

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Tuesday the 8th day of August, 2000.

OA 296/2000

CORAM

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

Kaleeth P.M., S/o late Muhammed.
Extra Departmental Mail Carrier, Cherukkad B.O.
residing at Pathayasser House
Kallanode P.O., Kakkayam (Via)
Quilandi 673 101.

Applicant.

By advocate Mr. O.V.Radhakrishnan

Versus

1. Superintendent of Post Offices
Vadakara Division
Vadakara-673 101.
2. Union of India represented by its
Secretary
Ministry of Communications
New Delhi.

Respondents

By advocate Mr.K.R.Rajkumar, ACGSC

The application having been heard on 8th August, 2000,
the Tribunal on the same day delivered the following:

O R D E R

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

Applicant who is working as Extra Departmental Mail Carrier, Cherukkad applied for appointment by transfer as Extra Departmental Branch Post Master, Kallanode. His request was turned down by A-7 orders, telling him that ED Agents are not normally eligible for transfer from one post to another or from one place to another as per rules and that on reinstatement of the EDDA, Kallanode on 27.6.93, he was appointed on the same date on the post of EDMC, Cherukkad with Headquarters at Athiyodi as per his request and, therefore, he was not eligible to be considered for appointment by transfer as EDBPM, Kallanode.

2. Applicant has stated in the application that in terms of the instructions contained in the letter of the Director General of Posts, he is eligible to be considered for appointment by transfer as EDBPM, Kallanode.

3. Respondents have filed a detailed reply statement opposing the prayer of the applicant. It has been contended that as the applicant is working as ED Mail Carrier, Cherukkad Post Office, his request cannot be considered.

4. In OA No.45/98, this Tribunal held that a working ED Agent if he/she is eligible and suitable, he/she can be considered for appointment on another ED post falling vacant in the same place or in the same station without being sponsored by employment exchange and without being subjected to competition with outsiders. The said ruling of the Tribunal has not been modified or set aside. That the applicant is a working ED Agent and that the post he has applied for is in the same recruiting unit is not in dispute. Therefore, the Original Application is disposed of setting aside A7 impugned order and directing respondents to consider the request of the applicant along with similar requests of other working ED Agents for appointment by transfer as EDBPM, Kallanode, if any. Only if the said method fails, recruitment from open market may be resorted to.

Original Application is disposed of as above with no order as to costs.

Dated 8th August, 2000.



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

aa.

Annexure referred to in this order:

A-7: True copy of letter No.B3/Kallanode dated 15.2.2000 of the first respondent.