

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL - HYDERABAD BENCH : HYDERABAD

OA / TA / RA / CP / MA / PT ..... 1244 ..... of 1997

..... P. V. Sureshwaran Sastri, et al. vs. Respondent(s)

Versus

..... The Secretary & Director General, Respondent(s)  
Dept of Posts New Delhi as aforesaid

INDEX SHEET

Serial No.	Description of Documents	Pages
Docket Orders	—	
Interim Orders	—	
Orders in MA (s)	—	
Orders in (Final Orders)	17.9.87 MA 21/98 on 19-1-88	77 1/80 89 1/82 17082

Certified that the file is complete  
in all respects.

(Signature of  
in-charge  
Record Section)

Signature of S.O.

*Parbat Singh  
Deputy S.O.  
10/3/97*

-- 2 --

OA. No. 2134/92.

Date	Office Note	Orders
		<p><u>17-9-92.</u></p> <p>MA. 688/92 is allowed.</p> <p>Order vide MA sheets.</p> <p>Register the OA.</p> <p>OA is ordered at the admission stage itself.</p> <p>Order vide separate sheets. No costs.</p> <p><u>J</u> <u>P</u></p> <p>HBSJP M(S) HRRN M(B)</p>
21-10-92		<p>No point need classification in the judgement. Hence no order is necessary.</p> <p><u>J</u> <u>A</u></p> <p>HBSJP M(S) HRRN M(A)</p>

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH: HYDERABAD.

O A. NO. \_\_\_\_\_ OF 1997.

P. Viswanatha Sastry & ors \_\_\_\_\_ Applicant(s)

V E R S U S

Mr. Secretary & Director-General, D.O.P.O. \_\_\_\_\_ (Respondent)

New Delhi & anoth

Date	Office Note	ORDER
		<u>23-7-97.</u>
		MA. 689/97 is a Moted Order vide MA sheets. No cost <u>MA. 688/97</u>
<u>8/9/97</u>		<u>Notice.</u> List it on 27/8/97.  <u>JY</u> HBSJP m (S) <span style="float: right;">✓</span>  <u>HRRN</u> m (A) <span style="float: right;">✓</span>  <u>list it on 12/9/97.</u>  <u>JY</u> HBSJP m (S) <span style="float: right;">✓</span>  <u>HRRN</u> m (A). <span style="float: right;">✓</span>

From:

KOTA BHASKARA RAO,  
M.Com., L.L.B.  
Advocate.  
Additional Central Govt.  
CAT,  
HYDERABAD.

To

The Registrar,  
CAT, Hyderabad Bench,  
HYDERABAD.

FOR BEING MENTIONED

The OA 1244/97 was disposed of on 17-9-97 with a direction that R1 and R2 should dispose of the representations of the applicants judiciously takeup due note of the observations/directions given in OA 1022/95 dt 13-12-95 within a period of two months from the date of receipt of a copy of the Judgement and the OA was ordered accordingly at the admission stage.

It is submitted that the officials against whom the applicants claimed seniority were transferred under Rule 38 of P & T manual. Vol IV and were promoted to LSG cadre under T BOP Scheme vide ST/47-45/Co-Ro's/93 dt 4-1-94. The applicants submitted identical representations against the orders dt 4-1-94. After that the respondents issued modification orders vide 22-5/95-PE-I dt 8-2-96 and 22-5/95-PE-I dt 26-3-96 and the same were circulated to all the employees. As the representations of the applicants were identical no individual replies were given to them by the respondents. The applicants have not submitted any representations after issue of the modified orders dt 8-2-96 and 26-3-96. As such the order dt 17-9-97 needs modification. It is therefore requested to post the above OA under for being Mentioned after circulation.

*Bascala*

(KOTA BHASKARA RAO).

Recd

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Co-nded

16/X/97

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(000)  
C.M.  
17/10/97  
Conclsd

CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH

ORIGINAL APPLICATION NO. OF 1997.

P. Venkateswara Saty & Sons Applicant (s)

VERSUS

Union of India, Repd. by. Secretary & Director General,

Dept of Posts, Dale Mahanay.

New Delhi - 110001 & env

Respondent(s)

The application has been submitted to the Tribunal by  
Shri TVVS Murthy Advocate/  
Party- in Person Under Section 19 of the Administrative  
Tribunal Act, 1985 and the same has been scrutinised with  
reference to the points mentioned in the check list in the  
light of the Provisions in the Administrative Tribunal  
(Procedure) Rules 1987.

The Application is in order and may be listed for  
Admission on \_\_\_\_\_

MAs (2) to be listed for

  
Scrutiny Asst.

  
DEPUTY REGISTRAR (JUDL)

11. Have legible copies of the annexure duly attested been filed. *ey*
12. Has the applicant exhausted all available remedies. *ey*
13. Has the Index of documents been filed, and pagination done Properly. *ey*
14. Has the declaration as required by item No. 7 of form, I been made. *ey*
15. Have required number of envelops (file size) bearing full addresses of the respondents been filed. *ey*
16. (a) whether the relief sought for, arise out of single cause of action. *ey*  
(b) whether any interim relief is prayed for, *ey*
17. In case an MA for condonation of delay in filed, is it supported by an affidavit of the applicant. *ey*
18. Whether this case be heard by single Bench. *-*
19. Any other Point. *-no-*
20. Result of the Scrutiny with initial of the Scrutiny clerk.

*may be number of*

*①*  
*16(3)(g)*  
Scrutiny Assistant.

Section Officer.

Deputy Registrar.

Registrar.

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH : HYDERABAD.

Dairy No.: 2134197

Report in the Scrutiny of Application.

Presented by Sh. T. V. S. Murthy, Adv. Date of Presentation.

Applicant(s) P. U. Swaminarayanan Sastri & Son 15-7-97.

Respondent (S) Secretary & Director General, DIFCRA, Date Received

Nature of grievance Prisoners new Delhi & env.

No. of Applicants

9

No of Respondents?

CLASSIFICATION

Subject Promotion (20) (No.) Department Postural (No.) 11

1. Is the application in the proper form, (three complete sets in paper books form in two compilations.)
2. Whether name, description and addressed of all the Parties been furnished in the cause title.
3. (a) Has the application been fully signed and verified.  
(b) Have the copies been duly signed.  
(c) Have sufficient number of copies of the application been filed.
4. Whether all the necessary Parties are impleaded.
5. Whether English translation of documents in a language other than English or Hindi been filed.
6. Is the application on in time, (See Section 21)
7. Has the Vakalathama/Memo of Appearance/Authorisation been filed.
8. Is the application maintainability, (J/S. 2, 14, 18, or U/R. 8 etc.)
9. Is the application accompanied IPO/DO, for Rs. 50.
10. Has the impugned orders Original, duly attested legible copy been filed.

P<sub>2</sub>T<sub>1</sub>O<sub>5</sub>

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH: HYDERABAD

INDEX SHEET

O.A.NO. 1244 OF 1997.

CAUSE TITLE P. Viswanatha Satry & Ors

VERSUS

the Secretary & D.G. of Posts, New Delhi &

anot's

SL. NO.	Description of Documents	Page No.
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2.	MATERIAL PAPERS	15 to 72
3.	Vakalat	1
4.	Objection Sheet	1
5.	Spare Copies <u>2 (Two)</u>	
6.	Covers <u>A</u>	

Regr. to Gram. dt. 22-7-93 issued by R-1  
 and direct the respondents to modify the Scheme suitably  
 to protect the officials like the applicants for their promotion to  
 LSG cadre and direct the respondents to promote them to LSG  
 cadre w.e.f 26-6-93 BENCH AT HYDERABAD-4

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD

CASE NO. 26-6-93 BENCH AT HYDERABAD-4

O.A. No. 1244 of 1997

Promotion (20)

*Ansba*

Chronological Statement of Events

Postal (11) (c)

Sl. No.	Date	Event
A-1	01-07-86	Circle gradation list as on 01-07-86.
A-2	01-07-96	" " 01-07-1996.
A-3	22-07-93	Order No. 4-12/88-PEI(Pt) dated 22-07-93 on D.G Posts (R-1) introducing TBOP/BCR scheme in C.Os/R.Os.
A-4	07-01-94	Memo. No. ST/47-5/Co/BOP/93, dated 07-01-94 issued by the CPMO, Hyderabad (R-2) bringing all the staff in C.Os/R.Os under the scheme.
A-5	04-01-94	Memo. issued by R-2 promoting the juniors to the applicants to LSG Cadre under the TBOP scheme (No. ST/47-5/Co/ROS/TBOP/93, dated 06-01-1994).
A-6	05-12-94	- do - (No. ST/47-5/Co-ROS/TBOP/ dated 05-12-1994)
A-7	31-08-95	- do - (No. ST/47-5/C-Ros/TBOP/95-96, dated 31-8-95)
A-8	26-12-95	Clarifications on TBOP/BCR scheme from DG posts (R-1) (D.O.Lr. No. 22-5/95/PEI dated 26-12-1995).
A-9	08-02-96	- do - (Lr. No. 22-5/95/PEI, dated 08-02-1996)
A-10	26-03-96	- do - (Lr. No. 22-5/95-PE.I, dated 26-03-1996)
A-11	24-09-96	- do - (Lr. No. 44-60/96-SPB.II, dated 24-09-1996)
A-12	-	Extract of Rules from P & T Manual Vol. IV.
A-13	13-12-95	Judgement dated 13-12-1995 in O.A. No. 1022/95 of the Hon'ble CAT, Hyderabad Bench.
A-14	24-02-1995	Judgement dated 24-02-1995 in O.A. 45/91 of the Hon'ble Principal Bench, CAT, New Delhi.
A-15 to A-23	23-12-94	Identical representations submitted by the applicants to R-2 to promote them to LSG from the date their junior a were promoted.

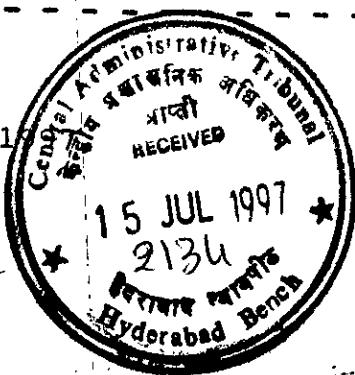
Hyderabad,

Dt: 30-06-1997

RECEIVED COPY

P. N. R. T. 15/7/97  
Sr. 2003

Allotted to:



*g. Murthy*  
Counsel for the Applicants.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH  
AT HYDERABAD-4

O.A.No. 1244 of 1997

Title of the Case : P.VISWESWARA SAstry & 8 others Vs.  
U.O.I & another

INDEX OF MATERIAL PAPERS

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3.	Extracts from circle Gradation list as on 01-07-1996 issued by R-2	A2	23 to 30
4.	Order No.4-12/88-PE-I (Pt) dated 22-07-1993 issued by the D.G.Posts (R-1)	A3	31 & 32
5.	Memo.No.ST/47-5/COT BOP/93, dated 07-01-1994 issued by R-2	A4	33
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8.	D.O.Letter No.22-5/95/PE-I. dated 26-12-1995 from R-1	A7	38
9.	Letter No.22-5/95-PEI dated 08-02-1996 from R-1	A8	39
10.	Letter No.22-5/95-PEI dated 26-03-1996 from R-1	A9	40 & 41
11.	Letter No.44-60/96-SPB II dated 24-09-1996 from R-1	A10	42
		A11	43 & 44

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(1) (2) (3) (4)  
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12. Extracts of Rules 27-B  
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13. Judgement dated 13-12-1995  
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A14

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15. Identical Representations  
submitted by applicants No.1 to  
9 on 23-12-1994 R-2

A15 to  
A-23

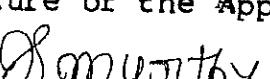
64 to 72

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HYDERABAD,

Dated : 30 -06-1997.

