

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH,
ERNAKULAM

Original Application No. 180/00693/2019
Original Application No. 180/00698/2019
Original Application No. 180/00702/2019
Original Application No. 180/00705/2019
Original Application No. 180/00708/2019
Original Application No. 180/00709/2019
Original Application No. 180/00641/2020
Original Application No. 180/00338/2021
Original Application No. 180/00588/2021
Original Application No. 180/00590/2021
Original Application No. 180/00598/2021
Original Application No. 180/00599/2021
Original Application No. 180/00607/2021
Original Application No. 180/00463/2022
Original Application No. 180/00470/2022
Original Application No. 180/00473/2022

Monday, this the 16th day of October, 2023

CORAM:

Hon'ble Mr. Justice Sunil Thomas, Member (J)
Hon'ble Mr. K.V. Eapen, Member (A)

1. **Original Application No. 180/00693/2019 -**
 1. Balamurugan.K, S/o Kanakaraj, aged 34, Pallivasal #mstate, Puthukkadu Division, Munnar, Pin 685612 now working as Gramin Dhak Sevak, Branch Post Office, Mattupetty, Munnar, Mob: 9495838369.
 2. Muthaiah, S/o Guruswamy, aged 49, Goodarlie Estate, Factory Division, Munnar, Pin 685612 now working as Gramin Dhak Sevak, Goodarlie Post Office, Munnar, Mob. 9446209693.

3. Selvaraj.S, S/o Sundar Rajan, aged 33, Punnaikkara House, Marayoor.P.O, Munnar, Pin 685620. Now working as Gramin Dhak Sevak, Pious Nagar Post Office, Marayoor, Mob.9496655825. **Applicants**

(By Advocates : Mr. C.S. Manilal and Mr. Nidheesh S.)

V e r s u s

1. The Union of India, Ministry of Communication, Department of Post, rep.by the Secretary, Dak Bhavan, Sansad Marg, New Delhi-110 001.
2. The Chief Post Master General, Kerala, Office of the Chief Post Master General, P.M.G Junction, Trivandrum-695 033.
3. The Superintendent of Post Office, Idukki Division, Thodupuzha, Pin-685584. **Respondents**

(By Advocate : Mr. N. Anilkumar, Sr. Panel Counsel)

2. Original Application No. 180/00698/2019 –

1. Ganesha K., aged 53 years, S/o Purushothama, Working as Gramin Dak Sevak, ABPM, Movval BO, Bekal Fort SO, Kasaragod District –671 316.residing at Trikkannad, Bekal PO, Kasaragod District –671 316, Mob: 9747045976.
2. Poornima M., Aged 30 years, D/o Gopala M., Working as Gramin Dak Sevak BPM, Parkalai BO, Anandashrama – 671 531 Residing at Chittoor House, Parakkalai P.O., Mob. 8547711842.
3. Shailaja K., aged 41 years, D/o Jaya Balyaya K., Working as Gramin Dak Sevak, BPM, Paravanadkam BO, Kalnad – 671 317Residing at near Vishnumangala Temple, Ramdasnagar Post, Kudlu – 671 124, Mob. 9605430550.

4. Ushalakshmi P., aged 33 years, W/o Sheni Venugopala Bhat., Working as Gramin Dak Sevak, BPM, Madhur BO, Kudlu – 671124 residing at Ramdasnagar Post, Kudlu – 671 124, Mob.8129664983.
5. Ramya P. , aged 35 years, D/o Gangadhara Balyaya, Working as Gramin Dak Sevak, BPM, Kuntar BO, Mulleria – 671 543 Residing at Patla House, Katukukke BO, Perla – 671 552, Mob. 9495261779.
6. Divakara M., aged 28 years, S/o Sanjeeva Moolya, working as Gramin Dak Sevak, ABPM, Kudalmerkala BO, Mangalpady – 671324 residing at Mandekapu House, Kudalmerkala Post, Mangalpady – 671 324, Mob.9048508481.
7. Raveendra P., aged 31 years, S/o Koragappa Moolya, working as Gramin Dak Sevak, ABPM, Kannur BO, Kumbla – 671 321 Now residing at Palthimar House, Yethadka Post, Perdala – 671 551, Mob.9495110836.
8. Jagadeesha K., aged 44 years, S/o Purushothama Achari, working as Gramin Dak Sevak BPM, Padre BO, Perla – 671 552, residing at Kajampady House, Padre Post, Perla – 671552, Mob.9497047795.
9. Damodara B., aged 43 years, S/o B. Babu Moolya, working as Gramin Dak Sevak Perdala SP – 671 551, residing at Bajakudlu, Perla SP –671 552, Mob.9400112744.
10. Shashikala T., aged 43 years, D/o Balakrishna Nayak T., working as Gramin Dak Sevak , Perdala SO – 671 551 residing at Maniyampara House, Maix P.O. Perla, Kasaragod-671 552, Mob.9539523856.
11. Gireesha M., aged 27 years, S/o Seenappa M. working as Gramin Dak Sevak, ABPM, Kuntar BP, Mulleria – 671 543, residing at Bellige House, Movvar P.O., Kasarago-671 543, Mob.9961823081.

12. Gopalakrishna U., aged 58 years, S/o Narayana Acharya, working as GDS, Perala SO., II Beat, Kasaragod – 671 551 now residing at Sri Gopalakrishna Wood & Steel industries Compound, Near Stadium, Vidyanagar, Vidyanagar P.O., Kasaragod-671123, Mob.9497602980.
13. Narayana P., aged 45 years, S/o Adru (late), working as Gramin Dak Sevak, GDS, Perala SO., II Beat, Kasaragod – 671 551, now residing at Puttanamoole House, Post Adhur, Kasaragod-671 543, Mob.9497602980.
14. Chithrika B., aged 30 years, D/o Sanjeeva A (late), working as GDS, Perala SO., II Beat, Kasaragod – 671 551residing at Kolombe House, Bela P.O., Kumbala Via, Kasaragod-671 321, Mob.9495397720.
15. Keerthan Kumar P., aged 26 years, S/o late P Koosappa Gowda, now working as Gramin Dak Sevak, BPM, Katukke BO, Perla – 671552 now residing at Kadenga House, P.O. Belluru PO, Kasaragod- 671 543, Mob. 9633068269.
16. Satheesha P., aged 39 years, S/o Somappa Poojari, working as GDS, ABPM, Chippar BO, Uppala – 671322, residing at Chippar pade House, P.O. Cippar Via Uppala -671 322, Mob. 9846480701.
17. Pavithra K., aged 31 years, D/o Krishna K., working as Gramin Dak Sevak, BPM, Kurudapadabu B.O., Uppala -671322, residing at Kamanabail, Kannur P.O., Kumbala, Kasaragod-671 321, Mob.7306531186.
18. O. Manku , aged 45 years, S/o late Bantu Kudiya, working as Gramin Dak Sevak, AMPM, Beripadavu BO Uppala, - 671322, residing at Votepadappu, Beripadavu PO. Uppala – 671322, Mob.9495457723.
19. Nishanth K., aged 30 years, S/o Chandra P. ,Working as Gramin Dak Sevak, ABPM, Patla BO, Kudlu – 671 124, now residing at

Thottada mane, Ramdasnagar P.O., Kudlu 671 124, Mob. 9947605969.

20. Mukunda M.R., aged 35 years, S/o Rama Banta, working as GDS, ABPM, Muttathody BO, Vidyanagar – 671 123, now residing at Gurukripa, Uliya House, Madhur Post, Kudlu – 671 124, Mob.9847821556.
21. Akshay C., Aged 27 years, S/o. Sreedhara, working as ABPM, Cheroor B.O., Vidya Nagar – 671 123, now residing at Michipadavu House, Kundoor P.O., Mulleria – 671 543, Mob.8289900788.
22. Ganesh Prasad A, Aged 41 years, S/o. Gangadhara Bhat A, working as Dak Sevak, Manjeswar MDG 671 323, now residing at Annekkalu House and Post, Manjeswar – 671323, Mob.9544621339.
23. Soumya M, Aged 27 years, D/o. M. Suresh Navada, working as GDS, BPM, Chippar BO, Uppala – 671322, now residing at Mulinja House, Pathwady Villaga, Uppala – 671322, Mob.9895810468.
24. Shobha Jois S., Aged 45 years, W/o Gopalakrishna K., working as GDS, Kodoor BO, Kumbla – 671 321, now residing at Paichal House, Ramdasnagar Post, Kudlu – 671 124, Mob.9567054039.
25. B. Udaya Kumar, Aged 29 years, S/o. Balanna Gowda, working as GDS, ABPM, Delmpady BO, Mulleria – 671 543, now residing at Bandyadka House, Delampady P.O, Mulleria – 671 543, Mob. 9880215208.
26. Radhakrishna Mayya P., Aged 48 years, S/o. late Krishna Mayya, working as GDS, BPM, Patla BO, Kudlu – 671 124, now residing at Patla House and Post, Madhur, Kudlu – 671 124, Mob. 9744574930.

27. Gopala Naik A. , Aged 50 years, S/o. A. Rama Naik, working as ABPM, Madhur BO,Kudlu – 671 124, now residing at Kolya House, Madhur Post, Kudlu – 671 124, Mob.9497061332. **Applicants**

(By Advocates : M/s. Dandapani Associates)

V e r s u s

1. Union of India, represented by the Secretary Posts, Ministry of Communication, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi -110 001.
2. The Chief Post Master General, Kerala Circle, Thiruvananthapuram - 695 033.
3. The General Manager, Postal Accounts & Finance, Kerala Circle, Thiruvananthapuram- 695 001. **Respondents**

(By Advocate : Mr. P.G. Jayan, ACGSC)

3. **Original Application No. 180/00702/2019 -**

1. Deepa S., W/o. Pramod P., aged 34 years, GDS ABPM, Kinavallur, Palakkad Postal Division, residing at 11/588 Pension Street, Robinson Road, Palakkad-678005, Mob.9495396396.
2. K. Arulamutham, W/o. M.S. Jayaram, aged 40 years, GDS BPM, Meenkaradam, Palakkad Postal Division, residing at M. Puthur, Govindapuram, Chittoor-678 507, Mob.9495487212.
3. Presanna S. W/o. Jayaprakas M.V., aged 33 years, GDS BPM, Elavancherry, Palakkad Postal Division, residing at Meepidi House, Kizhakkamory P.O., Nenmara-678 508, Mob. 9496518523.

