

CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCHO.A.NO.: 423 OF 2005[Patna, this Monday, the 19th Day of May, 2008]C O R A M

HON'BLE MR. SHANKAR PRASAD, MEMBER [ADMN.]

HON'BLE MS. SADHNA SRIVASTAVA, MEMBER [JUDL.]

.....

Muneshwar Manjhi, son of Bina Manjhi, Postal Assistant, Bankipore H.O.,
Patna 800 004, resident of village – Kalawanchak, P.O.: Keora, via. Punpun,
District – Patna.APPLICANT.

By Advocate :- Shri S.K.Bariar for Shri S.N.Tiwary.

Vs.

1. The Union of India through the Secretary, Ministry of Communication, Department of Posts, Govt. of India, New Delhi -cum-The Director General, Department of Posts, India, Dak Bhavan, New Delhi 110 001.
2. The Chief Postmaster General, Bihar Circle, Patna-800 001.
3. The Senior Superintendent of Post Offices, Patna Division, Patna – 800 004.RESPONDENTS.

By Advocate :- Shri B.K.Prasad, ASC.

O R D E R [ORAL]

Shankar Prasad, M[A] :- Aggrieved by the action of the respondents in not granting him the OTBP benefits after completion of ten years of service, the applicant has preferred the present OA.

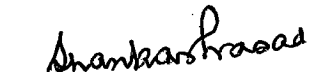
2. The applicant is a Postal Assistant under the respondents and was appointed in June, 1991. He is a member of scheduled caste. It is the contention of the applicant that the Department of Posts have issued a circular regarding grant of benefits of TBOP on completion of ten years of service. Such a circular has not been brought on record.

The respondents have resisted the application stating that the TBOP can be granted only after 16 years of service. We recollect that the TBOP and the BCR Schemes were originally introduced in which a provision had been made that reservation applies in such cases and in case of under representation of members belonging to SC/ST, the members belonging to *Sn*

those categories would be promoted without completing 16 years of service. It was subsequently held that reservation is not applicable in such cases and the said circular perhaps has also been withdrawn. However, neither the applicant nor the respondents have brought any of the circular on record.

3. In view of above, there is no merit in the OA and the same deserves to be dismissed. It is dismissed accordingly, with no order as to costs.


[Sadhna Srivastava]/M[J]


[Shankar Prasad]/M[A]

skj.