  
Signature of the Applicant No.4

  
Signature of Counsel for the Applicants.

For Office use

Date of Filing:

Registration No.

for Registrar.

IN THE CENTRAL ADMINISTRATIVE TRIBHAN, HYDERABAD  
BENCH AT HYDERABAD-4

(Under Section 19 of the A.T.ACT, 1985)

O.A.No. (244 of 1997.

BETWEEN:

1) P.Visweswara Sastry  
S/o P.V.Appiah Sastry,  
aged 41 years, Lower Selection Grade,  
Postal Assistant, (LSGPA-for short)  
Office of the Chief Postmaster, General,  
A.P.Circle (O/o CPMG-for short),  
Hyderabad-1.

2) ~~Mr.~~ Yadagiri S/o N.Satyanarayana,  
Aged 43 years, LSGPA, O/o CPMG,  
Hyderabad-1.

3) S.Narsaiah, S/o Shalu (SC),  
Aged 39 years, LSGPA, Office of the  
Postmaster General (O/o PMG - for short),  
Hyderabad-1.

4) R.B.M.Singh, S/o Late R.B.Premsingh,  
aged 40 years, LSG PA, O/o, CPMG,  
Hyderabad-1.

5) Ch.Subba Lakshmi D/o Late Ch.Subrahmanyam,  
Aged 43 years, LSG PA, O/o CPMG,  
Hyderabad-1.

6) Smt.Viola Samuel, W/o M.Samuel,Prabhucharan,  
Aged 39 years, LSGPA, O/o CPMG, Hyderabad-1.

7) R.B.Shobha Rani W/o R.V.Bhadraiah (SC),  
aged 35 years, LSG PA, O/o CPMG, Hyd-1.

8) Jagdeshwar S/o Balaiah (SC),  
Aged 45 years, Postal Assistant  
(PA-for short), O/o CPMG, Hyd-1.

9) L.Venugopala S/o A.L.Pillai,  
Aged 43 years, Development Officer  
(PLI) (LSG PA), O/o CPMG, Hyderabad-1.

.... Applicants.

A N D

1) The Union of India rep. by the  
Secretary and Director-General,  
Department of Posts, Dak Bhavan,  
New Delhi-110 001.

2) The ~~Gen~~ Chief Postmaster General,  
A.P.Circle, Hyderabad-01.

.... Respondents.

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ADDRESS FOR SERVICE OF NOTICES ON THE APPLICANTS IS THAT OF THEIR COUNSEL:-

T.V.V.S.Murthy, Advocate, & Y.Appala Raju, Advocate,  
H.NO.B-361, Phase-II,  
Residential Complex,  
Vanasthalipuram,  
Hyderabad-500 070.

(a) PARTICULARS OF ORDERS AGAINST WHICH THE APPLICATION IS MADE:-

i,ii,iii) Director-General, Department of Posts (D.G.Posts-for short) (R-1) New Delhi Memo.No.4-12/88-PEI (Pt) dated 22-07-1993. (Annexure A-3 at Page No. 31 & 32) and letters No.22-5/PEI, dated 08-02-1996 (Annexure-A9 at Page No. 40 & 41) and 44-60/96-SPB-II dated 24-09-1996 (Annexure A-11 at P.No. 43 & 44)

iv) CPMG, Hyderabad (R-2) Memos.No.ST/47-5/Co-ROS/TBOP/93, dated 04-01-1994, ST/47-5/Co-ROS/TBOP, dated 05-12-1994 & ST 5/Co-ROS/TBOP/95-96, dated 31-08-1995. (Annexure A5, 6 & 7 at P.Nos. 34 to 38)

v) Representations dated 23-12-1994 of the applicants herein to R-2 (at Annexures A-15 to A-23 at P.No. 64 to 72)

1(b) SUBJECT IN BRIEF:-

The erstwhile juniors to the applicants herein were promoted to the higher cadre-LSG with effect from 26/6/1993 under the time Bound-one-promotion (TBOP for short) Scheme, ignoring their seniority in the LDC and postal Assistants cadre, due to anomalies in the scheme.

2. JURISDICTION OF THE TRIBUNAL:-

The applicants herein submit that the subject matter of the orders against which they want redressal is within the jurisdiction of this Hon'ble Tribunal as per section 14(i)(b) (ii) of the A.T.Act, 1985, as the applicants have been working as postal Assistants in the offices of the CPMG, Hyderabad and PMG, Hyderabad.

3. LIMITATION:-

The applicants submit and declare further that the application is within the limitation period prescribed in section 21 of the A.T.Act, 1985 as their representations dated 23-12-1994 addressed to R-2 vide Annexures A 15 to A 23 at pages No 64 to 72 have not yet been replied to. However a M.A to condone the delay in filing this O.A. is filed separately.

4. FACTS OF THE CASE:-

4.1. The applicants submit that they were initially appointed as Lower Division Clerks (LDCs-for short) in the office of the CPMG, Hyderabad and the regional offices. Their dates of initial appointment are shown under cols.5 of the circle Gradation list as on 01-07-1986 at internal P.No.16 to 21 (Annexure-A1 at P.No. 15 to 22) and as shown under col.5 of the circle Gradation list as on 01-07-1996 at internal P.No.9 to 16 (Annexure-A2 at P.Nos 23 to 30 )

4.2. The applicants submit that the Director-General, Department of Posts (D.G.Posts -for short) (R-1), by an order No.4-12/88-PEI (Pt) dated 22-07-1993 (Annexure A-3 at P.Nos. 31/32) extended the Time-bound-one-promotion (TBOP-for short) scheme and Biennial cadre Review (BCR-for short) scheme to the Group 'C' staff of the Administrative Offices (Circle Office and Regional Offices) in the Department of posts with effect from 26-06-1993.

4.3. Para 3.12 of the order dated 22-07-1993 (Annexure-A3  
31/32 of P.No. reads as under:-

3.12. Under this scheme, only such officials as have completed 16 and 20 years service in the Postal Assts/UDC/LDC Grade will be eligible for promotion to the next higher grades of Rs.1400-2300 and Rs.1600-2660 respectively, if they are otherwise eligible. In cases where a senior has not completed the prescribed period of service, whereas his/her junior has become eligible, then only

the junior shall be considered eligible, for promotion. However, when the senior completed the prescribed service and is adjudged suitable for promotion then his/her original seniority will be restored vis-s-vis his/her junior in the lower grade. In such cases, promotion under this scheme will be subjected to the condition that the senior employee shall not be able to claim the benefit of higher pay fixation merely on the ground that officials who were junior to him in the lower grade are now drawing higher pay by virtue of early promotion.

4.4. Para 3.14 of the order dated 22-07-1993 (Annexure A-3) at P.Nos. 318/32 reads as follows:-

"3.14 the existing LDCs/UDCs/LSG 73rd quota officials who do not <sup>opt</sup> ~~opted~~ for this scheme will not be eligible for consideration against the existing promotional channels".

4.5. The applicants submit that all the Group 'C' staff in the circle and Regional Officers were brought under the the new scheme of TBOP/BCR by the CPMG, Hyderabad (R-2) by his office Memo.no.ST/47-5/COT BOP/93, dated 07-01-1994 (Annexure A4 at P.No. 33 )

4.6. The applicants submit that the CPMG, Hyderabad (R-2) by his office Memo.No.ST/47-5/Co-ROS/TBOP/93, dated 04-01-1994 (Annexure A-5 at P.Nos 34 to 36) promoted some of their juniors like Smt.A.Sesharatnam and Sri D.Sanjeeva vide Sl.Nos.85, and 86 of the said Memo.dated 04-01-1994 (Annexure-A5) to the LSG cadre in the pay scale of Rs.1400-2300 under the TBOP scheme, with effect from 26-06-1993 on the ground that they have completed 16 years of service.

4.7. The applicants submit that the applicants No.1,2,4,5,8 & (excluding applicant No.3 & 7) are shown respectively at Sl.No.22, 28,24,26,17,34 & 25 of the seniority list of permanent LDCs at internal pages 16 to 18 of the circle gradation list as on 01-07-1993

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as they joined the CO/RO on 15-06-1988 and 02-06-1988 as UDCs subsequent to the issue of the list.

4.8. The applicants submit that the applicants No.1 to 7 & 9 (excluding applicant No.8) are now shown under the head LSG 'Postal Assistant's at internal P.No.9 of the latest Gradation list as on 01-07-1996 (Annexure-A2 at P.Nos. 23 to 30 ) at serial Nos.53, 58, 45, 54, 56, 48, 43 & 55, respectively, whereas applicant No.8 is shown at sl.no.5 under the head "postal Assistants" at P.11 of the said list (P.No. 23 to 30 )

4.9. The applicants submit that Smt.A.Sesharathnam, LDC, SBCO, who was transferred under Rule 38 of P & T Manual Vol. IV to the circle office on 1982 and who was shown at Sl.No.8 of the circle gradation list as on 01-07-1986 at internal Page 19 (Annexure-A1 at P.No. 15 to 22) under tempoary LDCS, and who was junior to all the applicants herein who are permanent LDCs and UDCs, was promoted to the LSG cadre with effect from 26-06-1993 under the TBOP scheme, on the ground that she completed 16 years of service vide the CPMG, Hyderabad (R-2) Memo.No.ST/47-5/Co-ROS/93, dated 04-01-1994 (Annexure A5 at Page No. 34 to 36 ) Sl. She figured at Sl. 67 under PA in Annexure-A2 at P.No. 28. vide no.85 thereof. Similarly Shri D.Sanjeeva LDC, SBCO, who was transferred under Rule 38 of P & T Manual Vol.IV on 10-12-1986 (Vide R-2's Memo.No.ST/44-22/2/84, dated 10-11-1986 and who did not at all figure in the circle gradation list (Annexure-A1) as on 01-07-1986, and who figured at sl.no.77 of the circle gradation list as on 01-07-1996 under postal Assistants at internal page 15 of the list (Annexure No.A2 at Page No. 23 to 30 ) and who was thus junior to all the applicants herein was similary promoted to the LSG Cadre with effect from 26-06-1993 vide sl.no.86 of R-2's Memo.No.ST/47-5/Co-ROS/TBOP/93, dated 04-01-1994 (Annexure A5 at Page No. 34 to 36 . )

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4.10. The applicants submit that similarly some other officials vizs., Shri J.Ammaji, T.P.Sastry, V.R.Vijayabhaskar P.Srinivasa Reddy and at G.C.Saibaba at Sl.Nos.56,72, 84, and 89 of the gradation list dated 01-07-1996 (Annexure-A2) who were transferred under Rule 38 of P & T Man Vol.IV, and who were junior to the applicants herein were promoted as LSG PAS on the ground that they completed 16 years of service, superseding the applicants (Vide R-2's Memo.No.ST/47-5/Co-ROS/TBOP, dated 05-12-1994 (Annexure-A6 at P.No. 37 ) & Memo.No.ST/47-5/Co-ROS/TBOP 95-96, dated 31-08-1995 (Annexure A7 at P.No. 38 )

This is an anomaly arising out of the TBOP scheme which requires to be rectified by modifying the TBOP scheme suitably to protect the interest of the officials like the applicants for their promotion from the PA cadre to the LSG cadre from the date their juniors were promoted. But in the subsequent modifications and clarifications issued by the D.G.Posts (R-1) so far this aspect has not yet been considered.