4. Mahalakshmi C., W/o. Prabhu V., aged 27 years,
GDS BPM, Thiruvazhiyad, Palakkad Postal Division,
residing at Chakray House, Thiruvazhiyad P.O.-678 510,
Mob. 9562978251.
5. Daniel A., W/o. Arogyaswamy, aged 32 years,
GDS MD, Menonpara, Palakkad Postal Division,
residing at Thennamarthal House,
Menonpara P.O., Menonpara,
Palakkad-678 556, Mob. 9567338735. **Applicants**

(By Advocate: Mr. V. Sajith Kumar)

Versus

1. Union of India represented by the Secretary to the
Government of India, Department of Post,
Government of India, New Delhi-110 001.
2. The Chief Postmaster General, Kerala Circle,
Trivandrum-695 033.
3. The Senior Superintendent of Post Offices,
Palakkad Postal Division,
Palakkad-678 001. **Respondents**

(By Advocate: Mr. V.N. Mohanadasan, ACGSC)

4. **Original Application No. 180/00705/2019 -**

R.Rekha, W/o.A.Sailendran, aged 32 years
working as BPM, Puthenchira Kizhakkumuri,
Irinjalakuda Postal Division
residing at Kattungal House
Madayikonam P.O
Thrissur District – 680 712,
Mob. 9400164008. **Applicant**

(By Advocate: Mr.V.Sajith Kumar)

Versus

1. Union of India represented by the Secretary to the Government of India, Department of Posts, Government of India, New Delhi-110 001.
2. The Chief Postmaster General, Kerala Circle, Trivandrum-695 033.
3. The Superintendent of Post Offices, Irinjalakuda Postal Division, Thrissur-680 121.

..... **Respondents**

(By Advocate: Mrs. Mini R. Menon, ACGSC)

5. Original Application No. 180/00708/2019 -

1. Vijayakumar.J, S/o Jayakodi, aged 29, K.K. Division, Yellappatty Estate, Yellappatty.P.O, Munnar, 685615. Now working as Gramin Dhak Sevak, Branch Post Office, Sethuparvathipuram, Munnar, Mob. 9497262573.
2. A. Manikandan, S/o Ayyavu, aged 31, Lexmi Bhavanam, Kajanapara.P.O, 685619, now working as Gramin Dhak Sevak, Santhanpara Post Office, Mob. 9605797560.
3. Rukmani, W/o Ganesh Pandian, 26 Lane Line, Munnar. 685612. Now working as Gramin Dhak Sevak, Kallarvattiyar Post Office, Chithirapuram, Mob. 9946287641.
4. Jegan.J, S/o M. Jaypal, aged 32, HML Lanes, Anakuzhy Puthukad, Chengara,P.O, Vandiperiyar, Idukki. 685533 now working as Gramin Dhak Sevak, Chenkara Post Office, Mob. 9526814853.

5. Kannan.S, S/o Sahadevan, aged 28, Kavakkulam Estate, Fairfield P.O, Elappara, Idukki 685501. now working as Gramin Dhak Sevak, Glenmary Post Office, Mob. 7034339343.
6. Shahila Beevi.A, D/o Abdul Majeed, aged 34, Kurinjimuttam, Ranimudi, Lakshmi Kovil.P.O, Peermade, Idukki, 685531, now working as Gramin Dhak Sevak, Pallikunnu Post Office, Mob. 8943168182.
7. Reegan.A, S/o Arulappan, aged 31, Pattumudi Estate, Karadikuzhy.P.O, Peermade, Idukki.685531, now working as Gramin Dhak Sevak, Lekshmi Kovil Post Office, Mob. 9744741473.
8. Sahayaraj.I, S/o Innasi Muthu, aged 49, Granby Estate, Granby.P.O, Vandiperiyar. 685533, now working as Gramin Dhak Sevak, Granby Post Office, Mob. 9946312194.
9. Ruth.V, D/o Vellaswami, aged 32, 1096 K.K Division, Yellappatty, 685615, now working as Gramin Dhak Sevak, Mattupetty Post Office, Mob. 8078275132. **Applicants**

(By Advocate: Mr.C.S. Manilal)

Versus

1. The Union of India, Ministry of Communication, Department of Post rep. by the Secretary, Dak Bhavan, Sansad Marg, New Delhi. Pin 110001.
2. The Chief Post Master General Kerala, Office of the Chief Post Master General, P.M.G Junction, Trivandrum. 695033.
3. The Superintendent of Post Office, Idukki Division, Thodupuzha. Pin 685584. **Respondents**

(By Advocate: Mr. K.C. Muraleedharan, ACGSC)

6. **Original Application No. 180/00709/2019** –

A.R.Venkitaraman., S/o.R.V.Ramachandran,
aged 45 years,GDS ABPM, Kazhani,
Palakkad Postal Division, r
esiding at 8/29 Alampallam, Kollengode P.O.,
Palakkad-678506, Mob. 9142031390.

..... **Applicant**

(By Advocate: Mr.V.Sajith Kumar)

Versus

1. Union of India represented by the Secretary to the Government of India, Department of Posts, Government of India, New Delhi-110 001.
2. The Chief Postmaster General, Kerala Circle, Trivandrum-695 033.
3. The Superintendent of Post Offices, Palakkad Postal Division, Palakkad-678 001 .

..... **Respondents**

(By Advocate: Mr. Sinu G. Nath, ACGSC)

7. **Original Application No. 180/00641/2020** –

1. Vijayakumar. J, Aged 29, S/o. Jayakodi, Residing at K. K. Division, Yellappatty Estate, Yellappatty P.O., Munnar – 685 615. Now working as Gramin Dhak Sevak, Branch Post Office, Sethuparvathipuram, Munnar, Mob. 9497262573.
2. A. Manikandan, Aged 31, S/o. Ayyavu, Residing at Lexmi Bhavanam, Kajanapara P.O., 685 619, Now working as Gramin Dhak Sevak, Santhanpara Post Office, Mob. 9605797560.

3. Rukmani, W/o. Ganesh Pandian,
Residing at 26 Lane Line, Munnar – 685 612,
Now working as Gramin Dhak Sevak,
Kallarvattiyar Post Office, Chithirapuram, Mob. 9946287641.
4. Jegan J, Aged 32, S/o. M. Jaypal,
Residing at HML Lanes, Anakuzhy Puthukad,
Chengara P.O., Vandiperiyar, Idukki – 685 533,
Now working as Gramin Dhak Sevak,
Chenkara Post Office, Mob. 9526814853.
5. Kannan S, Aged 28, S/o. Sahadevan,
Residing at Kavakkulam Estate,
Fairfield P.O., Elappara, Idukki – 685 501.
Now working as Gramin Dhak Sevak,
Glenmary Post Office, 7034339343.
6. Shahila Beevi. A, Aged 34, D/o. Abdul Majeed,
Residing at Kurinjimuttam, Ranimudi,
Lakshmi Kovil P.O, Peermade, Idukki – 685 531.
Now working as Gramin Dhak Sevak,
Pallikunnu Post Office, Mob. 8943168182.
7. Reegan A, Aged 31, S/o. Arulappan,
Residing at Pattumudi Estate,
Karadikuzhy P.O, Peermade, Idukki – 685 531.
Now working as Gramin Dhak Sevak,
Lekshmi Kovil Post Office, Mob. 9744741473.
8. Sahayaraj. I, Aged 49, S/o. Innasi Muthu,
Residing at Granby Estate, Granby P.O.,
Vandiperiyar – 685 533.
Now working as Gramin Dhak Sevak,
Granby Post Office, Mob. 9946312194.
9. Ruth V, Aged 32, D/o. Vellaswami,
Residing at 1096 K. K. Division,

Yellappatty 685 615.
Now working as Gramin Dhak Sevak,
Mattupetty Post Office, Mob. 8078275132.

10. Selvaraj S, Aged 33, S/o. Sundar Rajan,
Residing at Punnakkara House, Marayoor P.O.,
Munnar, Pin – 685 620.
Now working as Gramin Dhak Sevak,
Pious Nagar Post Office, Marayoor, Mob. 9496655825.
11. Justin S, Aged 32, S/o. Selvaraj,
Residing at Periyavarai Estate, Lower Division,
Munnar – 685 612.
Now working as Assistant Branch Post Master,
Munnar Colony, Munnar, Mob. 9447195032.
12. Jeysin A, Aged 36, S/o. Andavaraj,
Residing at Punchakkarayil House,
Poopara P.O, Idukki – 685 619.
Now working as Assistant Branch Post Master,
Poopara, Munnar, Mob. 8921621176.
13. Paul Edwin K. T, Aged 33, S/o. Thomas,
Residing at Pannair Estate, Pannair P.O.,
Idukki – 685 613.
Now working as Assistant Branch Post Master,
Puthady, Santhanpara, Idukki,
Mob. 9745341431. **Applicants**

(By Advocates: Mr. C.S. Manilal & Mr. Nidheesh S)

V E R S U S

1. The Union of India, Ministry of Communication,
Department of Post rep. by the Secretary,
Dak Bhavan, Sansad Karg, New Delhi
Pin – 110 001.

