

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.195/2001.

Tuesday, this the 10th day of April, 2001.

**CORAM:**

HON'BLE MR A.V. HARIDASAN, VICE CHAIRMAN

HON'BLE MR T.N.T.NAYAR, ADMINISTRATIVE MEMBER

Sithara R.,  
Manappattil House, Nachad,  
Quilandy Taluk, Kozhikode. Applicant

(By Advocate Shri Parthasarathy)

VS.

1. The Superintendent of Post Offices, Vadakara Division, Vadakara.
2. The Chief Postmaster General, Kerala Circle, Thiruvananthapuram.
3. Union of India represented by Secretary, Ministry of Communications, New Delhi.

### Respondents

(By Advocate Shri M. Rajendra Kumar, ACGSC)

The application having been heard on 10.4.2001, the Tribunal on the same day delivered the following:

ORDER

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

In response to the notification dated 12.6.2000 inviting applications for appointment to the post of Extra Departmental Sub Post Master, Nohat, the applicant submitted an application. Finding that the applicant did not receive a call letter for interview scheduled to be held on 22.2.01 probably for the reason that she was not sponsored by the Employment Exchange, the applicant has filed this application for a direction to the first respondent to allow the applicant

to participate in the interview to the post of Extra Departmental Sub Post Master, Nohat scheduled to be held on 22.2.2001 and to declare that she is eligible to participate in the interview to the post of EDSPM, Nohat.

2. When the OA came up for hearing on admission as an interim measure the respondents were directed to allow the applicant to participate in the interview scheduled to be held on 22.2.2001 or on any deferred date provisionally.

3. The respondents have filed a reply statement in which they contend that the applicants who are working ED Agents and applied for transfer have to be considered first for making recruitment and if no eligible candidate from among them is available the recruitment will be made from open market.

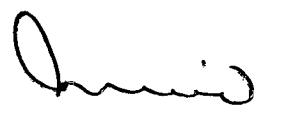
4. We have heard the counsel on either side. This Tribunal in OA 45/98 declared that a working ED Agent if he is found eligible and suitable to be appointed, he should be considered first to be appointed by transfer to another post falling vacant in the same recruitment unit, and only if no such person is available, recruitment from open market shall be made. In the light of the above ruling in O.A. 45/98 and the directions contained in the letter of DG, Posts on 12.9.1998, the respondents in this case though have initially notified the vacancy for recruitment from open market, finding that the Tribunal had in several cases directed that open market recruitment should be resorted to only if no eligible and suitable working ED Agents have applied, they have decided

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first to tap that source and then to make recruitment from open market if need be. We do not find any infirmity in that action. The case of the applicant for appointment will be considered if the respondents resort to open market recruitment in the event of there being no eligible or suitable candidate from among the working ED Agents who have applied for transfer.

5. With the above observation, the application is disposed of. No costs.

Dated the 10th April 2001.



T.N.T. NAYAR  
ADMINISTRATIVE MEMBER



A.V. HARIDASAN  
VICE CHAIRMAN

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