4.11. Inview of the anomaly arising out of the promotion of their juniors, the applicants herein submitted identical representations on 23-12-1994 vide Annexures A15 to A23 at P.no. 641072 to the CPMG, Hyderabad (R-2) requesting him to promote them also as LSG. PAs with effect from 26-06-1993, the date on which their juniors were promoted. But no reply has been received from R-2 with reference to these representations so far.

4.12. The applicants submit that the existing Recruitment Rules for promotion to the LSG cadre in the circle, Offices made under the proviso to Art.309 of the constitution, cannot be substituted by the TBOP/BCR scheme introduced through an administrative circular dated 22-07-1993 (Annexure A3 at P.No. 31092) to the disadvantage of the applicants. It is now well settled that administrative instructions cannot modify or annul the provisions in the Recruitment Rules framed under proviso to Art 309

of the constitution (of the constitution), cannot be substituted by the TBOP/BCR scheme introduced through an administrative circular dated 22-07-1993 (Annexure A3 at P.No. 19) to the disadvantage of the applicants. It is now well settled that administrative instructions cannot modify or annul the provisions in the Recruitment Rules framed under proviso to Art 309 of the constitution, unless the anomalies pointed out by the applicants in the TBOP/BCR scheme are considered and removed. It is unfortunate that R-1 and R-2 are not yet seized of this position to remove these anomalies in the TBOP scheme.

4.13. The applicants submit that in pursuance to the decision dated 27-09-1994 of the Hon'ble CAT, Hyderabad Bench in O.As 961/93, and 352/94, it was decided by R-1 to implement the judgement, as the SLP filed by the Department was dismissed, and it was intimated by D.G.Posts (R-1) vide his office D.O. letter No.22-5/95-PE.II dated 26-12-1995 (Annexure A8 at P.No.39)

that it was agreed in principle to modify the BCR scheme and that further instructions would follow.

4.14. The applicants submit that the D.G.Posts (R-1) vide his office Memo.No.22-5/95-PE.I dated 08-02-1996 (Annexure A-9 at P.No. 40&41) rectified some of the anomalies in the schemes partially but still maintained that this clarification will, however, not be applicable to the officials who are senior to those officials brought on transfer under Rule 38 of P & T Manual Vol.IV and are placed in the next higher scale of pay by virtue of length service. Thus the applicants are discriminated against in violation of Art.14 of the constitution.

4.15. The applicants submit that the D.G.Posts (R-1) vide his office Memo.No.22-5/95-PE.I, dated 26-03-1996 (Annexure A-10 at P.No. 42) further clarified that the modifications of the scheme issued by the order dated 08-02-1996 (Annexure A9)

at P.No. 40841 are also applicable to such officials whose seniority was adversely affected by implementation of the TBOP scheme also, (I promotion), and that issues pertaining to seniority, dispute of promotion under Rule 38 of P & T Man Vol.IV, and other related issues, should be taken up with the staff Branch.

4.16. The applicants submit that the D.G.Posts (R-1) by his office letter No.44-60/96-SPB-II, dated 24-09-1996 (Annexure A11 at P.No. 43844) while reiterating the earlier stand that the modifications are applicable to officials whose seniority was adversely affected by the implementation of the TBOP scheme also, still persists that the officials senior to Rule 38 transferees will not be eligible for promotion to the higher scale, when a Rule 38 transferee gets his promotion on the basis of length of service. The clarifications to points No.4, 7, 9, 13 and 15 in the order dated 24-09-1996. (Annexure A-11) ~~at P.43844~~ may kindly be seen. These clarifications are ambiguous and self-contradictory.

4.17. The applicants submit that the stand taken by R-1 in his clarifications is in violation of the various Rules in P & T Man Vol.IV which lay down as shown below.

- i) Rule 27-B of P & T Man Vol.IV:- Promotion to the LSG of the Clerical cadre should be made normally in order of seniority.
- ii) Rule 38 of P & T Man. Vol.IV:- Rule 38 transfer is approved only without injury to the rights of others. In order to safe-guard the rights of men borne in the gradation list, the official brought in should take the place in the new gradation list that would have been assigned to him had he been originally recruited in the unit.

iii) Rule 38 (ii) of P & T Man. Vol.IV: When an official is transferred at his own request but without arranging for mutual exchange, he will rank junior in the gradation list of the new unit.

iv) Rule 27 2-A(i) of P & T Man.Vol.IV:- Promotion to LSG in circle office in General line is made normally

in order of seniority.

An extract of the above Rules is enclosed as Annexure-A12  
at P.No. 45 to 50

4.18. The applicants submit that in view of the violation of the Recruitment Rules and other Rules in the P & T Man. Vol. IV, the TBOP scheme and the clarifications issued thereon by R-1 are arbitrary, illegal and violative of Arts 14 & 16 of the constitution of India, as the applicants who are senior are not being promoted to the higher scale of LSG from the dates their earwhile juniors were promoted.

4.19. The applicants submit that the Recruitment Rules have not been amended and the Recruitment Rules do not provide for the eligibility condition of 16 years of length of service for promotion to the LSG Cadre. The applicants are therefore deprived of their right for promotion to LSG based on their seniority as per the existing Rules which have not yet been amended. The TBOP scheme has not provided any relief to the officials like the applicants who are seniors in LDC/UDC/PA cadre. They can also be given the relief by considering their cases for promotion as per their seniority in LDC/UDC/PA cadre.

#### 5. GROUNDS FOR RELIEF WITH LEGAL PROVISIONS:

5.1. The applicants submit that they were selected by the Staff Selection Commission by merit and have become senior. The introduction of the TBOP scheme of promotion after 16 years of service in the basic grade cannot be allowed to act arbitrarily in which the seniors will be in the lower scale, while

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their juniors will be placed in the higher scale. In a similar case relating to the BCR scheme, the Honourable CAT, Bangalore Bench in its decision dated 03-08-1993 in O.A.408/92 observed: "In our opinion, this is an unacceptable position and the BCR scheme has been introduced arbitrarily without looking into the possible effects on officials like the applicants. We do not find any justification at all in such senior officials also not being promoted to Grade-III as per their seniority while granting promotions to others based on the length of their services."

5.2. The applicants submit that the same ratio was followed by this Honourable Tribunal in O.A.No.1022/95 decided on 13-12-1995 in deciding the promotion of officials from the LSG to the H.S.G.II cadre. A copy of the said judgement is enclosed as annexure A-13 at P.Nos. 51 to 56. The same ratio was followed by this Honourable Tribunal in O.A.No.352/94 & 961/93, decided earlier on 29-07-1994, and in O.A.Nos.65/1995, 766/95 & 138/95 decided on 15-11-1996.

5.3. The applicants submit that in O.A.45/91 decided on 24-02-1995, the Honourable <sup>9</sup> Principia Bench, New Delhi held (Vide Para 2 at P.No.4) that seniors cannot be ignored just because they had not completed requisite number of years for being eligible to LSG. A copy of the said judgement is enclosed as Annexure A-14 at P.No. 57 to 63.

5.4. It is submitted that the accrued rights of the applicants to get promotion to LSG earlier than their juniors cannot be altered or taken away by the Respondents No. 1 & 2. The eligibility condition of 16 years service for promotion to LSG cadre cannot be made applicable to them.

5.5. It is submitted that the applicants by virtue of their seniority in the gradation list should be promoted to LSG cadre before promoting their juniors with effect from 26-06-1993.

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5.6. It is submitted that the TBOP scheme is not an amendment to Rule 27-B of the P & T Manual Vol.IV and the Recruitment Rules, but that it is only an administrative order.

5.7. It is submitted that in the clarifications issued by the D.G.Posts (R-1) in his letter dated 08-02-1996 and 24-09-1996 (Annexures A-9~~Y~~ and A-11 at P.No. 40841 and 43844) no provision is made for protecting the right of promotion of the applicants herein such as LDGs and UDCs working on adhoc basis to the next higher grade i.e., LSG cadre based on the inter-se-seniority of the officials in the lower grade, though it is stated in para 3 of R-1's letter dated 08-02-1996 (Annexure A9 at P.No. 40841) that it will be kept in tact for the purpose of eligibility for promotion to next higher grade.

**6. DETAILS OF REMEDIES EXHAUSTED:-**

The applicants submitted representations dated 23-12-1994 (Annexures A 15 to A 23 at P.Nos. 647072) to the Chief Postmaster-General, A.P.Circle, Hyderabad (R-2) in this regard, but no reply has been received by them so far. Aggrieved by this, the applicants have filed this O.A. seeking justice, as there is not other statutory remedy.

**7. MATTERS NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT:-**

The applicants declare that they have not filed any application, writ petition or suit ~~suit~~ regarding the subject matter for which this application is made, before any court or any other Bench of this, ~~the applicants have not filed any application, writ petition or suit~~ ~~any other Bench of this, as the applicants have not filed any application, writ petition or suit~~ Tribunal nor any other application, writ petition or suit is pending before any of them.

**8. RELIEF SOUGHT:-**

In view of this facts mentioned in para 4 above and the grounds mentioned in para 5 above, the applicants ~~herein~~ ~~herein~~

pray that this Hon'ble Tribunal may be pleased:-

- i) To call for the relevant records relating to this case;
- ii) to quash the D.G.Posts (R-1) Memo.No.4-12/88-PEI (Pt) dated 22-07-1993 (Annexure-A3 at P.No. 31 & 32 ) and the clarifications issued by R-1 in his office letters No.22-5/95-PEI, dated 08-02-1996 (Annexure A9 at P.No. 40 & 41 ) and No.44-60/96-SPB-II, dated 24-09-1996 (Annexure A11 of P.No. 43 & 44 ) to the extent that they deprive the applicants herein from their promotion the LSG cadre from the date their juniors were promoted, and direct the D.G.Posts (R-1) to modify the scheme suitably to protect the interests of the officials like the applicants herein for their promotion from the postal Assistants cadre to the LSG cadre from the date their erstwhile juniors are promoted; and
- iii) to direct the Respondents herein to consider the promotion of the applicants to LSG cadre (Rs.1400-2300) without insisting on the condition of their completing 16 years service in the basic cadres as stipulated in the TBOP scheme, by virtue of their seniority in the LDC and PA cadres to their juniors who were promoted to the higher cadre by virtue of their having completed 16 years of service in the basic cadres, with effect from the date their erstwhile juniors were promoted to LSG cadre (Rs.1400-2300) i.e., with effect from 26-06-1993 with all consequential service and monetary benefits including seniority and payment of arrears of pay and allowances with interest at 18% p.a. from such date, or pass such other order or orders as deemed fit and necessary in the circumstances of the case.

9. INTERIM RELIEF PRAYED FOR:-

The applicants further pray that as the case is a covered case ~~of~~, the case may kindly be disposed of early by fixing an early date for final hearing and pass such other orders or orders as deemed fit and proper in the circumstances of the case.

10. APPLICATION IS SUBMITTED THROUGH THEIR COUNSEL:

Shri T.V.V.S.Murthy, & Y.Appala Raju, Advocates,

H.No:B-361, Phase-II, Residential Complex, Vanasthalipuram, Hyderabad-500 070.