2. The Chief Post Master General Kerala,
Office of the Chief Post Master General,
P.M.G Junction, Trivandrum – 695 033.
3. The Superintendent of Post Office, Idukki Division,
Thodupuzha Pin- 685584. **Respondents**

(By Advocate: **Mr. V. A. Shaji, ACGSC**)

8. **Original Application No. 180/00338/2021** –

Shilpa S, W/o Naveen Ganesh Pai.S
aged 33 years, ABPM, Kankol B.O
Officiating as MTS
Vengara- Kannur S.O
Kannur – 670 305
residing at Kundayam Kovval
Kankol P.O, Payyannur (via)
Taliparamba – 670 307, Mob. 7012556927. **Applicant**

(By Advocate: **Mr.V Sajith Kumar**)

Versus

1. Union of India, represented by the Secretary to the
Government of India, Department of Post
Government of India, New Delhi – 110 001.
2. The Chief Postmaster General,
Kerala Circle
Trivandrum – 695 033.
3. The Superintendent of Post Offices
Kannur Postal Division
Kannur – 670 001. **Respondents**

(By Advocate: **Mr. Sinu G Nath, ACGSC**)

9. **Original Application No. 180/00588/2021** –

1. Priya Ramesh, W/o.Rameshkumar.K
aged 35, Mooveliparambil, Glenmary P.O
Peermade. 685 531 now working as Branch Post Master
Branch Post Office, Kalthotti, Ayyappankovil
Idukki, Mob. 9497262573,
Email:priyacharu1986@gmail.com.
 2. Rooben, aged 36, S/o.Kjanayya, Karuppan Colony
Soorynelli P.O, Chinnakkanal, Idukki, 685 618
now working as Assistant Branch Post Master
Branch Post Office, Chinnakkana,
Mob. 9605797560,
Email:rubanpost@gmail.com.
- **Applicants**

(By Advocate: Mr. C.S. Manilal and Mr. Nidheesh S)

Versus

1. Union of India, Ministry of Communication
Department of Post rep. By the Secretary
Dak Bhavan, Sansad Karg
New Delhi. Pin 110 001.
 2. The Chief Post Master General Kerala
Office of the Chief Post Master General
P.M.G Junction, Trivandrum – 695 033.
 3. The Superintendent of Post Office
Idukki Division
Thodupuzha, Pin – 685 584.
- **Respondents**

(By Advocate: Mr.N.Anilkumar, Senior Panel Counsel)

10. **Original Application No. 180/00590/2021** –

Reshmi K, D/o. Radhakrishnan, aged 29 years
 GDS MD, ABPM, Njakkanal P.O, Kayamkulam Sub Division
 Presently officiating as Postman, Puthupally
 Kayamkulam Postal Sub Division
 Department of Posts, residing at Erickal tharayil
 Koippallykarazhma, Olakettiampalam
 Mavelikkara, Perungala, Alappuzha,
 Kerala – 690 510, Mob. 8606595414,
 Email id : reshmikrishna8@gmail.com.

..... **Applicant**

(By Advocate: Mr.V Sajith Kumar)

Versus

1. Union of India, represented by the Secretary to the
 Government of India, Department of Posts
 Ministry of Communications
 Government of India, New Delhi – 110 001.
2. The Chief Postmaster General,
 Kerala Circle
 Trivandrum – 695 033.
3. The Senior Superintendent of Post Offices
 Mavelikkara Division
 Kannur – 690 101.

..... **Respondents**

(By Advocate: Mr.N.Anilkumar, Senior Panel Counsel)

11. **Original Application No. 180/00598/2021** –

Harisankar A.T, S/o. Ajayan K.N, aged 26 years, GDS MD,
 Kallumala S.O, Mavelikkara Postal Division,
 Department of Posts, Pin- 690 110, residing at Thyparambil House,
 Manakkadu, Mavelikkara - 690 101, Mob. 9645470401,
 Email id : harisankarat3@gmail.com.

..... **Applicant**

(By Advocate: Mr.V Sajith Kumar)

Versus

1. Union Of India, Represented by the Secretary to the Government of India, Department of Posts, Ministry of Communications, Government of India, New Delhi-110 011.
 2. The Chief Postmaster General, Kerala Circle, Trivandrum- 695 033.
 3. The Superintendent of Post Offices, Mavelikkara Division, Pin- 690 101.
- Respondents**

(By Advocate: Mrs. O.M.Shalina, SCGSC)

12. Original Application No. 180/00599/2021 –

Bhagyalekshmi S, W/o Sandeep C, aged 31 years,
GDS BPM, Bharanicavu P.O, Kayamkulam H.O,
Mavelikkara Postal Division, Department of Posts,
Pin- 690 107, residing at Palackottu (H),
Pallickal P.O - 690 503, Mob. 9847283929,
Email id: lehubhagya329@gmail.com.

..... Applicant

(By Advocate: Mr.V Sajith Kumar)

Versus

1. Union Of India, Represented by the Secretary to the Government of India, Department of Posts, Ministry of Communications, Government of India, New Delhi-110 011.
2. The Chief Postmaster General, Kerala Circle, Trivandrum- 695 033.

3. The Superintendent of Post Offices, Mavelikkara Division,
Pin- 690 101. **Respondents**

(By Advocate: **Mrs. O.M.Shalina, SCGSC**)

13. **Original Application No. 180/00607/2021** –

Akhila R.S, W/o. Aji Kumar A, aged 32 years,
ABPM, Puliyoorkonam B.O, Attingal H.O,
Thiruvananthapuram North Postal Division,
Department of Posts, Pin-695 604,
residing at Aji Vilasam, Kizhakkanel, a,
Puliyoorkonam P.O, Pallickal-Kilimanoor,
Thiruvananthapuram- 695 604, Mob. 9567473236,
Email id: akhilavelamanoor@gmail.com. **Applicant**

(By Advocate: **Mr.V Sajith Kumar**)

Versus

1. Union of India, represented by the
Secretary to Government,
Department of Posts, Ministry of Communications,
Government of India, New Delhi-110 001.
2. The Chief Postmaster General, Kerala Circle,
Trivandrum-695 033.
3. The Senior Superintendent of Post Offices,
Thiruvananthapuram North Postal Division,
Department of Posts, Pin-690 101. **Respondents**

(By Advocate: **Mrs. O.M.Shalina, SCGSC**)

14. **Original Application No. 180/00463/2022** –

Vinayak B. S, Aged 27 years,
S/o. P. Subramanyan Chettiyar,

GRAMIN DAK SEVAKS,
P. S. Nivas, Praleyagiri, Thokkad P.O,
Vadasserikkonam P.O, Thiruvananthapuram – 695 143,
Ph. 9961927955, (email – sindhulawoffice@gmail.com)
Working as Gramin Dak Sevaks Branch Post Master (GDSBPM),
Elakamon – Kizhakkeppuram PO – 695 310,
Thiruvananthapuram. **Applicant**

(By Advocate: Ms. Sindhu Santhalingam)

V E R S U S

1. Union of India, Rep. by the
Secretary to Government to Government of India
Department of Posts, Ministry of Communications,
Government of India, New Delhi – 110 001.
2. The Chief Postmaster General,
Kerala Circle, Thiruvananthapuram – 695 033.
3. The Senior Superintendent of Post Offices,
Thiruvananthapuram North Postal Division,
Department of Posts, Pin – 695 001. **Respondents**

(By Advocate: Mr. Rathish H, ACGSC)

15. **Original Application No. 180/00470/2022 –**

1. Suraj K. R, Aged 34, S/o. Ramachandran,
Dak Sevak, Paravur MDG – 683 513,
Residing at Kothuvadi Praambil,
Chiravakkattu Road, Peruvaram,
North Paravur – 683 513, Ph. No. 9744117460,
Email : surajkvperuvaram@gmail.com.
2. Anju V. G, Aged 31, W/o. Suraj K. R.,
Assistant Branch Postmaster, Kunjithai B.O.,
Vadekkekara S.O., Aluva P.O. - 683 522,

Residing at Kothuvadi Parambil,
Chiravakkattu Road, Peruvaram,
North Paravur – 683 513., Ph. No. 8075465064,
Email : anjusurajsreenika@gmail.com.

Applicants

(By Advocate: **Mr. Vishnu S. Chempazhanthiyil**)

V E R S U S

1. The Senior Superintendent of Post Offices,
Aluva Postal Division, Aluva – 683 101.
2. The Chief Postmaster General, Kerala Postal Circle,
Thiruvananthapuram – 695 033.
3. The Secretary & Director General,
Department of Posts, Dak Bhavan, New Delhi – 110 001.
4. Union of India, represented by Secretary,
Ministry of Communications,
New Delhi – 110 001. **Respondents**

(By Advocate: **Mr. M. T. Muraleedharan, ACGSC**)

16. **Original Application No. 180/00473/2022** –

1. J. Jagan, S/o, M. Jaypal, aged 35,
Ananya Bhavan, Chengara P.O, Idukki-685 533,
Now working as GDS, BPM, Chengara Branch Post Office,
Idukki, Mob. 9526814853.
2. Selvaraj S, aged 35 years,
S/o. Sundararajan, Punnakkara House,
Marayoor P.O, Idukki
Now working as GDS, Pious Nagar Branch Office,
Marayoor, Idukki-685 620, Mob. 9496655825.

3. Vijayakumar, aged 31 years, S/o. Jayakodi,
Residing at K.K Division, Yellappetty Estate,
Yellappetty P.O,
Now working as GDS, S.T. Puram, Yellappetty-685 615,
Mob. 9497262573.
 4. Sahayaraj, S/o. Innasimuthu, aged 49,
Residing at Granby Estate,
Now working as ABPM, Granby,
Granby Estate Second Division, Vandipriyar, Idukki-685 533,
Mob. 9946312194.
 5. Rooben, aged 36, S/o. Kjanayya,
Karuppan Colony, Soorynelli P.O,
Chinnakkanal, Idukki-685 618,
Now working as GDS, Branch Post Office,
Chinnakkanal, Mob. 9605797560.
 6. Justin, aged 34 years, S/o. Selvraj,
Residing at Lower Division, Periyavakai Estate,
Munnar, Idukki-685 612, GDS, Munnar Colony,
Mob. 9447194032.
 7. Jeysin A, aged 38 years, S/o. Andavaraj,
Punjakkarayil House, Pooppara P.O,
Shanthanpara, Idukki-685 619,
Now working as GDS, Pooppara, Idukki,
Mob. 8921621176.
- Applicants

(By Advocate: Mr. C. S. Manilal)

V E R S U S

1. The Union of India, Ministry of Communication,
Department of Post rep. by the Secretary,
Dak Bhavan, Sansad Marg, New Delhi, Pin-110 001.

