

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

CIRCUIT SITTING AT NAINITAL

THIS THE 23rd DAY OF OCTOBER, 2002

Original Application No. 729 of 1998

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MAJ.GEN.K.K.SRIVASTAVA, MEMBER (A)

Lalit Mohan Joshi, son of Late
Shri Ishwari Datt Joshi, Postal
Assistant(Accountant) Almora,
H.P.O. Almora.

... Applicant

Versus

1. Union of India through the
Director General of Posts, Dak Bhawan
Sansad Marg, New Delhi.
2. Chief Post Master General,
U.P.Circle, Lucknow.
3. Superintendent of Post Offices,
Almora.

... Respondents

(By Adv: Ms.Sadhna Srivastava)

O R D E R (Oral)

By Hon.Maj.Gen.K.K.Srivastava,A.M.

In this OA filed u/s 19 of A.T.Act 1985 the applicant has prayed that direction be issued to the respondents to promote the applicant to LSG under TBOP and also HSG-II/BCR promotion respectively w.e.f. 30.11.1983 and 1.10.1991, the dates from which junior to the applicant were promoted. He has also prayed for all consequential benefits.

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The facts in short are that the applicant joined the respondents' establishment as Postal Assistant on 2.4.1974. He passed departmental examination of P.O./R.M.S Accountant in the year 1981. According to applicant promotion for the post of PA Savings Bank Control Organisation (in short S.B.C.O) to HSG Cadre-II under the BCR scheme were formulated by Director General letter dated 26.7.1991 by which the benefit was extended to LDC and also UDC as well as UDC and PA of the post offices. The applicant was promoted under TBOP scheme as LSG w.e.f. 2.4.1990. The applicant is aggrieved that his juniors Sheo/Singh and Ram Shanker Ram were promoted to the cadre of LSG w.e.f. 30.11.1983 and subsequently, under BCR to HSG-II, while the applicant was promoted to LSG cadre under TBOP scheme w.e.f. 2.4.1990. Aggrieved by this the applicant has filed this OA which has been contested by the respondents by filing counter reply.

The main contention of the applicant is that since he had passed the P.O.R.M.S Accountant examination in the year 1981, he was placed senior to Sheo Sa Singh and Ram Shanker Ram. In the gradation list issued on 1.9.1986 the applicant's name appears at sl. no. 137 while that of Sheo Sa Singh and Ram Shanker Ram at sl. Nos 158 and 160 respectively.

The respondents in their counter reply in paragraph 19 have clearly stated about the date of initial appointment of Sheo Sa Singh and Ram Shanker Ram. It has been stated by the respondents that Sheo Sa Singh was appointed as PA on 2.10.1965 and Ram Shanker Ram on 23.4.1963, whereas the applicant was appointed as PA on 2.4.1974. These facts have not been denied in the rejoinder affidavit in paragraph 15. The applicant has been granted LSG scale under TBOP

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scheme w.e.f. 2.4.1990 i.e. after completion of 16 years of service as laid down in the scheme itself.

As regards promotion to HSG-II cadre under BCR scheme, it has to be given after completion of 26 years of service which the applicant had not completed on the date this OA was filed. In the circumstances, the applicant is not found entitled for promotion to HSG-II cadre grade under BCR scheme.

This OA has no merit and is accordingly dismissed with no order as to costs.



MEMBER(A)



VICE CHAIRMAN

Dated: -23-October, -2002

Uv/