11. PARTICULARS OF INDIAN POSTAL ORDERS FILED IN RESPECT OF APPLICATION FEE:-

i) No. of Indian Postal Order. 8/10/437647 - Rs.50/-

ii) Name of issuing P.O : Vanasthalipuram S.O

iii) Date of issue of IPO : 28-6-97

iv) Name of P.O at which payable : Hyderabad G.P.O

12. LIST OF ENCLOSURES:

i) Application

ii) Material papers as per index

iii) Vakalat

iv) Crossed IPO for Rs.50/- as stated above.

v) Addressed envelopes with acknowledgments.

VERIFICATION

We, the applicants herein as shown in the cause title, occupation, LSG Postal Assistants, Office of the Chief Postmaster General, Andhra Pradesh, Circle, Hyderabad and the P.M.G. Hyderabad and residents of Hyderabad, do hereby verify on our behalf that the contents of paras 1 to 4 and 6 to 12 above are true to our personal knowledge and those of para 5 are believed to be true as per legal advice ~~and~~ and we have not suppressed any material facts.

S/Shri

1. P.V. Sastry

P. Visweswara Sastry

2. N. Yadagiri

~~N. Yadagiri~~

3. S. Narsaiah

~~S. Narsaiah~~

4. R.B.M. Singh

~~R.B.M. Singh~~

5. Smt. Ch. Subbalakshmi

Ch. Subbalakshmi

6. Smt. Viola Samuel

~~Viola Samuel~~

7. R.B. Shobha Rani

~~R.B. Shobha Rani~~

8. Jagadeeshwar

~~Jagadeeshwar~~

9. L. Venugopal

~~Venugopal~~

Solemnly affirmed and signed

in my presence at Hyderabad

on the 30th day of June, 1997.

Before me.

*Om Murthy*  
Counsel for the Applicants.

ADVO<sup>C</sup>CATE,  
Hyderabad

To

The Registrar,  
Central Administrative Tribunal,  
Hyderabad Bench at Hyderabad-4.

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Point 18.—Whether Ex-servicemen re-employed in the Circle Offices as LDC/UDC are to be covered in this scheme.

*Clarification.—Yes. However, for eligibility, the period of service rendered in this Department is to be taken in consideration.*

## ENCLOSURE

*G.I., Dept. of Post, Lr. No. 4.12/88-PE/1 (Pt.), dated 22.7.1993.*

**OTBP and BCR Scheme to Group 'C' Staff of Administrative Offices (Circle Offices) in Department of Post**

The question of extending the Time Bound One Promotion Scheme (TBOP) and Biennial Cadre Reviews (BCR) to the Group 'C' staff of administrative offices (Circle Offices) has been under consideration for some time past.

2. It has now been decided to extend the benefit of the Time Bound One Promotion Scheme and Second Promotion after 26 years of satisfactory service to the clerical staff of administrative offices excluding posts like Hindi Translator, Librarian, etc.

3. The following instructions are issued to ensure proper implementation of the schemes mentioned in para. two above,

3.1. The schemes will come into effect from 26.6.1993.

3.2. The posts of LDCs (Rs. 950-1,500) and UDCs (Rs. 1,100-2,040) in the Circle Offices, except to the extent of the LDCs/UDCs who opt to remain in the existing scale, will be abolished and an equal number of posts of time scale Postal Assistants (C.O.) (Rs. 975-1,600) will be created. The remaining posts will, however, be converted as Postal Assistants (C.O.) as and when the concerned LDC/UDC ceases to hold that post. All the existing LDCs/UDCs will be required to furnish within one month, their option under FR 23 according to which they may, if they so like, retain existing scale of pay which would be personal to such officials. The option once exercised will be final.

3.3. On replacement of the LDC's and UDCs by time scale Postal Assistants (C.O.), the existing duties of the LDC/UDC in the Circle Offices will be performed by the time scale Postal Assistants (C.O.). Senior officials would be required to perform the duties at present entrusted to UDCs.

3.4. The officials who do not opt for their old scales will be brought into the grade of Postal Assistants (C.O.) and their pay will be fixed under FR 22 (1) (a) (2) by treating the posts in the time scale as not involving assumption of higher duties and responsibilities.

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3.5. 10% of total non-gazetted sanctioned strength (excluding isolated posts) will be surrendered as matching savings with immediate effect on a permanent basis.

3.6 The existing officials who do not opt for the old scales would be considered for grant of first promotion in the higher scale of Rs. 1,400-2,300 if they complete/have completed 16 years of service as LDC or as LDC and UDC or as Postal Assistants/Sorting Assistants and UDC taken together, and then for second promotion in the next higher scale of Rs. 1,600-2,600 after completion of 26 years of service. Their pay on grant of promotions under Time Bound One Promotion Scheme and Second Promotion will be fixed under FR 22 (I) (a) (1).

3.7. The UDCs who are drawing pay more than the maximum of the time scale pay (Rs. 975-1,660) and who opt for Postal Assistants cadre (C.O.) to get the benefit of Time Bound One Promotion Scheme, will have their pay fixed at the maximum of the time scale of pay without any protection of the loss of pay already drawn.

3.8 With effect from the date of implementation of these orders, knowledge of typewriting will be essential for future recruits in the clerical cadre in Circle Offices in the pay scale of Rs. 975-1,660.

3.9 The minimum educational qualifications for recruitment to the Postal Assistants grade in Circle Offices shall be 10 + 2. Further recruitment, if required, will be done by Circle Offices on an interim basis instead of through Staff Selection Commission till new recruitment rules are finalized.

3.10 The Circle Office staff, as on 26-6-1993, will retain the existing liability for transfer between the Circle Office and the Regional Offices. In addition, their promotion under this scheme will be conditional, subject to their liability for transfer to any unit located at the Headquarters station of the Regional Office/Circle Office.

3.11. The special pay Rs. 70 p.m. being paid to UDCs will stand withdrawn from the date of introduction of this Scheme.

3.12. Under this scheme, only such officials as have completed 16 and 26 years' service in the Postal Assistants/UDC/LDC Grade will be eligible for promotion to the next higher grades of Rs. 1,400-2,300 and Rs. 1,600-2,600 respectively, if they are otherwise eligible. In cases where a senior has not completed the prescribed period of service, whereas his/her junior has become eligible, then only the junior shall be considered for promotion. However, when the senior completes the prescribed service and is adjudged suitable for promotion, then his/her original seniority will be restored vis-a-vis his/her juniors in the lower grade. In such cases promotion under this scheme will be subject to the condition that the senior employee shall

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not be able to claim benefit of higher pay fixation merely on the ground that officials who were junior to him in the lower grade are now drawing higher pay by virtue of early promotion.

3.13. In respect of cadres which are covered under the scheme of Time Bound One Promotion, the orders issued *vide* Directorate No. 39-19/74-PE-I, dated 15-6-1974 and Ministry of Finance O.M. No. 7 (21)-E. III (A)/74, dated 10-1-1977 stands withdrawn with effect from 25-6-1993.

3.14. The existing LDCs/UDCs/LSG  $\frac{1}{3}$  quota officials who do not opt for this scheme will not be eligible for future consideration against the existing promotional channels. All recruitment to LDC, UDC and  $\frac{1}{3}$  LSG promotion quota will also be abolished on introduction of this scheme.

3.15. The officials who complete 16 or 26 years of service and who are promoted to the next higher scale of pay will continue to perform operative duties until and unless they are posted to regular supervisory posts.

3.16. For promotions under the Time Bound One Promotion Scheme, and 2nd Promotion Scheme, the orders relating to the reservation for SC/ST communities already issued by this office on this subject, may be followed.

4. The existing instructions applicable to the different cadres to assess their fitness for promotion to the next higher scale of pay will be observed and the formalities in this regard should be completed within a period of three months. The promotions to the next higher scale of pay will be granted from the date of which the eligible officials complete 16 and 26 years of regular service respectively.

5. This issues with the concurrence of Ministry of Finance (Department of Expenditure) *vide* U.O. No. 2(24)/E.III/92, dated 11-5-1993 and Dy. No. F. 2265/JS (Per)/93, dated 25-6-1993 and in consultation with Finance Advice (Postal) Dy. No. 1979-FA-93, dated 16-7-1993.

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*Swamy's*  
G.I., Dept. of Telecom, Lt. No. 22-6/94-TE-II, dated 13-12-1995.

Promotion of TOA, Grade III officials to Grade IV (Rs. 2,000-3,200) against 10% posts in BCR Scheme will be on the basis of seniority in the basic grade

Your kind reference is invited to the instructions contained in this Office Letters No. 27-4/87-TE-II, dated 7-4-1994 (Sl. No. 171 of Swamy's Annual, 1994) and 27-91/94-TE-II, dated 30-8-1994, which stipulate promotions to Grade IV in the scale of Rs. 2,000-3,200

DEPARTMENT OF POSTS : INDIA  
OFFICE OF THE CHIEF POSTMASTER GENERAL A.P. CIRCLE HYDERABAD.

27/11/93/COBOP/93 Dated at Hyderabad, the 7.1. (2) 94

Consequent on extension of TBOP (FILE NUMBER ONE  
PR 4070) / Biennial Cadre Review ( SECOND PROMOTION ) to  
Group 'C' staff of Administrative offices ( C.O/R.Os ) in  
the Department of Posts as circulated in Circle office letter  
No. EAT/2-5/TBOP/CO/93 dated 28.7.93 none of the Group 'C' staff  
working in Circle/Regional Offices have opted to retain  
the existing scale of pay/post ( i.e, LSG / UDC / LDC ).  
Accordingly, the Group 'C' staff working in Circle/Regional  
offices will be treated as Postal Assistants (Circle Office)  
with effect from 26.06.93

be made  
Necessary entries may please in the service books of  
the officials concerned.

( K. BAJAJYA RAVI )  
Asst. Postmaster General (S&V),  
For Chief Postmaster General A.P Circle,  
Hyderabad-500 001.

A copy of this memo is issued to :-

1. The Postmaster General HYDERABAD/VIJAYAWADA/KURNOOL/VISAKHAPATNAM
2. The A.D (Accounts) of CPMG, Hyderabad for information and necessary action.
3. All the Officials concerned working in CO/ROs.
4. P.F of the Officials.

Om Prakash  
Counter

# Annexure-A5 P. 34

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DEPARTMENT OF POSTS : INDIA  
OFFICE OF THE CHIEF POSTMASTER GENERAL A.P. CIRCUIT HYDERABAD.

Memo No. ST/47-5/CO-ROB/TBOP/93 Dated at Hyd. the 4.01.93

In pursuance to the orders contained in Director General (Post), New Delhi-110 001 letter No.4-12/88-PE-I(PL) dated 22.07.93, the undermentioned Group 'C' staff working in Circle/Regional offices who have completed 16 years of satisfactory service as LDC and UDC or as PA/SA and UDC taken together are considered as fit for first promotion to the higher post in the scale of pay of Rs. 1400 - 2300 under TIME BOUND PROMOTION scheme. The promotion of the officials will take effect from 26.06.93.

