

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

OA No. 61 of 1996

Tuesday, this the 7th day of October, 1997

CORAM

HON'BLE MR. PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER  
HON'BLE MR. AM SIVADAS, JUDICIAL MEMBER

1. P.P. Mathews,  
Postmaster,  
Panampilly Nagar PO, Cochin-36  
residing at 26/219,  
Neelagiri Building, Cochin-13 .. Applicant

By Advocate Mr. Babu Cherukara

Versus

1. Union of India represented by  
the Secretary to Department of Posts,  
New Delhi.
2. The Director General of Posts,  
Dak Bhavan, Sansad Marg, New Delhi-110001
3. Post Master General,  
Central Region, Kochi-16
4. The Senior Superintendent of Post  
Offices, Cochin-11 .. Respondents

By Advocate Mr. TPM Ibrahim Khan, SCGSC

The application having been heard on 7-10-1997, the  
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

The applicant, who was posted as Lower Selection Grade Supervisor by A-2 order, is aggrieved by his not being given a higher grade from 1-10-1991 even though he is senior to certain persons who have been given the higher grade under the Biennial Cadre Review scheme.

2. Respondents submit that the Lower Selection Grade Supervisory post is filled by calling for voluntary offers

contd..2.

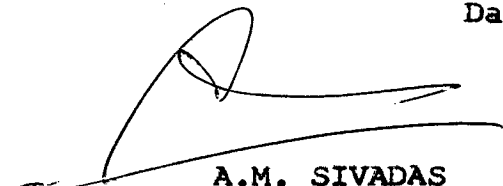
and no selection is involved. As shown in A-2 the applicant was only given a transfer based on his willingness and was posted as Lower Selection Grade Supervisor. They further submit that Lower Selection Grade Supervisory post is not a promotion post of Lower Selection Grade officials, but is only a post carrying an allowance. This does not grant the applicant any seniority over others who have not given their willingness for the Lower Selection Grade Supervisory post. Respondents also submit that no junior of the applicant has been promoted to the higher grade under the Biennial Cadre Review scheme.

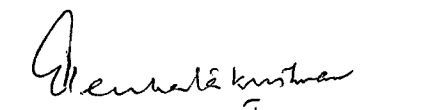
3. The grant of higher grade under the Biennial Cadre Review scheme is on completion of 26 years of service. However, if a junior is promoted to the higher grade under the Biennial Cadre Review scheme, then his seniors are entitled to be considered for such grant of higher grade, despite the fact that they have not completed 26 years of service, in terms of the directions issued by the Tribunal in earlier cases. In this case, the respondents have specifically stated that no junior of the applicant has been granted the higher grade under the Biennial Cadre Review scheme and it is not in dispute that the applicant has not completed 26 years of service. Therefore, the prayer of the applicant for grant of higher grade under the Biennial cadre Review Scheme from 1-10-1991 cannot be granted.

4. If the applicant has any grievance regarding his seniority in the Lower Selection Grade, he is free to state his grievance before the appropriate forum for relief.

5. The application is dismissed. No costs.

Dated the 7th of October, 1997

  
A.M. SIVADAS  
JUDICIAL MEMBER

  
P.V. VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER

LIST OF ANNEXURE

1. Annexure A2: True copy of the relevant abstract of the order vide Memo No.88-14/VII/89 issued by the 4th respondent, dated 15.4.1989.

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