2. The Chief Post Master General Kerala,
Office of the Chief Post Master General,
P.M.G Junction, Trivandrum - 695 033.
3. The Superintendent of Post Office, Idukki Division,
Thodupuzha, Pin - 685 584. **Respondents**

(By Advocate: Ms. O. M. Shalina, SCGSC)

These Original Applications having been heard on 19.09.2023, the Tribunal on 16.10.2023 delivered the following:

Common O R D E R

Per: Justice Sunil Thomas, Judicial Member -

The applicants are engaged as GDS at various places in Kerala under the Postal Department. The office of the Chief Postmaster General, Kerala Circle issued a notification dated 4.10.2021, inviting applications for Limited Departmental Competitive Examination (LDCE) to the post of Postman and Mail Guard, limited to GDS, for the vacancy year 2021 (1.1.2021 to 31.12.2021). The eligibility criteria prescribed by clause 3(ii)(a) & (c) of the said notification were Xth standard pass from a recognized board and that the candidate should have studied local language (Malayalam) at least up to Xth standard. The relevant Recruitment Rules is GSR No. 899E dated 20th September, 2018, issued by the Department of Posts, Ministry of Communications, in exercise of

powers under Article 309 of the Constitution of India as “Department of Posts, Postman and Mail Guard (Group-C posts) Recruitment Rules, 2018”. As per clause (ii) of column No. (7), the condition prescribed for recruitment was knowledge of local language of the concerned State or Union Territory and the candidate should have studied local language at least up to the Xth standard. It was prescribed that the local language of a State or the Union Territory shall be as published by the Department of Posts. Applicants responded to the notification. Their applications were not entertained on the ground that each of the applicants has not studied Malayalam at least up to the Xth standard. The validity of clause 3(ii)(c) of notification dated 4.10.2021 and clause (ii) of column (7) of the schedule of the Recruitment Rules, 2018 to the extent of providing that the candidate should have studied local language at least up to Xth standard, was challenged on the ground that it violated Articles 14, 15, 16 and 29(1) of the Constitution and was ultra virus to the provisions of the Constitution and hence was illegal. The relief sought essentially was to quash the clause 3(ii)(c) of the said notification and clause (ii) of column (7) of the Schedule of the Rules and to declare that the above clauses were unconstitutional.

2. Reply statements have been filed in all the above OAs. Heard the learned counsel appearing for the applicants in all cases, the learned SCGSC and the learned ACGSCs. Since common issues arise in all the matters, they were heard together and are disposed of by this common order.

3. Before proceeding to the evaluation of the issues involved, it is essential to extract the relevant provisions which are under challenge. As per the notification dated 4.10.2021 clause 3(ii)(a) & (c) are as follows:

*“(a) **Educational Qualification** : 10th standard pass from a recognized Board.*

(b)

(c) The candidate should have studied MALAYALAM at least up to 10th standard.

(d)”

Column 7 of the schedule of the Recruitment Rules evident from the notification dated 20th September, 2018 is as follows:

“(i) 12th standard pass from a recognized Board.

(ii) Knowledge of local language of the concerned State or Union Territory. The candidate should have studied local language at least up to 10th standard. The local language of a State or Union territory shall be as published by Department of Posts.

(iii)”

4. The written examination consists of two papers. Paper II consist of 15 multiple choice questions of one mark each for translation of words from English to local language and 15 multiple choice questions of one mark each for translation of words from local language to English. 10 marks were set apart for letter writing in local language and 10 marks were set apart for paragraph/short essay writing in local language.

5. The present OAs generally fall under four broad categories. The candidates in OAs Nos. 709/2019, 598/2021, 607/2021, 463/2022 and 470/2022 have studied in Malayalam medium, though they have not studied Malayalam up to Xth standard, as a subject. The applicants in OAs Nos. 693/2019, 698/2019, 702/2019, 708/2019, 641/2020, 338/2021, 588/2021 and 473/2022 have studied in Tamil, Kanada or other mediums, since each of them claim to belong to linguistic minority group and settled in border areas of the State. Applicants in OAs Nos. 590/2021 and 599/2021 have studied Malayalam up to IXth standard but opted Sanskrit for the Xth standard. Applicant in OA No. 705/2019 stands on different footing, since she studied in Tamil Nadu in Tamil medium, but claims to be well versed in Malayalam.

6. All the above applicants contend that the prescription in the notification based on the Recruitment Rules prescribing that each of the applicants should have studied Malayalam up to the Xth standard is unconstitutional and hence violative of the Constitutional provisions. They also assail the notification on the grounds that the condition are irrational, illogical and does not serve the purpose for which the clause was incorporated.

7. Assailing the said clauses on the ground that it violates Article 14 of the Constitution, the applicants contended that the attempt on the part of the respondents to classify Xth pass merely on the subject studied by a student was highly unfair and unsustainable in law. The pass in SSLC or Xth standard cannot be classified based on the optional or elective subject he/she had studied. If standards are fixed to discriminate a candidate on the basis of the language he/she undertook at the Xth level, it would defeat the scheme of the Xth standard and would be in violation of Article 14 of the Constitution. Giving preference to an examination conducted by a particular State agency and to discriminately choose candidates for employment is highly illegal and violative of Article 14 of the Constitution of the India, it was contended. It was further contended that

the prescription that the candidate should have compulsorily studied up to Xth standard in local language was arbitrary and intended to exclude the persons belonging to linguistic minority as well as persons who have opted to take any other language other than local language. It was further contended that there was no intelligible differentia in classifying candidates who had studied up to Xth standard in Malayalam. There was also no nexus between the classification and the object sought to be achieved.

8. The object of prescribing the said condition regarding study of local language seems to be based on the Recruitment Rules itself. Clause (2) of column (7) of Schedule of the Recruitment Rules itself provides that knowledge of local language of the concerned State or Union Territory was a qualification required for selection. To achieve this object, a further condition has been incorporated that the candidate should have studied local language at least up to Xth standard. Evidently, the question that arises is whether such a classification is reasonable and whether it has got any rational nexus with the object sought to be achieved. The object sought to be achieved is knowledge of local language of the concerned State. In that context, the Postal Department is competent to

prescribe reasonable condition which they deem fit and proper, which will satisfy the criteria of knowledge of local language and has to be sustained, unless it is established that such clause is arbitrary, unreasonable or violates the Constitutional provisions. Evidently, by prescribing that the candidates should have studied local language at least up to Xth standard a distinct class is created. Article 14 does not prohibit reasonable classification. The crucial question is whether there is a reasonable classification and whether it has any nexus with the object sought to be achieved. This will be considered separately.

9. Assailing the offending clause in the notification and in the Recruitment Rules the learned counsel appearing for the various applicants contended that the offending clause was in gross violation of Article 15(1) of the Constitution of India in so far as offer of public employment dependent on the place of birth shall not be the basis of selection. It was contended that the offending clauses to the extent it rested on study of a particular language was against Article 15(1) in so far as the place of birth had an intrinsic connection with the language and residence of a person, and thus violated the said Constitutional mandate.

10. Article 15(1) provides that State shall not discriminate against any person on grounds only of religion, race, caste, sex, place of birth or any of them. While evaluating the Constitutionality of the said provision, on the touch stone of Article 15(1), the only question that arises is whether the offending clause discriminates any citizen only on the ground of religion, caste, sex, place of birth or any of them. Though violation of Article 15(1) of the Constitution was strongly agitated by the various counsel, specific grounds nor any factual foundation to establish that the offending clause in so far as it prescribes study up to the Xth standard in Malayalam, offends any of the said clause has not been made out. It is pertinent to note that Article 15(1) does not forbid discrimination on ground of language, since that term is absent in the said provision. The extended interpretation given that the place of birth is intrinsically connected with the study of language is farfetched and cannot be accepted. Hence, it is to be held that no ground has been made out for challenging the offending clause on ground of Article 15(1) of the Constitution of India.

11. Assailing the said clauses on the ground it violated Article 16(1) and Article 29(1) of the Constitution of India, the learned counsel

appearing for applicants in OA Nos. 693/2019, 708/2019 and connected cases, who belong to the linguistic minority communities, advanced detailed contention. It was contended that applicants who opt to study in the CBSE/ICSE syllabus may opt Hindi/Sanskrit as their second language and could have passed the required qualification of the Xth standard from recognized board. Similarly those in border districts of Idukki, Trivandrum, Palakkad and Kasargod have the option to study in Malayalam/Tamil/Kanada as their second language recognized by the State. Certificates are also issued by the Government of Kerala as evident from the Annexures. It was contended that with that qualifications, they could be engaged as GDS which was only a contractual job. However, after working for five years as GDS and when they are eligible to write the examination for Postman/Mail Guard, the sudden incorporation of a condition that the person opting to write the examination should have compulsorily studied up to Xth standard in Malayalam is arbitrary and intended to exclude persons belonging to linguistic minority as well as persons who opt to take any other language than local language.

12. It was asserted that the applicants have knowledge in local language, being persons living in Kerala. They also have the basic ability

to read and write in Malayalam. However, the insistence that they ought to have studied up to Xth standard in Malayalam as their second language is highly arbitrary and offends Articles 16(1) and 29(1) of the Constitution of India. It was further contended that applicants have duly passed Xth standard from recognized Board. However, the classification of linguistic minorities in the State who reside on the border of the State on the basis of language and denying them opportunity to participate in Government employment was against the provisions enshrined in Articles 16(1) and 29(1) of the Constitution of India, it was contended.