31 No.	Name	Office in which working	Date of initial appointment as PA/SA/UDC/LDC.
1	2	3	4
<u>S/31.</u>			
1.	J. Victor Paul	% CPMG, Hyderabad	25.10.67
2.	G. Sadanand, (SC)	" "	21.11.68
3.	A. Balaiah,	" "	01.10.65
4.	T. Subbarayudu,	" "	18.06.68
5.	T. Ramulu,	" "	16.12.64
6.	N. Kantheswararao,	% PMG, Vijayawada	03.02.64
7.	M. Venkatrao,	% CPMG, Hyderabad	16.06.68
8.	S. Venkateswararao(SC)	" "	03.06.70
9.	A. Subrahmanyam,	" "	17.09.64
10.	V. Krishna,	" "	07.06.68
11.	Smt. Nafeed Nikhat	" "	16.06.68
12.	H. A. Aziz,	" "	04.04.67
13.	Smt. R. Nirna Nalini,	" "	01.06.67
14.	Smt. M. Varalakshmi,	% PMG, Hyderabad(NR)	01.12.64
15.	R. G. P. Kumar,	% CPMG, Hyderabad	07.07.72
16.	C. Sunkireddy,	" "	08.08.65
17.	G. Krishniahari,	" "	09.03.71
18.	VSR. Chandramurthy,	PMG, Vijayawada	20.11.71
19.	D. Pandurangarao,	CPMG, Hyderabad	21.10.73
20.	E. S. Azaraiah,	" "	17.01.70
21.	G. Vijayakumar -II (SC)	" "	13.09.73
22.	J. Sadanand	(SC)	13.09.73
23.	H. A. Nooruddin	" "	11.02.74

contd.. on page 2.

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1	2	3	4
S/Sri.			
24.	Md. Jameel Ahmed Khan, 5/ CPMG, Hyderabad		17.02.74
25.	B. Chandrasekhara Rao, 7/ PMG, Hyderabad(NR)		17.05.76
✓25.	P. K. V. Sastry, CPMG, Hyderabad		25.05.77
27.	Mohd. Abdul Jaleel,	" "	18.03.75
28.	T. V. Bhaskar Rao,	" "	08.01.74
29.	B. Sreeram Murthy, PMG, Hyderabad(NR)		22.07.73
30.	Muhammad Hassan, CPMG, Hyderabad		18.06.70
31.	K. G. Prasad,	" "	09.01.74
32.	T. Ramesh,	" "	22.10.75
✓33.	Ch. Paulus,	" "	21.09.76
✓34.	S. Gurumurthy, (SC)	" "	13.09.74
35.	P. Narsingrao, (SC)	" "	14.02.74
36.	P. Narayana PMG, Hyderabad(NR)		20.01.73
37.	A. Vittal Rao, (SC) CPMG, Hyderabad		13.09.74
38.	R. Venkatarao (SC) PMG, Visakhapatnam		02.12.75
39.	G. Seshaiah, CPMG, Hyderabad		23.10.71
40.	Mohd. Nurullah	" "	26.09.70
41.	A. Ravindran Rao	" "	08.10.75
42.	M. Narayana Rao, PMG, Vijayawada		02.04.73
43.	K. Sudershan Reddy, CPMG, Hyderabad		13.12.73
44.	M. Lakshminarayana,	" "	16.12.75
45.	Y. Viswanadharao, PMG, Kurnool		20.10.72
✓46.	G. Radhakrishna, CPMG, Hyderabad		08.06.76
47.	G. V. Satyanarayana (SC)	" "	19.10.76
✓48.	I. Kondal Rao,	" "	23.01.76
✓49.	B. Srinivasulu,	" "	08.06.76
50.	Smt-V. Vijayalakshmi, PMG, Hyderabad		08.11.68
51.	G. Lakshmaiah, (SC)	" "	07.09.74
52.	K. Vijayakumar,	" "	28.10.71
53.	P. Satiyajah,	" "	19.03.75
54.	M. Srihari, PMG, Hyderabad(NR)		21.01.77
55.	Smt. S. P. Adisundari	Vijayawada	25.04.77
56.	Ramachandram, "	"	31.03.73
✓57.	Smt. S. Rangamma Devi, Ayerlapad(NR)		31-03-67
58.	Smt. Bratata Ganguly, CPMG Hyderabad		14.09.73
59.	C. Satyanarayana,	" "	08.01.74
60.	Shaik Osman, PMG, Hyderabad(NR)		01.08.75
61.	B. Aservadu,	" "	14.02.74
✓62.	M. Raghuram Rao,	" "	01.06.76

contd... on page 3.

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S/Sri.

63.	Vaka Narsi,	PMG, Visakhapatnam	02.12.75
64.	Smt. M. Parvathii Devi,	" Vijayawada	09.03.67
65.	K. Krishna Murthy,	" Kurnool	18.01.77
66.	P. Yelloraoudu, (SC)	" "	19.05.75
67.	K. Hanumanthreddy,	CPMG, Hyderabad	10.07.73
68.	P. Krupanandam,	CPMG, Hyderabad	28.09.68
69.	N. Rajagopalacharlu,	" "	25.06.72
70.	V. Venkatramudu,	PMG, Kurnool	19.06.72
71.	<u>S. N. Raoolu,</u>	CPMG, Hyderabad	23.11.67
72.	K. A. V. Sukhachandra,	" "	20.05.76
73.	P. Venkateswamy, (SC)	" "	23.11.73
74.	Smt. Jayalakshmi Parthasarathy	" "	13.05.77
75.	Laxman Papanna,	PMG, Hyderabad (NR)	05.05.77
76.	B. Bhikshapathi,	CPMG, Hyderabad	20.12.73
77.	M. H. V. Rama Rao, (MBV)	" "	13.09.74
78.	Mohd. Fazlur Rehman,	" "	16.12.73
79.	J. Narsaiah (ST)	" "	29.07.75
80.	Mohd. Taher Ali	PMG, Hyderabad (NR)	08.07.72
81.	J. V. N. S. V. Sagar,	PMG, Vijayawada	03.02.76
82.	Smt. B. Sita Devi,	" Visakhapatnam	01.04.76
83.	S. M. H. Nehri,	CPMG, Hyderabad	18.01.77
84.	M. A. Hafeez	PMG, Hyderabad (NR)	01.08.75
85.	Smt. A. Sesha Rethnam,	CPMG, Hyderabad	28.01.76
86.	<u>D. Sanjeeva</u>	" "	20.05.75
87.	V. R. Vijayabhaskar, (ST)	PMG, Kurnool	07.12.79

THE FOLLOWING OFFICIALS WERE NOT RECOMMENDED FOR PROMOTION

1.	S/Sri. M. Pitchaiah, (SC)	PMG, Vijayawada	02.05.68
2.	" M. Mohanrao, (SC)	" "	06.05.76
3.	S. Vipas, (ST)	" "	19.11.71
4.	P. Krishna	CPMG, Hyderabad	15.02.74

D. Ramakrishna  
 Asst. Postmaster General (S&V),  
 For Chief Postmaster general A.P Circle,  
 Hyderabad - 500 001.

contd on page 4.

Om Prakash  
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# Annexure - A6 P

37  
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GOVERNMENT OF INDIA : DEPARTMENT OF POSTS  
Office of the Chief Postmaster General, A.P. Circle, Hyd-1.

Memo No. ST/47-5/CO-ROG/TROP dt. 5-12-1994.

In pursuance to the orders contained in Directorate letter No. 4-12/88-PE-I/PL dated 22-7-93 and Lr. No. 4-35/94-SPB, II dated 22-8-94, the under mentioned Group-C staff working in Circle Office/Regional offices who have completed 16 years of satisfactory qualifying service as LDC/UDC/SA/PA taken together are considered as fit for First promotion to the Higher post in the scale of pay of Rs. 1400-2300 under Time Bound promotion scheme. The promotion of the officials is with effect from the dates noted against each.

Sl. No. Name of the official Office in which working Date of promotion w.e.f.

S/Sri/Gmt	SC	SCPMG, Hyderabad	8-3-94
1. J. Kishan (SC)	SCPMG, Kurnool	16-6-94	
2. P. Mysorey	SCPMG, Hyderabad	19-6-94	
3. A. Kameswara Rao	SCPMG, Hyderabad	15-8-93	
4. B. B. S. Tilak	SCPMG, Hyderabad	12-6-94	
5. P. Vinayakumari	SCPMG, Hyderabad	27-6-94	
6. C. K. D. Varaprasad	SCPMG, Vijayawada	28-6-94	
7. A. Sivsombi Reddy	SCPMG, Hyderabad	28-6-94	
8. B. Iqbal	SCPMG, Hyderabad	27-7-93	
9. Md. Jaffar Ali	SCPMG, Hyderabad	4-6-94	
10. Smt. Viola Samuel	SCPMG, Hyderabad	7-9-94	
11. V. Krishna Prasad	SCPMG, Hyderabad	6-7-94	
12. N. C. Varada Chari	SCPMG, Hyderabad	18-7-94	
13. T. P. Sastri	SCPMG, Hyderabad	7-9-94	
14. B. Nageswara Rao (SC)	SCPMG, Hyderabad	7-9-94	
15. M. Ravi Raj (SC)	SCPMG, Hyderabad	7-9-94	**
16. Smt. Ammaji (ST)	SCPMG, Hyderabad	7-9-94	

\*\* Under relaxation of service conditions.

II. This is in supersession of this office memo of even No. dated 1-11-1994.

III. The difference of pay and allowances consequent on change of date of promotion of the officials above at Sl. 8, 14, 15 and 16, if any, may be recovered and necessary entries may be made in the Service Books of the officials to this effect.

(P. PARASURAM)  
Asst. Postmaster General (S&V),  
SCPMG, A.P. Circle, Hyderabad-1.

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Mem ST/ 47-5/CO- REC/ 901/95-96 at Hyderabad

31-8-95

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## Annexure - A-7

In pursuance to the orders contained in Directorate Ltr. No. 4-12/88- TB-1/ PL dated 22.7.93 the undermentioned Group 'C' staff working in Circle office/ Regional office who have completed 16 years of satisfactory qualifying service as LDC/UDC/ SA/ PA together together are considered as fit for First Promotion to the Higher Post in the scale of pay of Rs 1400-2300 under Time Bound One Promotion scheme. The Promotion of the officials is with effect from the date noted against each.

Sl No	Name of the Official	Office in which working	Date of promotion
s/Sri/Smt			
1.	M. Ptichaiah (SC)	% PMG Vijayawada	1.3.95
2.	M. Mohan Rao (SC)	% PMG Vijayawada	1.4.95
3.	P. Krishna	% CPMG Hyderabad	1.4.95
4.	K. Sunder Rao	% PMG Vishakapatnam	22.5.95
5.	Haripriya Devi	% CPMG Hyderabad	5.3.96
6.	V.V. Ramenamma	% CPMG Hyderabad	10.1.96
7.	S. R. Sivaramakrishna	% CPMG Hyderabad	10.10.95
8.	M. Meena Kumari	% CPMG Hyderabad	6.10.95
9.	C. Kamaka Durga	% PMG Vishakapatnam	5.3.96
10.	M.L. Narayana	% PMG Hyderabad	30.1.96
11.	S. Prasada Rao (SC)	% PMG Vijayawada	8.1.96
12.	G. Gopal	% PMG Kurnool	25.5.95
13.	P. Visweswara Sastry	% CPMG Hyderabad	8.6.95
14.	R.B.M. Singh	% CPMG Hyderabad	12.7.95
15.	L. Venugopal	% CPMG Hyderabad (DO PLI TPT)	27.5.95
16.	Ch. Subbanna	% CPMG Hyderabad	22.5.95
17.	N. Yadagiri	% CPMG Hyderabad	26.5.95
18.	V. Subramanyam Rao	% PMG Vishakapatnam	21.5.95
19.	Syed Omar Hashmi	% CPMG Hyderabad	8.8.95
20.	P. Srinivas Reddy	% PMG Hyderabad	9.12.95
21.	M.S. Subrahmanyam	% PMG Vishakapatnam	15.9.95
22.	G.C. Saibaba	% PMG Kurnool	20.8.95

The officials may be promoted only on the due dates and no orders promoting the officials under TBOP scheme should be issued earlier than the due date of promotion. The Disc/ Vigilance clearance may be taken before promoting the officials.

