

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.358/09

Wednesday this the 6th day of January 2010

C O R A M :

**HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE Mr.K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER**

1. Pathrose.P.D.,
S/o.Devassy,
Postman, Perumbavoor Head Post Office.
Residing at Pallassery House,
Kurichilacode, Kodanad P.O.
2. T.V.Jose,
S/o.Varkey,
Postman, Perumbavoor Head Post Office.
Residing at Thondungal House,
Vengoor P.O., Perumbavoor.Applicants

(By Advocate Mr.P.Ramakrishnan)

V e r s u s

1. Union of India represented by the Director General,
Department of Post, New Delhi – 110 001.
2. The Chief Post Master General,
Kerala Circle, Thiruvananthapuram.
3. The Senior Superintendent,
Department of Posts, Aluva Division, Aluva.Respondents

(By Advocate Mr.Sunil Jacob Jose,SCGSC)

This application having been heard on 6th January 2010 the Tribunal
on the same day delivered the following :-

O R D E R

HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER

The applicants are Postman working at Head Post Office
Perumbavoor in the Aluva Division. They have appeared for selection and
appointment to the post of Postal Assistant through departmental

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examination for vacancies of the year 2007. The departmental examination consisted of 3 parts, namely, Essay, General English, Comprehension as Paper I, Arithmetic as Paper II and Code Book (with the aid of books) as Paper III. The examination was held on 29.4.2007. The minimum qualifying mark prescribed for each paper was 40%. The 3rd respondent vide Annexure A-2 letter dated 17.7.2007 informed that none of the applicants from the Aluva Division had qualified in the examination. However, the applicants were certain that they have faired the examination well and they should have got more than the minimum qualifying marks in all the 3 papers. According to the Annexure A-3 and Annexure A-4 communications dated 17.8.2007 received by the applicants they have failed in Paper III. According to them the Paper III was the easiest amongst the three papers and they had done exceptionally well in the said paper. They have, therefore, sought a revaluation of the paper. However, vide Annexure A-5 letter dated 17.9.2007 the respondents have informed the applicants that revaluation was not permissible but re-totaling of the marks was allowed. Thereafter, the applicants have applied under the Right to Information Act, 2005 for a copy of the answer sheet and valuation sheet of Paper III examination. Copy of the answer sheet supplied by the respondents have been annexed as Annexure A-6 and Annexure A-7 along with the O.A. Counsel for the applicant has taken us through the answer sheets and submitted that the marks were not awarded properly. As an example, he has cited the answer sheet of the 2nd applicant. In Part B there was a question to write short note on Post Box and Bags. The applicant was awarded 2 marks out of 10. The 2nd question was to write a short note on Articles re-posted by the public. For which no marks was granted. The answer to the aforesaid question was as under :-



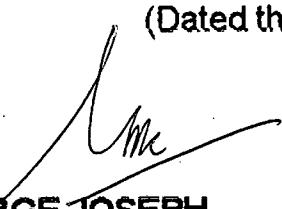
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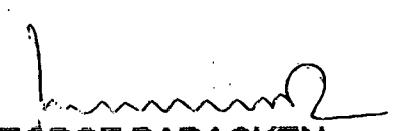
Subject to the provision of this clause the sender of a postal article posted in India may have it withdrawn from the post or have its address altered so long as the article.."

2. The respondents have filed a reply statement. They have refuted the contention of the applicants that the answer sheet of Paper III has not been valued properly. Shri.Sunil Jacob Jose, Senior Central Government Standing Counsel, has invited our attention to the points raised by the counsel for the applicant regarding the awarding of marks to questions in Part B. He has submitted that answer to the short note on "articles re-posted by the public" is not even a full sentence and no marks were worth awarding to the applicant.
3. We have heard learned counsel for the parties. We have perused the answer sheets of Paper III examination furnished by the applicants. We do not find any infirmity in the awarding of marks or the totaling of the marks.
4. In view of the above position, we do not find any merit in this O.A and the same is accordingly dismissed. There shall be no order as to costs.

(Dated this the 6th day of January 2010)


K.GEORGE JOSEPH
ADMINISTRATIVE MEMBER

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GEORGE PARACKEN
JUDICIAL MEMBER