13. According to the above applicants, in State of Kerala, state language was notified under Article 345 of the Constitution of India. At the same time, Article 350(A) protects linguistic minorities with respect to education. By virtue of Articles 345 and 350(A), State Legislature has passed Official Language Act. Section 3 of said Act, protects the rights of linguistic minorities. Therefore, even if a local language has been notified under Article 345, by virtue of Article 350(A), the linguistic minorities are also protected by the Constitution. The protection had been taken away abruptly by the said offending clauses in the notification and Recruitment Rules. It was further contended that by virtue of Articles 29

and 350(A) of the Constitution of India, the State had established primary, upper primary and higher schools in the linguistic minority areas. Persons belonging to that area, particularly the linguistic minority, had studied in the high school with Tamil medium up to standard X. Now by the offending clause, those who have studied up to Xth standard in Malayalam will be preferred in exclusion of the Tamil/Kannada linguistic minority from applying for the job in question. Such a Rule, on the very face of it was discriminatory and offends Articles 16(1) and 29(1) of the Constitution of India, it was contended.

14. Article 16(1) provides that there shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State. Article 16(2) provides that no citizen shall on grounds of only of religion, race, caste, sex, descent, place of birth, residence or any of them be ineligible for or discriminated against in respect of any employment or office under the State. Article 29(1) provided that any section of citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same.

15. Relying on the above, the learned counsel for the above applicants specifically referred to various Rules, Regulations and instructions issued by the State of Kerala to ensure safeguards for linguistic minorities in Kerala. The learned counsel relied on the decisions reported in ***DAV College, Bhatinda v. State of Punjab & Ors.*** (1971) 2 SCC 261 and ***The State of Bombay v. Bombay Education Society & Ors.*** AIR 1954 SC 561 to support this contention.

16. At the outset it is to be noted that Articles 16(1) and 16(2) does not refer to language as a ground for discrimination. Still it has to be evaluated whether in broad sense those clauses violate Article 16(1) of the Constitution read with Article 16(2) of the Constitution and whether it offends the right guaranteed to the linguistic minority groups as enshrined in Article 29(1) of the Constitution of India.

17. In ***Bombay Education Society's*** case (supra), the issue involved related to a circular issued by the State of Bombay which provided that subject to the exceptions provided therein, no primary or secondary school shall from the date of the order admit to a class where English is used as a medium of instruction, any pupil other than a pupil belonging to

a section of citizens, the language of which was English namely, Anglo-Indians and citizens of non-Asiatic descent. This circular issued by the Government of Maharashtra was challenged by a school run by Anglo-Indian minority educational institution on the ground that it violated Article 29(2) of the Constitution of India. The Supreme Court after a detailed evaluation of the provisions and the law involved held that in so far as Article 337 proviso (2) imposes an obligation on the Anglo-Indian schools to make available at least 40% of the annual admission to non-Anglo-Indian students as a condition precedent for their receiving grant from the Government the impugned order was unconstitutional as it prevented such schools from performing their constitutional obligation and exposes them to the risk of forfeiting their constitutional right to the special grant. Supreme Court affirmed that the Right under Article 29(1) was a protection given to any section of citizens having a distinct language, script or culture by guaranteeing their right to conserve the same.

18. In ***DAV College, Bhatinda***'s case (supra) the Constitutionality of a circular issued by the University which declared that Punjabi will be the sole medium of instruction and examination for pre-University, even for

Science group was under consideration. The above provision of the circular was declared to be ultra vires and unconstitutional, in so far as the compulsory imposition of Punjabi on the educational institutions established by a religious denomination offended Articles 15(1), 29(1) and 30(1) of the Constitution of India. While holding that University can prescribe Punjabi as a medium of instruction, it cannot prescribe it as the exclusive medium nor compel affiliated colleges established and administered by linguistic or religious minorities as it would be violative of Article 29(1) of the Constitution.

19. Though in these two cases the question of legality of circulars were challenged under Articles 29(1) and 29(2) of the Constitution of India, neither the facts of the case nor the law laid down therein would help the applicants. Article 29(1) only permits the linguistic minorities to preserve their rights. The contention was that, when, by virtue of protection of right under Article 29(1) linguistic minorities have studied their language, a condition for employment, favouring study of another language would render such protection meaningless. A condition that the applicants shall have studied Malayalam up to Xth standard does not in any manner transgress into the rights conferred on the linguistic minority which was

limited to preserving their rights. To that extent a challenge under Article 29(1) will not lie.

20. The crucial question that arises is whether the impugned provisions of Recruitment Rules and the notification thereunder are arbitrary or violative of Article 14 of the Constitution. An identical issue was directly the subject matter of consideration in *V.N. Sunanda Reddy & Ors. v. State of Andhra Pradesh & Ors.* AIR 1995 SC 914. The question that came up for consideration before the Supreme Court in the above case was whether the State of Andhra Pradesh was justified in promulgating Rules under Article 309 of the Constitution of India, which, inter alia, provided that for appointment to the posts in the various State services, candidates who had studied in the Telugu medium shall be given weightage by awarding them 5% of the total aggregate maximum marks in the relevant competitive examination held by Andhra Pradesh Public Service Commission. The said GO which was the subject matter of challenge before the Andhra High Court, was set aside by a single Bench. The Division Bench in appeal held that such a prescription was issued in the interest of the State and hence, sustainable. A similar GO which was issued by the Government was challenged before the Andhra Pradesh

Administrative Tribunal which also set aside that circular. All these were challenged before the Supreme Court.

21. Challenging the circulars, non-Telugu speaking candidates contended that when direct recruitment was made to any public service, may be in the lower echelon of service, merit alone should be the criteria. If a candidate satisfied the basic requirement of eligibility for competing in such public recruitment, provision of such weightage of 5% to Telugu medium candidates only, would *per se* be arbitrary and discriminatory and would be destructive of the concept of selection on pure merits. It was contended that even if Telugu be the official language as adopted by the State in the light of linguistic policy, once a candidate is recruited from the open market as per the relevant Rules, before he is confirmed in service and before he is entitled to earn an increment in service, he was required to pass the Telugu language examination. This completely met the requirement of the Department that the candidate must have working knowledge of Telugu to enable him to converse and correspond in Telugu with members of the public as well as to other Government Departments. This would satisfy the object of securing efficiency in administration, was the contention of the non-Telugu candidates. It was contended that, to put

a further protector at the entry point, by giving a special weightage of 5% marks more on the aggregate to the candidate who have passed their graduate examination in Telugu medium would therefore have no real nexus with the object sought to be achieved. To that extent it violated Articles 14, 15 and 16(1) of the Constitution of India, it was contended.

22. Accepting the above contention, the Hon'ble Supreme Court held as follows:

“The aforesaid sub-classification of meritorious candidates into Telugu medium candidates and non-Telugu medium candidates insofar as their graduation is concerned, does not have any rational nexus to the object sought to be achieved thereby. If the object is to have proficiency in Telugu language which is the official language of the State, it has to be kept in view that even those candidates who have studied in non-Telugu medium like English or Hindi at graduation level also have, to pass in one compulsory paper of Telugu. It may be pointed out that State had adopted, after passing of the Official language Act in 1966, 3 language formula in the field of education. The students studying in other media are also required to pass a paper in Telugu language. Therefore, they have got working knowledge of Telugu. It has also to be kept in view that even after they are appointed to the posts of which they competed they have to clear Telugu language examination before getting increment or even confirmation and if they do not clear this examination, they are liable to be discharged. If that is so, proficiency in Telugu language at entry point pales into insignificance so far as recruitment to these posts is concerned. It may be that the concerned selected candidates at lower echelon of service may have to deal with public in Telugu language or may have to correspond with other public departments or authorities in Telugu language, but that is well ensured by the requirement of passing Telugu language examination after being recruited to these posts.....”

23. Proceeding further, the Supreme Court held that adding of 5% of total aggregate marks to the assessment of Telugu medium candidates would frustrate the very concept of recruitment to the public post on merit. It was held that when a limited number of posts are available for direct recruitment from open market and when eligible candidates having minimum educational qualifications are allowed to compete, such competition would be too severe and even addition of one mark would tilt the entire balance and would disturb the entire queue of meritorious candidates found fit to be appointed to such limited number of posts. It was held that if 40 marks as per the impugned rule was to be added to the assessment of a Telugu medium candidate, then he would jump the queue and steal a march over the merit list. He would go ahead of all such meritorious only, on the specious plea that he had passed his graduation in Telugu medium while other more meritorious candidates standing ahead of him in the queue had cleared the graduation examination having studied in any other medium like English, Urdu or Hindi. This would weed out best available candidate from open market and would give undue advantage to a less meritorious candidate. Supreme Court held that it would seriously impair the efficiency of the administration. Thus, the

Government circular was set aside and reliefs were granted.

24. The law as laid down by the Supreme Court, has now to be evaluated on the basis of the facts involved in this case. A close look at the above judgment, clearly shows that it has a common thread with the present batch of cases. In both situations, to achieve the object of working knowledge in local language, special privilege was granted to candidates who have studied in local language. Though the method of conferring such benefit was different in *Sunanda Reddy's* case (supra) by providing additional marks to such candidates and in the present case by restricting the applications to only candidates who have studied local language up to Xth, basically both gave additional advantage to such candidates over other meritorious candidates. To that extent, the principle in *Sunanda Reddy's* case (supra) is directly applicable to the facts of these cases.

25. As mentioned earlier the minimum qualification prescribed as per circular was XIIth standard pass from a recognized board. Another condition was knowledge of local language of the concerned State or territory. To satisfy this limb of knowledge of local language of the concerned State, it further prescribed that the candidate should have

studied local language at least up to Xth standard. The present notification which was issued pursuant to the said Recruitment Rules provided that the candidate should have studied Malayalam at least up to Xth standard. The attack is limited to the extent of providing that the candidate should have studied Malayalam at least up to Xth standard. Applying the principles laid down by the Supreme Court in *Sunanda Reddy's* case (supra), it emerges that the above clause appears to be arbitrary for the following reasons.