H. SIBAGIRI RAO  
ASST POSTMASTER GENERAL (S&V)  
C T L C.P.M.G. A.L. CIRCLE  
HYDERABAD

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# Annexure-A-8

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GOVERNMENT OF INDIA: POST  
OFFICE OF THE CHIEF POSTMASTER GENERAL ANDHRA CIRCLE HYDERABAD

ST/5- BCR/R1gs /Corr at Hyderabad

4-1-96

To  
The Postmasters General  
Vijayawada/ Kurnool/ Vishakapatnam/ Hyderabad  
All the SSPOs / SSRMs/ SRMs/ SPs  
The Manager, MMS Hyderabad

The SP PSD Hyderabad/ Gunjaskar/Vijayawada/ Rajahmundry  
SE CSD Secunderabad

Sub: Modification of BCR reg.,

A copy of the DQ letter 22-5/95 PE-I dated  
26.12.95 from Mrs. K. Verma DDG Trg. & Es++ Postal Directorate  
New Delhi addressed to Chief Postmaster General communicated  
under Circle office letter Es++/2-3/TBOP/ Cn/93 dated 2.1.96  
is furnished below for information and necessary action.

*H.S.Rao*  
( H. SESHAGIRI RAO )  
ASST POSTMASTER GENERAL (S&V)  
TO THE C.P.M.G. HYDERABAD.

Copy to:

1. All Section Officers
2. All Desling Assts in S+aff Section
3. Concerned Desling files.
4. ASP Legal Cell Circle office
5. Es++. Section Circle Office.

*H.S.Rao*  
for Chief Postmaster General  
Andhra circle Hyderabad

Do. Lr. No 22-5/95-PE-I dated 26.12.95 from Mrs. K. Verma  
DDG (Trg&Es++) addressed to the CPMG AP Circle Hyderabad

This is regarding modification of Biennial cadre  
Reviews in respect of 1/3 LSG quota officials and UDCs working  
in Circle offices and SBCOs who were seniors before the implementa-  
tion of the scheme, but became juniors after implementation of the  
scheme.

The issue was examined in consultation with the  
Ministry of Finance. It has been agreed by them in principle  
to modify the scheme accordingly. The necessary instructions  
in this regard will be issued in due course. The affected  
incumbents may be informed accordingly.

Sd/-  
( K. VARMA )  
DDG (TRG& ESTT)

*A/H.S.Rao*

*Community  
Council*

Government of India  
Ministry of Communications  
Department of Posts

No. 22-5/95-PE

Dak Bhavan,  
Sangad Marg,  
New Delhi-110 001.

Dated: 8/2/96

To

At the means of postal circles.

Subject: Modifications of TBOP/BCR scheme - instructions regarding.

\* \* \* \*

Time Bound One Promotion Scheme and Biennial Cadre Review Schemes were introduced vide this office letters No. 31-26/83-PE.I dated 17/12/83, No. 20-2/88-PE.I dated 26/7/91, No. 22-1/89-PE.I dated 11/10/91 and No. 4-12/88-PE.I (Pt.) dated 22/7/93 with a view to improve promotional prospects of employees of the Department of Post. As per these Schemes, officials who complete prescribed satisfactory length of service in the appropriate grades are placed in the next higher grade. Subsequently, it was noticed that some officials, e.g. UDCs in the Circle and SBCO, LSG (both 1/3rd and 2/3rd), F.O. & R.M.S. Accountants, who were senior before implementation of the schemes were denied higher scales of pay admissible under the Schemes while some junior officials became eligible for higher scale of pay by virtue of their length of service. Some of the affected officials filed applications before various benches of the Central Administrative Tribunals demanding higher scale of pay from the date their juniors were made eligible under these Schemes.

2. The case has been examined in consultation with the Ministry of Finance, Department of Expenditure. It has now been decided that all the officials, such as UDCs in the Circle Office and SBCO, LSG (both 1/3rd and 2/3rd), F.O. & R.M.S. Accountants, whose seniority was adversely affected by implementation of BCR Scheme placing their juniors in the next higher scale of pay will now be considered for next higher scale of pay from the date their immediate juniors became eligible for the next higher scale. This will, however, not be applicable to the officials who are senior to those officials, brought on transfer under Rule-38, F&T. Vol. IV and are placed in the next higher scale of pay by virtue of length of service.

3. The inter-se seniority of the officials in the lower grade will be kept intact for the purpose of eligibility for promotion to next higher grade.

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4. Heads of Circles are requested to settle all such pending cases/representations etc. according to the above guidelines within 60 days of issue of these orders.

5. A compliance report i.e. number of officials benefited (in detail) may be furnished to the Department after implementation of these instructions.

6. This issues in concurrence with the Ministry of Finance, Department of Expenditure vide their I.D. No. 6(37) E.III/94 dated 19/12/93 and Internal Finance Advice Section vide their Dy. No. 418/FA/96 dated 5/2/96.

7. Please acknowledge the receipt of the letter.

8. Hindi version will follow.

*Alok Saxena*  
(Alok Saxena)  
Asstt. Dir. General (Estt.)

Copy to:

1. P.P.S. to Secretary (Post).
2. P.S. to Member(O)/Member(P)/Member(D)/Sr. DDG(OM).
3. P.S. to JS & FA.
4. P.S. to Secretary, Postal Services Board.
5. The Director General Audit (P&T), Delhi-54.
6. All Regional Postmasters General.
7. All Dy. Directors General and Directors in the Directorate.
8. Chief General Manager (Postal Life Insurance), New Delhi.
9. Director, Postal Staff College, Ghaziabad.
10. Controller Foreign Mails, Bombay.
11. Principals, Postal Training Centre, Darbhanga, Madurai/Mysore/Saharanpur/Vadodara.
12. All Directors/Dy. Directors Accounts (Postal).
13. Officer in charge, AJS Record Office, Kamptee.
14. All Sections in the Directorate.
15. All recognised unions/associations and federations.
16. Guard file.
17. Spare copies.

*Alok Saxena*  
(Alok Saxena)  
Asstt. Dir. General (Estt.)

*Om Prakash*  
Counsel.

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DEPARTMENT OF POSTS - INDIA

LETTER OF THE CHIEF POSTMASTER GENERAL, A.I.CIRCLE, HYDERABAD.1.  
Dated at Hyd.1. the 16-4-96.

To

The Postmasters General,  
HYDERABAD/KURNOOL, VIZIANAGAR, V-SAKTATNAM REGION

Sub: Modification of TBOI/BCR Scheme  
Clarification - Reg.

A copy of the Directorate letter no.22-5/95-P.E.I dated 26.3.95 on the above subject is enclosed herewith for information, guidance and necessary action.

(G.BUDDAKA)

Asst. Postmaster General (SB)  
the Chief Postmaster General,  
A.I.Circle, Hyderabad. 500 001.

Copy to: All the Section officers-Circle office Hyd-1.  
All the Section Supervisors Circle office Hyd-1.

Written on 10.4.96

Copy of the Dte's letter referred as above.

Sub: As above.

Sir,

This office has been receiving references from various Circles regarding applicability of modification of the scheme (dated 3/2/95) to the officials whose seniority was adversely affected by implementation of Time Bound One Promotion Scheme (TBOP Scheme). The orders are very clear and need no clarifications. However, it is hereby clarified that these orders are also applicable to such officials whose seniority was adversely affected by implementation of Time Bound One Promotion Scheme (1st promotion scheme).

2. All the Circles are therefore, advised to go through the instructions carefully before seeking any clarification(s) etc. in this regard. Any reference sent to the Directorate seeking clarifications etc. in this regard should be routed through their respective Chief Postmaster General/ Postmaster General and Circle IFA, where needed, and their views should also be incorporated in the communication(s).

3. Further implementation of the scheme, is the subject matter of staff branch of the Directorate. Therefore, issues pertaining to seniority, dispute of promotion under Rule 38 P&T Vol.IV other related issues, etc. should be taken up direct with staff Branch.

Kindly acknowledge the receipt of the letter.

Yours faithfully,

SD/-

(Alok Saxena)  
Asstt. Dir. G. ac. cl. (Estt).

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G.I., Dept. of Post, L.I. No. 44-60/96-SP3-II, dated 24-9-1996

Further clarifications to applicability of OTBP/BCR Scheme in  
Department of Post

This office has received number of references, after certain clarifications were issued by the Directorate vide Letters No. 22-S/95-PE-I, dated 8-2-1996 and 26-3-1996 (Sl. Nos. 100 and 134 of Swamysnews of April and May, 1996 respectively), regarding applicability of these orders to Time Bound One Promotion Scheme. In this regard, it is once again clarified that both the orders mentioned above are also applicable to such officials whose seniority was adversely affected by implementation of Time Bound One Promotion Scheme as already clarified in Para. I of the letter, dated 26-3-1996. Other related issues raised by circles are also being clarified as follows:-

Point 1.—Whether LSG/TBOP Accountants are to be compared with LSG/TBOP General line officials or with that of LSG/TBOP Accountants for the purpose of deciding their immediate junior while implementing their promotion under BCR.

**Clarification.**—Under TBOP/BCR Scheme, there is no distinction between General Line and Accountants Line except for the limited purpose of functional necessity. Hence, promotion to TBOP/BCR Scheme shall be implemented with reference to juniors in the new common Postal Assistant LSG gradation list.

Point 2.—Whether UDCs who have completed 16 years of clerical services and promoted under TBOP can be considered for BCR promotion if their seniority is by-passed by another UDC who has completed 26 years of service but is junior to UDC gradation list.

**Clarification.**—Yes.

Point 3.—Whether UDCs of Circles Office can straightway be promoted to BCR because a UDC of C.O. gradation list who is junior to BCR on account of length of service, i.e., has been promoted to BCR on completion of 26 years, i.e., whether a Time-Scale Postal Assistant will jump to BCR scale without being promoted to TBOP Scheme.

**Clarification.**—Yes. The pay fixation in such cases should be done directly from Postal Assistant cadre to BCR, HSG-II cadre.

✓ Point 4.—Whether an official who came as LDC under Rule 38 of P & T Manual, Volume IV, FR 15 from SBCO, Inter-circle or Divisions to Circle Office and was subsequently promoted to UDC on seniority-cum-seniority can be promoted to BCR on completion of 26

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years of service. In such cases will all UDCs above his name in the UDC cadre of the circle gradation list become eligible for promotion to BCR irrespective of number of years of service they have put in?

**Clarification.**—In this regard position as mentioned in para. 2 of Orders No. 22-S/95-PE-I, dated 8-2-1996, is very clear and is also applicable for transfer under FR 15.

Point 5.—Whether higher scales of pay from the date of promotion of their juniors to TBOP/BCR are applicable to the defunct scale accountants who have not opted for the scheme.

**Clarification.**—These orders are not applicable to the persons who have not opted for TBOP/BCR Schemes.

Point 6.—Whether higher scale of pay from the date of promotion to their juniors are applicable to UDCs of SBCO or C.C. who did not opt for the scheme.

