

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.370/2002.

Wednesday this the 5th day of June 2002.

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR.T.N.T.NAYAR, ADMINISTRATIVE MEMBER

P.U.Ammini, W/o P.O.Ukkuru,
Part-time Contingent Employee,
Head Post Office, Kunnamkulam. Applicant

(By Advocate Shri Vishnu S. Chempazhanthivill)

vs.

1. Head Postmaster,
HSG I, Kunnamkulam P.O.
2. Senior Superintendent of Post Offices,
Trichur Division, Trichur.
3. Chief Postmaster General,
Kerala Circle, Thiruvananthapuram.
4. Director General, Posts, New Delhi.
5. Union of India, represented by
its Secretary, Ministry of Communications,
New Delhi. Respondents

(By Advocate Shri C.Rajendran, SCGSC)

The application having been heard on 5th June, 2002 the Tribunal on the same day delivered the following:

ORDER

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

The applicant, who has been working as Part-time Casual Labourer in the office of the first respondent since 1981 has filed this application for a declaration that the Head Post Office, Kunnamkulam is a separate recruiting unit for Group 'D' posts under Annexure A-2 and for a direction to the respondents to regulate the recruitments accordingly and to consider the applicant for appointment in the Group 'D' post arising with effect from 1.6.2002 and also for a direction to the 2nd respondent to consider and pass orders on the representation Annexure A-4 made by the applicant. It is alleged in the

application that, as per the Recruitment Rules, 25% of the vacancies are to be filled up by casual labourers and that the applicant is one of the senior-most Part-time Casual Labourers. The applicant apprehends that Extra Departmental Agents are likely to be appointed and that therefore, it is necessary to direct the respondents to consider the applicant's candidature.

2. Going through the application and the Annexures appended thereto and on hearing Shri Vishnu S.Cheppazhanthiyil, the learned counsel of the applicant as also the Senior Central Government Standing Counsel appearing for the respondents, we do not find any valid cause of action of the applicant which calls for admission of this O.A. There is no basis made for a prayer for declaration because nobody has disputed or asserted the question that Head Post Office, Kunnamkulam is a separate unit. Regarding the filling up of the post of Group'D' which would arise on 31.5.2002 we have no reason to presume that the recruitment will be made ignoring the provisions contained in the Recruitment Rules.

3. We do not find any reason to entertain this O.A. which is rejected under Section 19(3) of the Administrative Tribunals Act, 1985.

Dated the 5th June 2002.


T.N.T.NAYAR
ADMINISTRATIVE MEMBER


A.V.HARIDASAN
VICE CHAIRMAN

A P P E N D I X

Applicant's Annexures:

1. A-1: True copy of the order No.A/PTC/KNA/80-81 dtd. 5.3.1981 of the 1st respondent.
2. A-2: True copy of the Recruitment Rules for Group 'D' Posts and circulated it through No.37-15/2001-SPB I dtd.30.1.2002 of the 4th respondent (relevant portion).
3. A-3: True copy of the CCS(CCA) Rules incorporated in P&T Manual Vol.III (relevant portion)
4. A-4: True copy of the representation dated 1.5.2002 to the 2nd respondent.
5. A-4(a): English translation of Annexure A-4.

npp
11.6.02