

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 813 of 2000

Jabalpur, this the 5th day of February, 2004

Hon'ble Shri M.P. Singh, Vice Chairman
Hon'ble Shri G. Shanthappa, Judicial Member

Poonam Devi Shukla, W/o. Vinod
Kumar Shukla, aged 34 years at
present posted as Extra Depart-
mental Branch Post Master, Jhukehi,
District-Katni, M.P.

... Applicant

(By Advocate - Shri Yogesh Dhande)

V e r s u s

1. Union of India, Through
the Secretary, Ministry of
Posts, New Delhi.

2. Post Master General,
Raipur, M.P.

3. Superintendent of Post Offices,
Rewa, Distt. Rewa, M.P.

... Respondents

(By Advocate - Shri P. Shankaran)

O R D E R (Oral)

By M.P. Singh, Vice Chairman -

By filing this Original Application the applicant has
claimed the following main reliefs :

"(i) to quash the impugned order dated 19.8.99,
Annexure A-7,

(ii) to quash the order dated 31.7.2000, Annexure
A-12,

(iii) to command the respondents to reinstate the
applicant with all back wages and other consequential
benefits."

2. The admitted facts of the case are that the applicant
was working as EDBPM, Jhukehi. The applicant has appeared
for the selection for the post of Postal Assistant. She has
qualified the written test as well as the interview. Her
name has been placed in the select list of Postal Assistants
dated 14.1.98 (Annexure A-6)

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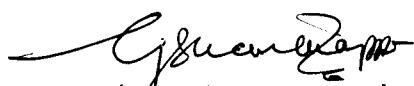
on the basis of the marks obtained by her in written test as well as in the interview. At the time of interview the applicant has submitted her mark sheet of Madhyama (Vishard). According to the applicant this certificate is equivalent to 10+2 examination. The respondents on verification found that Madhyama (Visharad) Exam has not been recognised as equivalent to 10+2/Intermediate as confirmed by the Allahabad University. The respondents have also got this fact verified from the Government of India, Ministry of Education and it has been clarified by the Ministry of Education that this certificate is not equivalent to 10+2 examination, and this certificate is limited only for the purpose of qualification in Hindi and not for other purpose. Therefore the respondents have deleted the name of the applicant from the select panel of Postal Assistants. The applicant has claimed to have passed intermediate examination from the Board of High School and Intermediate Education, U.P. and has submitted a copy of the mark sheet Annexure A-11. Therefore she has requested that as she has passed 10+2 examination from the Board of High School and Intermediate Education, U.P. her name should be restored in the select panel and she should be appointed against the post of Postal Assistant.

3. Heard both the learned counsel for the parties and perused the records carefully. We have also given very careful consideration to the rival contentions.

4. We find that during the course of argument the learned counsel for the respondents has submitted a copy of the letter issued to the Ministry of Communication by the Resources & Development dated 14.8.1995, Ministry of Human, whereby it is clarified that the certificates issued by the Voluntary Hindi Institutions is limited only for the purpose of qualification in Hindi

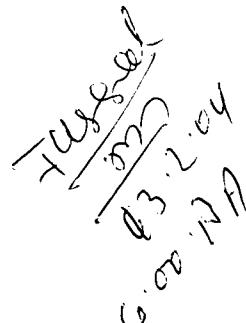
and not for other purposes. This document given by the learned counsel for the respondents is taken on record. In view of the clarification given by the Ministry of Human Resources & Development dated 14.8.1995, the applicant therefore was not educationally qualified for selection to the post of Postal Assistant. In due course of time the applicant has produced a copy of the mark sheet of 10+2 examination issued by the Board of High School and Intermediate Education, UP. In the circumstances we deem it appropriate to direct the respondents to verify the genuineness of the mark sheet submitted by the applicant at Annexure A-11. In case the certificate is not found genuine then the respondents are justified to delete the name of the applicant from the select panel for the post of Postal Assistant and incase acquiring the document submitted by the applicant for 10+2 examination is found to be genuine then the respondents may take further action in accordance with rule and law. We do so accordingly.

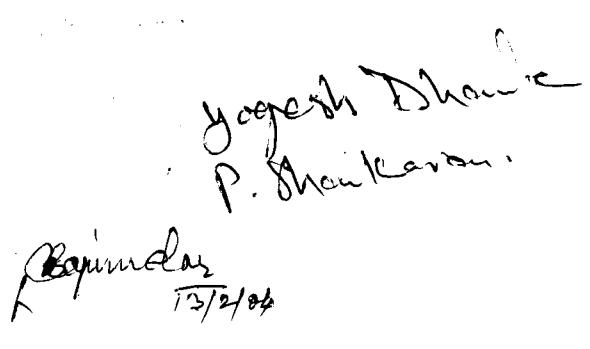
5. In view of the aforesaid observations, the Original Application stands disposed of. No costs.


(G. Shanthappa)
Judicial Member


(M.P. Singh)
Vice Chairman

"SA"


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Yogesh Dhawale
P. Shankarao
Bhimdar
13/2/04