**Clarification.**—Same as Sl. No. 5 above.

✓ Point 7.—If an official accommodated under Rule 38 is promoted to TBOP/BCR by virtue of redefining 16/26 years of service, whether his juniors in the gradation list of division circle will be granted TBOP/BCR or higher scale of pay from the date of promotion of official accommodated under Rule 38.

**Clarification.**—As in case of Sl. No. 6 above.

Point 8.—Whether the instruction No. 22-S/95-PE-I, dated 8-2-1996, is a one time measure or a continuous process.

**Clarification.**—It is a continuous process.

✓ Point 9.—Whether the seniority of the seniors in the lower grade will be kept intact even though they are not eligible for promotion from the date of promotion of their junior when junior is a Rule 38 transferee and gets his promotion on the basis of length of service.

**Clarification.**—Seniority of officials in the lower grade will be kept intact with reference to their immediate juniors, even though they are not eligible for promotion in terms of number of years of service except in the case of those officials with greater length of service, who are brought on transfers under Rule 38 and are consequently ranked juniors to other officials in the new Unit. In this connection para. 2 of Order No. 22-S/95-PE-I, dated 8-2-1996, refers.

Point 10.—Whether PAs, erstwhile LDCs in Circle Offices, who became senior by virtue of passing type test earlier than those who could not pass will also be eligible for promotion under TBOP/BCR as and when his junior PA gets promotion on completion of 16/26 years of service.

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Swamysnews

*Clarification.*—Yes. The orders, dated 8-2-1996, are to be implemented strictly in accordance with seniority in PA cadre. If the seniority while in PA cadre has changed on account of not passing the typing test, that changed seniority would prevail.

Point 11.—It is presumed that present Orders No. 22-5/95-PE-I, dated 8-2-1996, will be applicable to LSG Accountants promoted to LSG against 1<sup>st</sup> and 3<sup>rd</sup> quota prior to 30-11-1983. Time-Scale Accountants promoted to LSG under TBOP after 30-11-1983, whose seniority is fixed with effect from the date of TBOP, length of service, etc., are not covered under these orders.

*Clarification.*—Orders No. 22-5/95-PE-I, dated 8-2-1996 and 26-3-1996, are applicable in case of all officials whose seniority are adversely affected by implementation of the TBOP/BCR Schemes, whereby juniors are placed in the next higher scale of pay. Such officials will now be considered for the next higher scale of pay from the date their immediate juniors became eligible for the next higher scale irrespective of the method of promotion to LSG.

Point 12.—It is presumed that officials who declined promotion and as a result thereof they were debarred for one year and promoted later when they became eligible are not covered by the orders, dated 8-2-1996.

*Clarification.*—Yes.

✓ Point 13.—As a result of orders, dated 8-2-1996, 1<sup>st</sup> rd and 3<sup>rd</sup> LSG who have not completed 26 years of service are to be promoted to BCR from the date of their juniors. It is presumed that such officials even though promoted to BCR with retrospective effect will be deemed to have completed 3 years of service which is the eligibility condition for promotion to HSG-I.

*Clarification.*—The orders, dated 8-2-1996, clearly indicate that the officials whose seniority was adversely affected by implementing TBOP/BCR Schemes, placing their juniors in the next higher scale of pay will now be considered for next higher scale of pay from the date their immediate juniors became eligible for next higher scale of pay. It has also mentioned that *inter se* seniority of the officials in lower grade will be kept intact for the purpose of eligibility for promotion to the next higher scale. As such the presumption made is confirmed.

Point 14.—Postal Accountants have represented that they being juniors as per date of entry in the department are senior to other Postal Accountants who are senior as per length of service as they have passed PO and RMS Accountants examination and worked as PO and RMS Accountants earlier. So their seniority should be with reference to the date of passing PO and RMS Accountants examination.

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*Clarification.*—As in case of item at Sl. No. 1, because the seniority of such officials in PA cadre is not changed by virtue of their passing the PO and RMS Accountants examinations, earlier than their seniors.

✓ Point 15.—Whether the officials whose seniority was adversely affected by promotion of their juniors to TBOP Scheme are to be granted higher scale of pay under TBOP from the date their juniors were granted TBOP scale.

*Clarification.*—Yes. This has already been clarified *vide* orders, dated 26-3-1996.

In addition to the foregoing, it is hereby clarified that all other terms and conditions such as the holding of DPC, vigilance clearance will continue to be operative for giving any benefit under the orders, dated 8-2-1996 and 26-3-1996.

*G.I., M/o Law, Justice & C.A., Ordinance, dated 27-1-1996  
The Constitution (Scheduled Tribes) Order (Amendment) Third  
Ordinance, 1996  
(No. 30 of 1996)*

Promulgated by the President in the Forty-Seventh Year of the Republic of India.

An Ordinance to provide for the inclusion of Kochi in the list of Scheduled Tribes specified in relation to the State of Kerala.

Whereas the Constitution (Scheduled Tribes) Order (Amendment) Ordinance, 1996, to provide for the aforesaid matter was promulgated by the President on the 27th day of January, 1996;

And whereas the Constitution (Scheduled Tribes) Order (Amendment) Bill, 1996, was introduced in the House of the People to replace the said Ordinance, but had not been passed and has lapsed due to the dissolution of the House of the People.

And whereas for giving continued effect to the provision of the said Ordinance, the Constitution (Scheduled Tribes) Order (Amendment) Second Ordinance, 1996, was promulgated by the President on the 27th day of March, 1996;

And whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action to give continued effect to the provisions of the Constitution (Scheduled Tribes) Order (Amendment) Second Ordinance, 1996;

*260/3m/5/96  
Court*

## Chap. I] APPOINTMENTS AND PROMOTIONS—GENERAL RULES [27-29]

27. For officiating appointments, once the lists of approved officers are prepared by Departmental Promotion Committees and finally approved by Government or the appointing authority, no departure from the order in the list should ordinarily be made, provided that when administrative exigencies require it, a person not in the list or not first in order in the list, may be appointed for a period not exceeding three months.

CONFIRMATION OF OFFICERS OR OFFICIALS HOLDING STANDING  
TITLED APPOINTMENTS APPOINTED TO HIGHER POSTS

27-A. Where a period of training is fixed, it must ordinarily be spent on active service, i.e., in calculating the time spent on training for the purpose of confirmation, leave other than casual leave must be excluded.

<sup>1</sup> *Note.—The Director General has discretionary power to make any exception to the rule.*

## PROMOTION TO SELECTION GRADES

27-B. Promotion to the lower or higher selection grade of the clerical cadre should be made normally in order of seniority, but the appointing authority may in his discretion, pass over any senior official whom he does not consider fit for such promotion. In a case where the first three senior men are all fit for promotion, but the first man is good, the second better and the third the best, the first man and *not* the third or the second man should be promoted.

28. Deleted.

## NOTIFICATION IN THE GAZETTE OF INDIA

29. Every important event in the official career of a gazetted Government servant affecting his pay and other condi-

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wise for any particular class or classes of officials. Transfers should not, however, be ordered except when advisable in the interests of the public service. Postmen, village postmen and Class IV servants should not, except for very special reasons, be transferred from one district to another. All transfers must be subject to the conditions laid down in *Fundamental Rules* 15 and 22.

37-A. Transfers should generally be made in April of each year so that the education of school going children of the staff is not dislocated. In emergent cases or cases of promotion this restriction will naturally not operate.

✓ 38. Transfer at one's own request.

(1) Transfers of officials when desired for their own convenience should not be discouraged if they can be made without injury to the rights of others. However, as a general rule, an official should not be transferred from one unit to another, either within the same Circle, or to another Circle unless he is permanent. As it is not possible to accommodate an official borne on one gradation list into another gradation list without injury to the other members in that gradation list such transfers should not ordinarily be allowed except by way of mutual exchange. Transfers by way of mutual exchange, if in themselves inherently unobjectionable, should be allowed, but in order to safeguard the rights of men borne in the gradation lists of both the offices, the official brought in should take the place, in the new gradation list; that would have been assigned to him had he been originally recruited in that unit or the place vacated by the official with whom he exchanges appointment, whichever is the lower.

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*Note*—Transfer of officials, who are not permanent in the grade, may, in deserving cases, be permitted with the personal approval of the Head of Circle/Administrative Office.

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(2) When an official is transferred at his own request but without arranging for mutual exchange, he will rank junior in the gradation list of the new unit to all officials of that unit on the date on which the transfer order issued, including also all persons who have been approved for appointment to that grade as on that date.

(3) If the old and the new unit form parts of a wider unit for the purpose of promotion to a higher cadre, the transferee (whether by mutual exchange or otherwise) will retain his original seniority in the gradation list of the wider unit.

*Example (i):*—A post office clerk transferred from Mehsana Division to Kaira Division in the same Circle will not lose his seniority in the Circle gradation list for promotion to the lower selection grade.

*Example (ii):*—A telephone operator transferred as an Engineering clerk, even under the same D.E.T. will have his seniority regulated both in the Divisional and the Circle Gradation List of Engineering clerks in accordance with sub-rule (2) as the Circle Gradation Lists of Telephone Operators and Engineering clerks is not common.

*Example (iii):*—An R.M.S. Sorter transferred from the A. Division to the P. Division will have his seniority in the gradation list of the P. Division.

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tion list of P. Division as well as of Bihar Circle fixed in accordance with sub-rule (2).

*Example (iv):*—A post office clerk transferred from Poona Division to the Bombay G.P.O. will have his seniority fixed in gradation list of Bombay G.P.O. as also of Bombay City Units in accordance with sub-rule (2) as the Bombay City Units and the inofficial units have separate gradation lists for promotion to Lower Selection Grade.

*Example (v):*—A clerk transferred from one zone to another in the Stores Organisation will have his seniority fixed in the gradation list of the new zone in accordance with sub-rule (2).

(i) A permanent official transferred from one unit to another will retain his lien in the old unit until he can be accommodated in the new unit according to his position in the new unit. He will not however have any claim to go back to his old unit even though he holds his lien there. A declaration to the effect that he accepts the seniority on transfer in accordance with this rule, and that, he will not have any claim to go back to the old unit, should be obtained before an official is transferred under this rule. Any special privilege to which an official may be entitled by virtue of his position in the gradation list of the unit from which he is transferred will, ordinarily, be forfeited on his transfer to a new gradation list.

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(3) The transfer of an official from one arm of service to another within or outside the Circle can be allowed only with the *personal approval of the Head of the Circle or Heads of Circles concerned* and subject to the following conditions:—

- (a) the mode of recruitment to the post to which the official seeks transfer is the same for the post he is holding; and
- (b) whenever additional qualifications are prescribed for appointment to a certain post e.g. minimum height, freedom from colour blindness, etc., for the post of Telephone Operators, the applicant should satisfy those conditions in all respects; whenever any training is required or prescribed for the post, the applicant must undergo that training satisfactorily and the period of such training must be covered by the official by taking leave due and permissible for the period.

39. A Government medical officer is prohibited, under the rules of his Department from recommending that an official be transferred from, or that he be excused from proceeding to a particular station on the score of health; nor he is at liberty to offer an opinion as to the nature of the duties or the place of employment of an official unless requested to do so by the official's superior.

40. Every gazetted officer transferred from one station to another must report his movements to the officer under whose immediate orders he may be proceeding to serve. These reports

*B. M. S. Murthy  
Gurudel*

## Chap. VIII] NON-UNIONIZED OFFICERS - P.O. &amp; R.M.S. [270-272-A

of filling a higher appointment. In the case of time scales where only one efficiency bar has been prescribed, before an official is allowed to cross it, it should be considered whether he has worked well and is considered fit for holding more responsible appointment in the same cadre (including independent charge of time scale post offices).