26. Firstly, it emerges that the Recruitment Rules prior to the present one under consideration is the Recruitment Rule No. GSR 899E dated 20th September, 2018 and the Recruitment Rule which was introduced subsequent to GSR 899E is GSR No. 638E dated 30th August, 2023. Both the said Recruitment Rules issued prior to and subsequent to present Rules are conspicuous by the absence of a provision, corresponding to a provision in present Recruitment Rules, which provided that candidate must have studied Malayalam at least up to Xth standard. The prerogative to prescribe any condition which satisfies the requirement of the candidate is definitely within the domain of the employer. Normally the Courts will not interfere in such choice unless it was demonstrably

arbitrary or violated any of the Constitutional provisions. In other words, only in the present Recruitment Rule which was in force from 20.9.2018 till 30.8.2023 on which date new Rule No. 638E, came into force, such a stipulation existed. Clearly, in the present Recruitment Rule under challenge alone such a condition existed. In the Recruitment Rule prior to that and subsequent to that, such a provision did not exist. There is absolutely no justification forthcoming as to the factual materials which prompted the Postal Department to introduce such a clause in the present Recruitment Rule. Absolutely no material is also forthcoming as to why in the subsequent Recruitment Rule such a condition was omitted. Evidently, in the absence of any satisfactory material to satisfy that there was any valid reason for introducing such a clause in the Present Rules, the fact that the anterior and posterior Recruitment Rules did not contain such a Rule clearly shows that such a provision was arbitrarily introduced, and is not supported by any justifiable and sustainable reason.

27. The unreasonableness in imposing such a clause and that it has no rational nexus with the object sought to be achieved can be demonstrated by two specific examples. Firstly, the said clause prescribed that the applicant must have studied in Malayalam at least up to Xth standard.

Postal Department has taken up a stand that it indicates that the candidates must have studied Malayalam as a subject. It is seen that the applicants in OA Nos. 709/2019, 598/2021, 607/2021, 463/2022 and 470/2022 have studied in Malayalam medium, but did not study Malayalam as a subject. According to the said clause, a person who has studied in Malayalam medium up to Xth standard, but has not studied Malayalam as a subject is not qualified to apply for the post, whereas a person who has studied in English medium with Malayalam as a subject up to Xth standard is competent. This clearly shows that the said clause is arbitrary and does not stand to reason. There cannot be a further more example as to demonstrate how arbitrary the said clause is.

28. Secondly, another factual situation that emerges and amplifies the above conclusion is in the case of candidates in OAs Nos. 590/2021 and 599/2021. The applicants in both cases studied Malayalam up to IXth standard as a subject, but due to reasons best known to them they opted for Sanskrit for the Xth standard. For that reason alone they stand disqualified since they did not study that subject up to Xth standard.

29. As mentioned earlier, the object sought to be achieved by incorporating such a clause was to ensure that the applicants have working knowledge on this subject. In *Sunanda Reddy's* case (supra) the Supreme Court had held that the successful candidates would have to undergo a test for confirmation and for claiming increment, which would sufficiently take care of the interest of the State. That dictum is applicable in the cases at hand. In the present case, paper I and paper II are both qualifying examinations. Paper I consists of 150 marks of multiple choice questions. Paper II consists of a 50 marks paper essentially to test the proficiency in Malayalam. It is clear that paper II which consists of 1/3rd of the marks allotted to paper I is specifically intended to test the proficiency of the candidate in Malayalam. Definitely, only candidates who are sufficiently proficient in Malayalam alone will be able to get through this qualifying examination. This would sufficiently ensure the proficiency of the applicants is tested through such examination, as laid down by the Supreme Court in *Sunanda Reddy's* case (supra). In the light of the law laid down in *Sunanda Reddy's* case (supra), the clauses under challenge are not legally sustainable.

30. The remaining applicants belongs to linguistic minority groups, who belong to Tamil and Kannada speaking areas within Kerala, born and brought up in Kerala. Only the applicant in OA No. 693/2021 stands odd, who lives in Tamilnadu and studied in Tamil medium. However, she claims to be proficient in Malayalam. One serious objection setup by the Department of Post was that such persons cannot be permitted to contest and if such persons are selected definitely that would affect the smooth functioning of the Postal Department. If that be the contention, then the answer to it is that, such persons would have been otherwise eligible to compete under the Recruitment Rules Nos. 983E and GSR No. 638E dated 30.8.2023. Thus, there is no reason as to why such persons should stand excluded under the present Recruitment Rule alone. It is clear that paper II, for testing the proficiency of the candidate would take care of such situation.

31. There is yet another reason which would amplify that the present condition is unreasonable and arbitrary. The post now offered is a Limited Departmental Competitive Examination to the post of Postman from among the GDS. While recruiting the eligible candidates as GDS, no condition was imposed that they should have studied Malayalam up to Xth

standard. They have been working under the Postal Department at least for five years. However, when they apply for the present post for promotion under the LDCE, the said clause suddenly becomes a bar. This would discriminate candidates who have not studied Malayalam up to 10th standard. Clearly by prescribing such a condition it would not satisfy the efficiency as detailed by the Supreme Court in *Sunanda Reddy's* case (supra).

32. Having considered the entire facts in the above perspective it is only to be held that the OAs are liable to be allowed holding that the impugned clauses are arbitrary, unconstitutional and cannot be sustained in the eye of law.

33. In the result all the OAs stands allowed as follows:

- i) Clause 7(ii) in the Recruitment Rule No. GSR 899(E) dated 20th September, 2018 to the extent of prescribing that “*The candidate should have studied local language at least up to 10th standard*” stands quashed.

ii) Clause No. 3(ii)(c) in the notification No. B2/2-4/2019, dated 26.8.2019 for recruitment to the post of Postman and Mail Guard from eligible MTS and GDS for the vacancy for the year 2018 to the extent of prescribing that “*The candidate should have studied local language (Malayalam) at least up to 10th standard*” stands quashed.

iii) In the light of the above, the results of the candidates including that of the applicants who have been successful in the qualifying examination shall be considered in accordance with law and the results shall be finalized and declared by the Department as expeditiously as possible at any rate within 3 months from the date of receipt of a copy of this order as if the above offending clauses are not in existence.

34. OAs are allowed to the above extent. No costs.

(K.V. EAPEN)
ADMINISTRATIVE MEMBER

(JUSTICE SUNIL THOMAS)
JUDICIAL MEMBER

“SA”

Original Application No. 180/00693/2019**APPLICANTS' ANNEXURES**

- Annexure A1** – True copy the 10th standard certificate of the 2nd applicant.
- Annexure A2** – True copy of the notification No. F. No. 44-14/2009-SPB-I dated nil.
- Annexure A3** – True copy of the Kerala Official Language Act, 1969.
- Annexure A4** – True copy of the order No. GSO(MS) No. 697 dated 1.9.1965.
- Annexure A5** – True copy of the order No. 17 08/2018-SPB-I dated 10.5.2019.
- Annexure A6** – True copy of the notification No. B2/Postmen Exam./2019 dated 21.8.2019.
- Annexure A7** – True copy of the Govt. order dated 31.3.1966.

RESPONDENTS' ANNEXURES

- Annexure R1** - True copy of the notification for the vacancy year 2018(01.04.2018 to 31.12.2018) and 2019 (01.01.2019 to 31.12.19).
- Annexure R2** - True copy of the Postman and Mail Guard Recruitment Rules, 2018.
- Annexure R3** - True copy of Annexure E of Postal Directorate letter No. 17-08/2018-SPB-I dated 16.5.2019.
- Annexure R4** - True copy of the Kerala Official Language (Legislation) Amendment Act, 1973 (Act 15 of 1973).

Annexure R5 - True copy of order dated 27.10.2016 in OA No. 191/2015.

Original Application No. 180/00698/2019

APPLICANTS' ANNEXURES

Annexure A1 – True copy of the notification No. Rectt/12-2/2019 dated 20.8.2019 issued by the 2nd respondent.

Annexure A2 – True copy of the circular No. 26070/111/84/GAD dated 22.6.1984 issued by the Kerala.

Annexure A3 – True copy of notification No. Rectt/10-6/2019 dated 5.8.2019 issued by the 2nd respondents.

Annexure A4 – True copy of the notification Rectt/13-2/2014/II dated 12.8.2014 issued by the 2nd respondent.

Annexure A5 – True copy of the 10th standard school certificate of the 1st applicant.

Annexure A5(a) – True copy of the 10th standard school certificate of the 2nd applicant.

Annexure A6 – True copy of recruitment rules F. No. 03-02/2017 SPB-I issued by the 1st respondent dtd. 24.9.2018.

Annexure A7 – True copy of the rejection order No. D3/MTS & GDS-PM/Rectt/2019 dtd. 17.9.2019.

RESPONDENTS' ANNEXURES

Annexure R-1 - True copy of Annexure E of the Postal Directorate letter dated 10.5.2019.

Annexure R-2 - True copy of the Kerala Official Language

(Legislation) Act, 1973 (Act 15 of 1973).

Annexure MA-1 -True copy of the interim order dated 25.9.2019 in OA No. 698 of 2019.

Original Application No. 180/00702/2019

APPLICANTS' ANNEXURES

Annexure A1- A true copy of the rejection memo No.B2/Rectt/Postman2018 & 2019 dated 18.9.2019 issued by the 3rd respondent

Annexure A2- A true copy of the Notification No.Rectt/12-2/2019 dated 20.08.2019 issued by the 2nd respondent

Annexure A3- A true copy of the Recruitment Rules to the post of Postman issued as per GSR 899E dated 20.09.2018 by the 1st respondent

RESPONDENTS' ANNEXURES

Annexure R1- (Directorate letter dated 16th May 2019)

Annexure R2- (Kerala Official Language (Legislation) Act 1969 and Act 15 of 1973 along with English translation

Original Application No. 180/00705/2019

APPLICANT'S ANNEXURES

Annexure A1- A true copy of the rejection memo No.B2/RECTT/POSTMAN/ 2019 dated 19.9.2019 issued by the 3rd respondent

Annexure A2- A true copy of the Notification No.Rectt/12-2/2019 dated 20.08.2019 issued by the 2nd respondent

Annexure A3- A true copy of the Recruitment Rules to the post of Postman issued as per GSR 899E dated 20.09.2018 by the 1st respondent.

