

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

O.A.No.213/11

Friday this the 14<sup>th</sup> day of September 2012

**C O R A M :**

**HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER  
HON'BLE Ms.K.NOORJEHAN, ADMINISTRATIVE MEMBER**

1. N.K.Sukumaran Nair,  
S/o.Gopalan Nair,  
Retired GDS BPM, Thuruthiyad Post,  
Koyilandy Sub Division, Vadakara Division.  
Residing at Narikkodan's, Balusseri Via,  
Calicut District – 673 612.
2. T.M.Gopalakrishnan,  
S/o.K.M.Narayananakurup,  
GDS BPM, Tanur Nagaram, Tirur Division,  
Tanur – 676 302, Malappuram District.  
Residing at Chomadeth House,  
Tanur P.O., Tanur.
3. K.Krishnakumar,  
S/o.Kumarapillai,  
GDS BPM, Pallichal Post,  
Thiruvananthapuram South East Division,  
Thiruvananthapuram – 695 020.  
Residing at Kumaramangalam,  
Kuzhyiamvila, Punnamode,  
Pallichal P.O – 695 020.
4. P.M.Sankaranarayanan,  
S/o.Parameswaran Bhattathirippad,  
GDS BPM, Chaliyattiri Post, Ottappalam Division,  
Pattambi Sub Division – 679 535.  
Residing at Pallippat Mana, Pattambi.
5. C.Rajan,  
S/o.T.Kunhikkannan Nair,  
GDS BPM, Konganore,  
Koyilandy Sub Division, Vadakara Division.  
Residing at Kuzhyiamvila, Punnamode,  
Pallichal P.O. - 695 020.



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6. K.Kalanthan Kutty,  
Retired GDS SPM, Kinalur,  
Vadakara Division, Vadakara – 673 101.  
Residing at Kunniyullathil House,  
Kinalur, Vadakara – 673 101. ...Applicants

(By Advocate Mr.R.Sreeraj)

**V e r s u s**

1. Union of India represented by its Secretary  
to Government of India, Ministry of Communications,  
Department of Posts, New Delhi – 110 001.

2. The Director General of Posts,  
Department of Posts, New Delhi – 110 001.

3. The Chief Postmaster General,  
Department of Posts, Kerala Circle,  
Trivandrum – 33. ...Respondents

(By Advocate Mr.Sunil Jacob Jose,SCGSC)

This application having been heard on 14<sup>th</sup> September 2012 this  
Tribunal on the same day delivered the following :-

**O R D E R**

**HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER**

The applicants, E.D employees, have prayed for the following  
reliefs :-

1. To declare that the Rule 6 of the GDS (C&E) Rules 2001 is illegal and ultravires the equality clauses of the Constitution.
2. To direct the respondents to grant the Gramin Dak Sevaks including the applicants, pensionary benefits as applicable to the regular departmental staff taking into consideration the wages paid at the time of retirement on the basis of the length of service with benefits of commutation.
3. Such other relief as may be prayed for and this Tribunal may deem fit to grant.
4. Grant the cost of this Original Application.

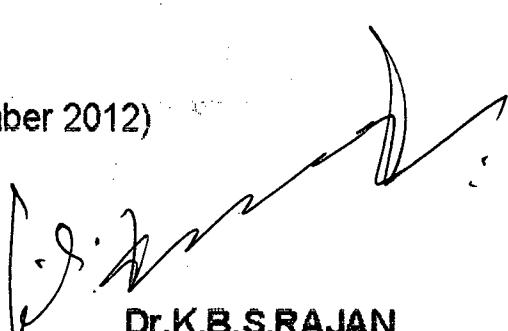


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2. The issue is no longer res-integra as the Tribunal in O.A.No.156/07 had held that E.D employees are not entitled to pension. Annexure R-1 refers. As such, this Original Application is dismissed. No costs.

(Dated this the 14<sup>th</sup> day of September 2012)

  
**K.NOORJEHAN**  
**ADMINISTRATIVE MEMBER**

  
**Dr.K.B.S.RAJAN**  
**JUDICIAL MEMBER**

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