

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BENGALURU**

ORIGINAL APPLICATION NO.170/000744/2017

DATED THIS THE 1ST DAY OF MARCH, 2019

**HON'BLE DR.K.B.SURESH
HON'BLE SHRI C.V. SANKAR**

**...MEMBER(J)
...MEMBER(A)**

S.H. Jayappa,
Aged about 55 years,
S/o Doddahanumappa,
GDS MD. Siddapura BO,
In a/w. Bheemasandra SO-577520,
Chitradurga HO .
..Applicant.

(By Advocate Shri B. Venkateshan)

Vs.

1. Union of India
Represented by the Secretary,
Department of Posts,
New Delhi-110 001.
2. The Post Master General ,
North Karnataka Region,
Dharwad-580 001.
3. The Superintendent of Post Offices,
Chitradurga Division,
Chitradurga -577501.
4. The Assistant Superintendent of Post Offices,
Chitradurga Sub Division,
Chitradurga-577 501.Respondents

(By Standing Counsel Shri S. Sugumaran for the respondents)

ORDER (ORAL)**HON'BLE DR.K.B.SURESH** ...**MEMBER(J)**

Heard. The matter is in a very short compass. Apparently vide para (a), 2015 vacancies, it is shown as follows:

	Total	SC	ST	OBC	UR
Posts Sanctioned	36	5	2	9	20
In Position	28	3	1	10	14
Short(-) / Excess(+)	(-)8	(-)2	(-)1	(+)1	(-)6

2. Since we have found that there are 8 vacancies, then there is no need for the respondents to say that 2 vacancy apportioned for seniority-cum-fitness were earmarked for UR-1 and ST-1. When SC vacancy exists, it has to be apportioned only for that. It cannot be earmarked for somebody else on any principle. Obviously, there cannot be reservation within the reservation. Therefore, this contention of the respondents is rejected.

3. OA allowed. Applicant is directed to be considered immediately with reference to the earliest point on which he could have been promoted. No costs.

(C.V. SANKAR)
MEMBER(A)

vmr

(DR.K.B.SURESH)
MEMBER(J)

Annexures referred to by the Applicant in OA No.170/00744/2017

1. Annexure A1 : Copy of Applicant's appointment order dated 23.1.1982.

2. Annexure A2 : Copy of SPOs letter dated 5.11.2014.
3. Annexure A3 : Copy of Gradation list of MTS of Chitradurga Division.
4. Annexure A4 : Copy of applicant's representation dated 13.2.2015 to SPOs.
5. Annexure A5 : Copy of applicant's representation dated 13.2.2015 to PMG.
6. Annexure A6 : Copy of applicant's representation dated 1.5.2017 to SPOs..
7. Annexure A7 : Copy of SPO letter dated 2.2.2015.
8. Annexure A8 : Copy of CPMG letter dated 8.5.2017.
9. Annexure A-9 : Copy of SPOs letter dated 24.7.2017.

Annexures referred to by the Respondents in the Reply

1. Annexure R-1 : DOP No.45-2/2011-SPB-1 dated 18.10.2012.
2. Annexure R-2 : Roster position of MTS as on 31.12.2011.
3. Annexure R-3 : Reservation policy.
4. Annexure R-4 : Vacancies apportioned for seniority-cum-fitness.
5. Annexure R-5 : DPC minutes dated 20.11.12.
6. Annexure R-6 : Roster position of dated 31.12.2012.
7. Annexure R-7 : Vacancies notified for the year 2012 for recruitment.
8. Annexure R-8 : Roster position as on 31.12.2013.
9. Annexure R-9 : Vacancies notified for the year 2013.
10. Annexure R-10 : Roster position as on 31.12.2014.
11. Annexure R-11 : Vacancies notified for the year 2014.
12. Annexure R-12 : Roster position as on 31.12.2015.
13. Annexure R-13 : Vacancies notified for the year 2015.
14. Annexure R-14 : Recruitment Rules 2015.
15. Annexure R-15 : Roster position as on 31.12.2016.
16. Annexure R-16 : Vacancies notified for the year 2016.

Annexures referred to by the Respondents in the Additional Reply

17. Annexure R-17 : Determination of Reservation Quota.