RESPONDENTS' ANNEXURES

Annexure R1- True copy of the notification for the vacancy year 2018 (01.04.2018 to 31.12.2018) and 2019 (01.01.2019 to 31.12.19)

Annexure R2- True copy of the Postman and Mail Guard Recruitment Rules – 2018

Annexure R3- True copy of Annexure E of Postal Directorate letter No.17-08/2018-SPB-I dated 16.5.2019

Annexure R4- True copy of the Kerala Official Language (Legislation) Amendment Act 1973 (Act 15 of 1973)

Annexure R5- True copy of order dated 27.10.2016 in OA No.191/2015.

Original Application No. 180/00708/2019

APPLICANTS' ANNEXURES

Annexure A1- A true copy of the order No. 17 08/2018-SPB-I, dated 16.5.2019.

Annexure A2- A true copy of the Notification No.B2/Postmen Exam/2019 dated 21.8.2019.

Annexure A3- A true copy of the notification dated 4.10.2021 scheduling the examination to the post of postman.

Annexure A4- A true copy of the Govt. Order dated 31.3.1966.

RESPONDENTS' ANNEXURES

Annexure R1- True copy of the notification for Limited Departmental Competitive Examination which was held on 29.9.2019 vide letter No. Rectt/12-2/2019 dated 20.8.2019.

Annexure R2- True copy of the Postman and Mail Guard Recruitment Rules – 2018

Annexure R3- True copy of Annexure E of Postal Directorate letter No.17-08/2018-SPB-I dated 16.5.2019

Annexure R4- True copy of the Kerala Official Language (Legislation) Amendment Act 1973 (Act 15 of 1973)

Annexure R5- True copy of order dated 27.10.2016 in OA No.191/2015

Annexure R6- True copy of order daily order sheet dated 25.10.2021.

Original Application No. 180/00709/2019

APPLICANT'S ANNEXURES

Annexure A1- A true copy of the rejection memo No.B2/RECTT/POSTMAN 2018 & 2019 dated 18.9.2019 issued by the 3rd respondent

Annexure A2- A true copy of the Notification No.Rectt/12-2/2019 dated 20.08.2019 issued by the 2nd respondent

Annexure A3- A true copy of the Recruitment Rules to the post of Postman issued as per GSR 899E dated 20.09.2018 by the 1st respondent.

Annexure A4- A true copy of the relevant pages of the SSLC book of the applicant.

Annexure A5- A true copy of the letter dated 24.12.2020 issued by the 3rd respondent.

Annexure A6- A true copy of the certificate dated 30.12.2020 issued by the Headmistress PSHS Chittur, Palakkad.

Annexure A7- A true copy of the letter No. Rectt/12-2/2021 dated 4.10.2021 issued by the 2nd respondent.

Annexure A8- A true copy of the DO No. GD-GR/1/2021-ACUM-CNH-428 dated 4.10.2021 issued on behalf of the office of the Commissioner for Linguistic Minorities in India.

Annexure A9- A true copy of the question booklet No. 503465 for paper-II in LDC Exam for the year 2020.

RESPONDENTS' ANNEXURES

Annexure R3(a)- True copy of the letter No. 17-08/2018-SPB-I dated 16.5.2019 of Postal Directorate with Annexure E thereto.

Original Application No. 180/00641/2020

APPLICANTS' ANNEXURES

Annexure A1- True copy of the Postman Recruitment Rules, 2017 (Relevant Extract)

Annexure A2- True copy of the Kerala Official Language Legislation Act, 1969.

Annexure A3- True copy of the Govt. Order No.GO(MS) No.697 dated 01.09.1965.

Annexure A4- True copy of the Govt. Order No.17-08/2018/SPB-I dated 16.05.2019.

Annexure A5- True copy of the clause 3(C) of the notification No.Rectt/12-2/2020 dated 27.11.2020 circulated Letter No.B2/Postmen Exam/2020 dated 01.12.2020.

Annexure A6- True copy of the interim order in O.A 693/2019 dated 25.09.2019 passed by this Tribunal.

Annexure A7- A true copy of notification is produced No.Rectt/12-2/2021 dated 04.10.2021.

Annexure A8- A true copy of the order in M.A No.180/00652/2021 in O.A No.180/00708/2019 dated 25.10.2021.

Annexure A9- True copy of the results published under letter No.Recct/12-2/2021(CON) dated 26.05.2022.

RESPONDENTS' ANNEXURES

Annexure R1- True copy of the Postman and Mail Guard Recruitment Rules – 2018.

Annexure R2- True copy of the Postman and Mail Guard (Group 'C' Post) Recruitment (Amendment) Rules, 2020.

Annexure R3- True copy of Annexure E of Postal Directorate Letter No.17-08/2018-SPB-I dated 16.05.2019.

Annexure R4- Copy of the Kerala Official Language (Legislation) Amendment Act 1973 (Act 15 of 1973).

Annexure R5- True copy of order dated 27.10.2016 in O.A No.191/2015 of the Central Administrative Tribunal, Ernakulam Bench.

Annexure R6- True copy of the judgment of the Hon'ble Supreme Court in Union of India v Pushparani & Others.

Original Application No. 180/00338/2021

APPLICANT'S ANNEXURES

Annexure A1- A true copy of the Appointment Order No.GDSMD/Kankol/BO-34/10-11 dated 30.09.2010 issued from office of the Sub Divisional Inspector of Posts, Payyannur Sub Division

Annexure A2- A true copy of the Notification No.B2/2-4/2019 dated 26.8.2019 issued by the 3rd respondent

Annexure A3- A true copy of the relevant pages of the Letter No.12-2/2019(CON)/Vol II dated 15.2.2021 issued by the 2nd respondent

Annexure A4- A true copy of the Letter No.B2/2-4/2019 dated 03.03.2021 issued by the 3rd respondent

Annexure A5- A true copy of the Rejection Memo No.B2/2-4/2019 dated 3.6.2021 issued by the 3rd respondent

Annexure A6- A true copy of the Recruitment Rules to the post of Postman issued as per GSR 899E dated 20.09.2018 by the 1st respondent

Annexure A7- A true copy of the relevant pages of Government of India Memorandum of 1956, compiled as Annexure IV of the CLM REPORT/52/2016 dated 29.3.2016 by Commissioner for Linguistic Minorities, Ministry of Minority Affairs, Government of India.

RESPONDENTS' ANNEXURES

Nil

Original Application No. 180/00588/2021

APPLICANTS' ANNEXURES

Annexure A1- A true copy of the relevant pages of the Postman Recruitment Rules, 2017

Annexure A2- A true copy of the Kerala Official Language Legislation Act, 1969

Annexure A3- A true copy of the Govt. order No.GO(MS) No.697 dated 1.9.1965

Annexure A4- A true copy of the Govt. Order No.17-08/2018/SPB-1 dated 16.5.2019

Annexure A5- True copy of the clause 3(C) of the notification No.Rectt/12-2/2021 dated 4.10.2021

Annexure A6- A true copy of the interim order in O.A 708/2020 dated 25.10.2021 passed by this Tribunal

Annexure A7- True copy of the results published under letter No.Recct/12-2/2021 (CON) dated 26.5.22

RESPONDENTS' ANNEXURES

Annexure R1- True copy of the Postman and Mail Guard Recruitment Rules, 2018

Annexure R2- True copy of Postman and Mail Guard (Group C Post) Recruitment (Amendment) Rules, 2020

Annexure R3- True copy of the Kerala Official language (Legislation) Amendment Act 1973 (Act 15 of 1973)

Annexure R4- True copy of Annexure E of Postal Directorate letter No.17-08/2018-SPB-I dated 16.5.2019

Annexure R5- True copy of order dated 27.10.2016 in OA No.191/2015

Annexure R6- true copy of the judgment of the Hon'ble Supreme Court in Union of India vs. Pushparani & Others

Original Application No. 180/00590/2021

APPLICANT'S ANNEXURES

Annexure A1- A true copy of the Notification No.Rectt/12-2/2021 dated 4.10.2021 issued by the 2nd respondent

Annexure A2- A true copy of the Order of Appointment Memo No.GDSMD-1/NJAKKANAL PO dated 24.11.2015 issued by the Inspector of Posts, Kayamkulam Sub Division

Annexure A3- A true copy of the Secondary School Leaving Certificate of the applicant dated 8.5.2009 issued by the Government of Kerala

Annexure A4- A true copy of the Graduation Certificate No.25010602/11123025 issued on 27.2.2016 by the Vice Chancellor, University of Kerala

Annexure A5- A true copy of the Recruitment Rules to the post of Postman issued as per GSR 899E dated 20.09.2018 by the 1st respondent

Annexure A6- A true copy of the Letter No.GD-GR/1/2021-ACUM-CNH-428 dated 4.10.2021 issued from the O/o. The Commissioner for Linguistic Minorities in India

Annexure A7- A true copy of the relevant pages of the Letter No.Rectt/12-2/2021 (CON) dated 26.5.2022 issued from the office of the 2nd respondent

Annexure A8- A true copy of the Question Booklet No.508284 for Paper-II in LDC Exam for the year 2021

RESPONDENTS' ANNEXURES

Annexure R1- True copy of the Department of Posts Postman and Mail Guard (Group 'C' Post) Recruitment (Amendment) Rules, 2020 dated 5.3.2020

Original Application No. 180/00598/2021

APPLICANT'S ANNEXURES

Annexure A1- True copy of the Notification No.Rectt/12-2/2021 dated 4.10.2021 issued by the 2nd respondent

