot be equated with departmental employees. Applicant is not eligible to take part in the examination as he is not possessed of matriculation qualification.

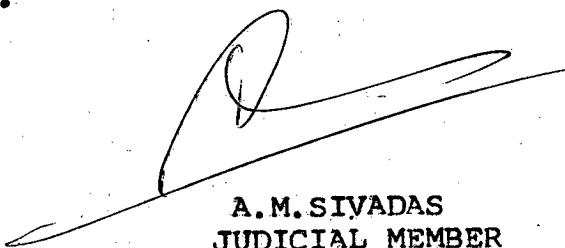
4. The question involved herein has been squarely covered by a ruling of this Bench of the Tribunal in OA No.807/99 and 1286/97. As per the majority view in those two OAs, this Original Application is only to be dismissed.

5. Accordingly the Original Application is dismissed.

Dated 20th December, 2000.



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A. M. SIVADAS
JUDICIAL MEMBER

aa.

Annexures referred to in this order:

A3: True copy of letter No. ST/95-1/97 dt. 10.2.98 issued by 2nd respondent.

A5: True copy of letter No. B6/11-2/98 dt. 25.3.98 issued by 1st respondent.