Annexure A2- A true copy of the Appointment Memo No.MSSD/GDSMD/Kallumala dated 4.6.2015 issued by the Inspector Posts, Mavelikkara South Sub Division

Annexure A3- A true copy of the Secondary School Leaving Certificate of the Applicant dated 31.05.2011 issued by the Controller of Examinations

Annexure A4- A true copy of the Certificate dated 26.10.2021 issued by the Principal, Vidhyadhiraja Vidyapeetom Central School, Alappuzha

Annexure A5- A true copy of the Certificate No.32013601/13827017 issued on 20.12.2016 by the Vice Chancellor, University of Kerala

Annexure A6- A true copy of the Recruitment Rules to the post of Postman issued as per GSR 899E dated 20.09.2018 by the 1st respondent

Annexure A7- A true copy of the Letter No.GD-GR/1/2021-ACUM-CNH-428 dated 4.10.2021 issued from the O/o.the Commissioner for Linguistic Minorities in India

Annexure A8- A true copy of the relevant pages of the Letter No.Rectt/12-2/2021(CON) dated 26.5.2022 issued from the office of the 2nd respondent

Annexure A9- A true copy of the Question Booklet No.508284 for Paper-II in LDC Exam for the year 2021 cleared by the applicant

Annexure A10- True copy of the letter bearing No.17-11/2019-GDS dated 1.6.2023 issued to All Chief Postmasters General by the Assistant Director General (GDS/PCC), Department of Posts, Ministry of Communication, Govt. Of India

RESPONDENTS' ANNEXURES

Annexure R1(A)- True copy of the Department of Posts Postman and Mail Guard (Group 'C' Post) Recruitment (Amendment) Rules, 2020 dated 5.3.2020

Original Application No. 180/00599/2021

APPLICANT'S ANNEXURES

Annexure A1- True copy of the Notification No.Rectt/12-2/2021 dated 4.10.2021 issued by the 2nd respondent

Annexure A2- A true copy of the Appointment Memo No.B3/Kallimel dated 31.1.2015 issued by the 3d respondent.

Annexure A3- A true copy of the Secondary School Leaving Certificate No. 049021, dated 27.5.2006 issued by the Central Board of Secondary Education.

Annexure A4- A true copy of the Certificate dated 18.10.2021 issued by the Principal, Vidhyadhiraja Vidyapeetom Central School, Alappuzha

Annexure A5- A true copy of the Certificate No.0374381 issued on 13.5.2015 by the Vice Chancellor, University of Kerala

Annexure A6- A true copy of the Recruitment Rules to the post of Postman issued as per GSR 899E dated 20.09.2018 by the 1st respondent

Annexure A7- A true copy of the Letter No.GD-GR/1/2021-ACUM-CNH-428 dated 4.10.2021 issued from the O/o.the Commissioner for Linguistic Minorities in India

Annexure A8- A true copy of the relevant pages of the Letter No.Rectt/12-2/2021(CON) dated 26.5.2022 issued from the office of the 2nd respondent

Annexure A9- A true copy of the Question Booklet No.508284 for Paper-II in LDC Exam for the year 2021

RESPONDENTS' ANNEXURES

Annexure R1(A)- True copy of the Department of Posts Postman and Mail Guard (Group 'C' Post) Recruitment (Amendment) Rules, 2020 dated 5.3.2020

Original Application No. 180/00607/2021

APPLICANT'S ANNEXURES

Annexure A1- True copy of the Notification No.Rectt/12-2/2021 dated 4.10.2021 issued by the 2nd respondent

Annexure A2- A true copy of the Appointment Memo No.GDSMD/Appt/Puliyurkonam, dated 16.10.2015 issued by the Inspector of Posts, Attingal Sub Division.

Annexure A3- A true copy of the Secondary School Leaving Certificate No.413841, dated 1.6.2004 issued by the General Education Department, Government of Kerala.

Annexure A4- A true copy of the diploma Certificate No. 0011513 issued on 9.6.2009 on behalf of the State Board of Technical Education, Government of Kerala.

Annexure A5- A true copy of the Recruitment Rules to the post of Postman issued as per GSR 899E dated 20.09.2018 by the 1st respondent

Annexure A6- A true copy of the Letter No.GD-GR/1/2021-ACUM-CNH-428 dated 4.10.2021 issued from the O/o.the Commissioner for Linguistic Minorities in India

Annexure A7- A true copy of the interim order dated 11.11.2021 in OA 607/2021 of this Hon'ble Tribunal.

Annexure A8- A true copy of the notification No. Rectt/12-2/2022 dated 15.7.2022 issued by the 2nd respondent.

RESPONDENTS' ANNEXURES

Annexure R1(A)- True copy of the Department of Posts Postman and Mail Guard (Group 'C' Post) Recruitment

(Amendment) Rules, 2020 dated 5.3.2020

Original Application No. 180/00463/2022

APPLICANT'S ANNEXURES

Annexure AI- A true copy of the Order dated 20.07.2016 issued by the 3rd respondent.

Annexure AII- A true copy of the Application for the examination for recruitment to the cadre of Postal Assistant for the vacancy of the year 2022.

Annexure AIII- A true copy of the merit list for the Mail Guard published by the respondent.

Annexure AIV- A true copy of the Notification dtd.15.07.2022 of the 2nd respondent.

Annexure AV- A true copy of the SSLC Certificate of the year, March 2010.

Annexure AVI- A true copy of the Certificate dated 10.08.2022 issued by the Amritha Sanskrit HSS Parippally.

Annexure AVII- A true copy of the Non-Creamy Layer Certificate dtd. 21.05.2022 issued by the Tahsildar, Varkala Taluk Office.

Annexure AVIII- A true copy of the e-mail communication dated 19.07.2022 issued by the 3rd respondent.

Annexure AIX- A true copy of the Order dtd. 05.11.2021 of the 3rd respondent.

Annexure AX- A true copy of the Order dated 11.11.2021 in O.A No.607/2021 of this Hon'ble Tribunal filed by Akhila R.S.

Annexure AXI- A true copy of the e-mail correspondence dated 27.03.2023 issued by the 2nd respondent.

RESPONDENTS' ANNEXURES

Nil

Original Application No. 180/00470/2022

APPLICANTS' ANNEXURES

Annexure A1- True copy of the notification No.Rectt/12-2/2022 dated 15.07.2022 issued by the Office of the 2nd respondent.

Annexure A2- True copy of the communication No.BB-52/2022 dated 23.08.2022 issued by the 1st respondent to the 1st applicant.

Annexure A2(a)- True copy of the communication No.BB-52/2022 dated 23.08.2022 issued by the 1st respondent to the 2nd applicant.

Annexure A3- True copy of the SSLC Certificate issued by the General Education Department, Government of Kerala to the 1st applicant.

Annexure A4- True copy of the Plus Two Certificate issued by the Board of Higher Secondary Examination to the 1st applicant.

Annexure A5- True copy of the B.Com Degree Certificate issued by the M.G. University to the 1st applicant.

Annexure A6- True copy of the SSLC Certificate issued by the General Education Department, Government of Kerala to the 2nd applicant.

Annexure A7- True copy of the Plus Two Certificate issued by the Board of Higher Secondary Examination to the 2nd applicant.

Annexure A8- True copy of the B.Com Degree Certificate issued by the M.G. University to the 2nd applicant.

Annexure A9- True copy of the certificate issued by the Headmaster, S.N.V. Sanskrit H.S.S to the 1st applicant.

Annexure A9(a)- True copy of the certificate issued by the Headmaster, S.N.V. Sanskrit H.S.S to the 2nd applicant.

Annexure A10- True copy of Department of Posts Postman and Mail Guard Recruitment Rules, 2018 as published in the Gazette of India dated 20.09.2018 vide G.S.R.899(E) issued by the 4th respondent.

Annexure A11- True copy of Department of Posts Postman and Mail Guard (Group C) Recruitment (Amendment) Rules 2020 vide G.S.R.157(E) dated 05.03.2020 issued by the 4th respondent.

Annexure A12- True copy of interim order dated 11.11.2021 in O.A No.607/2021 of the Tribunal.

RESPONDENTS' ANNEXURES

Annexure R1- True copy of Annexure E of Postal Directorate letter No.17-08/2018-SPB-I dated 16.05.2019.

Annexure R2- True copy of Annexure A II of Postal Directorate letter No.17-08/2018-SPN-I dated 05.04.2022.

Annexure R3- True copy of the Kerala Official Language (Legislation) Amendment Act 1973 (Act 15 of 1973).

Annexure R4- True copy of order dated 27.10.2016 in O.A No.191/2015.

Annexure R5- True copy of the judgment of the Hon'ble Supreme Court in Union of India vs Pushparani & others.

Original Application No. 180/00473/2022

APPLICANTS' ANNEXURES

Annexure A1- A true copy of the relevant pages of the Postman Recruitment Rules, 2017.

Annexure A2- A true copy of the Kerala Official Language Act, 1969.

Annexure A3- A true copy of the Govt. order No.GO(MS) No.697 dated 01.09.1965.

Annexure A4- A true copy of the Govt. order No.17-08/2018/SPB-1 dated 16.05.2019.

Annexure A5- True copy of the clause 3(b) of the notification No.Rectt/12-2/2022 dated 15.07.2022.

Annexure A6- A true copy of the interim order in O.A 708/2019 dated 25.10.2021 passed by this Hon'ble Tribunal.

Annexure MA1- True copy of the Final Amended Rules.

RESPONDENTS' ANNEXURES

Annexure R1(A)- True copy of the Postman and Mail Guard Recruitment Rules, 2018.

Annexure R1(B)- True copy of the Postman and Mail Guard (Group 'C' post) Recruitment (Amendment) Rules, 2020.

Annexure R1(C)- The consolidated/updated list of language of Postal Circle/Division communicated as per Annexure II of Postal Directorate letter No.17-08/2018-SPN-I dated 05.04.2022.

Annexure R1(D)- True copy of order dated 27.10.2016 in O.A No.191/2015.

-X-X-X-X-X-X-X-X-