**NOTE.**—The provisions of this rule shall also apply to the Upper Division, Lower Division and other Time Scale clerks in the Circle and other Administrative Offices of the Department including stores and workshops Account Offices.

271. The cases of all men held up at any of the bars should be annually reviewed so that if and when they improve in work and conduct and remedy the defects for which they were held up they would be allowed to cross it.

272. *Deleted.*

**LOWER SELECTION GRADE**

✓ 272-A. (i) Promotion, whether acting or permanent, to the lower selection grade in the General line in Circle office, Telegraph Traffic, Telegraph Engineering (including Stores and Workshops but excluding Telephone Monitors) and Wheless is made normally in order of seniority but the appointing authority may, in his discretion, pass over any senior official whom he does not consider fit for such promotion.

(ii) In Post Offices, Returned Letter Offices, Railway Mail Service, Foreign Post and the Telephone Monitors' cadre in Telephone Exchanges, promotions to 2/3rds of the Lower Selection Grade posts in the General Line are to be regulated on the same principle but the remaining 1/3rd posts are to be filled

*Community  
Council*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

O.A. No. 1022/95

Date of Order : 13.12.95

BETWEEN:

1. I.Kondala Rao
2. D.Penduranga Rao
3. G.Ramakrishna
4. P.K.V.Sastri
5. B.Srinivasaulu
6. Ch.Poulus
7. M.Raghurama Rao
8. S.Gurumurthy
9. G.Krishna Hari

.. Applicants.

A N D

1. The Union of India, rep. by the Secretary and Director General, Department of Posts, Dak Bhavan, New Delhi - 110 001.
2. The Chief Postmaster General, Andhra Pradesh Circle, Hyderabad - 1. .. Respondents.

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Counsel for the Applicants

.. Mr.T.V.V.S.Murthy

Counsel for the Respondents

.. Mr.N.V.Raghava Reddy

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COUNCIL:

HON'BLE SHRI JUSTICE V.NEEIADRI RAO : VICE CHAIRMAN

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

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.. 2

SRI S. V. S. MURTHY

Date: 13.12.1975.

JUDGEMENT

1. As per the file Sri K. Rangarajan, Member (Administrative) I

Heard Sri P. V. V. S. Murthy, learned counsel for the applicants and Sri N. V. Reghava Reddy, learned Standing Counsel for the respondents.

2. There are 9 applicants in this O.A. They were initially recruited as Postal Assistants/Sorting Assistants/ LDCs in various divisions of Department of Posts on the dates mentioned in col.3 of Annexure-I filed with this O.A. All of them were promoted as UDCs in the years 1980, 1981, 1982 & 1983 on the dates mentioned against them in col.4 of the Annexure-I on the basis of the competitive examination held for 80% of the posts which are to be promoted through a competitive examination as per recruitment rules. Because of their selection against 80% quota, they had become seniors in the cadre of UDC to their erstwhile seniors in the LDC cadre. All the applicants were subsequently promoted to HSC Postal Assistants with effect from 26.6.1993 vide proceedings No. 37/47-5/CO-RDS/T-<sup>u</sup>P/234 dt. 4.1.1994.

3. It is the case of the applicants that when HSC-II promotions were ordered on the basis of BCR scheme, they should also be promoted if their (applicants) who could not be selected for promotion as UDC along with them are promoted to HSC-II grade under the said BCR scheme by virtue of their having completed 26 years of service, even though they have not completed the requisite service of 26 years.

4. Post the order of promotion was issued on 11.11.1991 from 30.11.1983 wherein postal employees who had completed 16 years of service in the basic cadre were promoted to Lower Selection Grade (Rs.1400-2300) (RSG-I) subject to their fitness. Thereafter another scheme was introduced called Biennial Cadre Review (BCR scheme for short) under letter No.22-1-39-P.E.I dt. 11.10.1991 and 1.11.1991. As per this scheme, postal employees with 26 years of service in the basic cadre as well as LSG cadre put together were promoted to Higher Selection Grade (Rs.1600-2660) subject to their fitness for promotion overlooking the claim of the applicants herein, as they have not completed total service of 26 years in the basic as well as LSG cadre put together by then.

5. Aggrieved by the above mentioned order, the applicant No.1 herein and others submitted representation on 31.11.1994 to the respondent. But, so far no reply has been received by them. Hence, they have filed P.R.O. for a direction to the respondents to promote them to the HSG-II grade (Rs.1600-2660) without insisting on the condition of their completing 26 years of service in the basic as well as LSG cadres stipulated in the BCR scheme, by virtue of their seniority in BC/BCR cadre as their juniors who were promoted to the higher cadre by virtue of their having completed 26 years of service in the basic and LSG cadres with effect from the date/date their erstwhile juniors were promoted from LSG to HSG (Rs.1600-2660) with effect from 1.1.1994 with all consequential benefits including semi-annual payment of arrears of pay and allowances with interest.

: 4 :

6. Similar BCR scheme was also introduced by the Department of Telecommunications and officials promoted to LSG cadre in the Telecom Department who were placed similar to the applicants herein, approached the Bangalore Bench of the Tribunal by filing OA 403/92 for similar reliefs as prayed for in this O.A. It was held by the Bangalore Bench of the Tribunal that the LSG officials promoted under 1/3rd merit quota in Telecom Department should also be promoted under the BCR scheme even if they have not completed 26 years of service in the basic grade and LSG without insisting on completion of minimum prescribed years of service if their erstwhile juniors in the LSG and basic grades were promoted to Grade-II in the scale of Rs.1600-2660 (RSRP) under the BCR scheme.

7. Following the above directions of the Bangalore Bench of the Tribunal, Principal Bench, New Delhi also gave similar directions in the case of postal employees in OA Nos.1713/93 and 2597/93 who were similarly placed.

8. The prayer in this OA is similar to the prayers in the OAs quoted in paras-6 & 7 above. The applicants herein were promoted to UDC cadre earlier to their erstwhile seniors in the LDC cadre, by virtue of their selection against 80% selection quota through competitive examination. The OAs quoted above in paras-6 & 7 are in regard to the applicants therein who were selected to LSG cadre against 1/3rd merit quota. In this case as well as cases referred in paras-6 & 7 the applicants were promoted to UDC/LSG earlier to their erstwhile seniors in the cadre of Postal Assistants/Sorting Assistants/LDCs. Hence, the request for promotion to HSG-II against BCR scheme from the dates when their erstwhile seniors in the cadre of PAs/SAs/LDCs (Juniors

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH  
AT HYDERABAD

M.A. NO. 686 / 97

IN  
OASR-2084 / 97

Between

Smt. Habeeba & others

Applicants

And

Union of India rep by its Secretary and  
Director, Dept. of Posts, Dak Bhawan,  
New Delhi-110 011, and others --- Respondents.

REPLY STATEMENT FILED ON BEHALF OF THE RESPONDENTS.

*H. S. Shaker, 11/10/97*  
I, Shaker S/O Narasimha Murthy aged about 56 years do  
hereby solemnly affirm and sincerely state on oath as  
follows:

1. I am the responsible officer in the office of the  
Chief Postmaster General and as such I am fully acquainted  
with the facts of the case. I am authorised to file this  
reply statement on behalf of all the respondents.

2. I have read the copy of the above M.A NO 684 of '97  
in O.A SR No. 2131 of '97 and submit that there are no valid  
or reasonable grounds therein. The various averments  
made in the M.A are hereby denied save those that have been  
specifically admitted herein under. The applicant is put to  
strict proof of such averment that are not been traversed  
herein under.

3. In respect of the averments in paragraphs 2 and 3, it  
is to state that the matter relates to the promotion to the  
cadre of L.S.C. under modification orders issued by the dir-  
rectorate vide their letter No. 22-5/95-F.E. I dt. 8-2-96. As  
per the said orders the Applicants cannot compare with the  
junior officials who were brought on transfer under Rule 38  
of the PST Manual. Vol. IV.

4. It is submitted that the following officials upto 6  
were transferred to circle office under Rule 38 of P & T  
Manual, VOL. IV were promoted to L.S.C. cadre under Y.B.O.P  
Scheme as they are completed 16 years of service. Smt. A.  
Basharatnath and Sri D. Janjirva were promoted vide ST/  
47-5/Co-Ros/TBOP/93 and xxxxx under service concession to fill  
up S.T short fall vacancy. Sri T. P. Sastry and Smt. Ammaji  
were promoted vide ST/ 47-5/Co-Ro/TBOP dt. 15-12-94 and Sri  
P. Srinivasa Reddy and Sri G. C. Saibaba were promoted vide  
ST/47-5/Co-Ro/TBOP/95-96 dt. 31.8.95. The above officials  
*Y. P. Rao*

*Praveen*

Asst. Director (SR & Welfare)  
O/o. Chief Postmaster General  
A.P. Circle, HYDERABAD-500 001.

Asst. Postmaster General (S. & V.)  
O/o. Chief Postmaster General  
A.P. Circle, Hyderabad-500 001.

are juniors to the applicants in the gradation list. Modification orders have been issued by the Directorate vide their Ltr. No. 22-S/PE.I dt. 8.2.96 and further clarified vide Ltr. No. dt. 26.3.96 to remove anomalies with regard to promotions. As per the orders, seniors are to be promoted on par with juniors. Further, it is clearly stated in the Directorate's letter dt. 8.2.96 that the senior officials cannot compare with the juniors who were brought under Rule-38 and promoted to L.S.G cadre on completion of 16 years of service. It is further submitted that all the applicants submitted identical representations against the orders S.T 47-5/Co-Hos/93, dt. 4-1-94. Subsequently, modification orders through 22-S/95 PEI, dated 8.2.96 and 22-S/95-PHI dt. 26.3.96, from the Directorate have been issued and the same that the officials cannot compare with the officials who came under Rule-38 of P&T Manual Vol IV for promotion on par with ~~the~~ juniors, as completion of prescribed length of service is the criterion for promotion and as the applicants were not working in Higher posts that the officials who were promoted under T.B.O.P/B.C.R. scheme.

2. 5. In respect of the averments in para 4, it is to state that the applicants have submitted identical representations against the orders dt. 4.1.94, but not after the instructions that have been issued by the Directorate on 8.2.96. The applicants have not submitted any representations after issue of the orders dated 8.2.96 or on the orders dt. 26.3.96, question of challenging the anomaly does not arise.

6. In respect of the averments in para 5, it is to state that as the representations are identical, they were not replied. The modification orders dated 8.2.96 have been received and they were circulated to all wherein it is stated that they cannot compare with the officials came under Rule-38. It is not known whether Union is pursuing the case with Director-General, Posts, New Delhi, from whom no specific orders to the contrary have been received till now. The applicants are trying to derive an undue benefit.

7. The averments in para 6 needs no comments.

8. It is submitted that the judgements cited by the applicants in paragraphs 7 to 8 are not relevant to the subject matter of this case. It is submitted the delay on the part

*W.Rao*

Asst. Postmaster General (S. & V.)  
D/o. Chief Postmaster General,  
A.P. Circle, HYDERABAD-500 001.

*Praveen*  
Asst. Director (SR & Welfare)  
O/o. Chief Postmaster General  
A.P. Circle, HYDERABAD-500 001.

of the applicants' Counsel in filing the C.A intime cannot be a ground for censure or censure of delay in filing the C.A.

In the view of the submissions made above this Hon'ble Tribunal may be pleased to Dismiss the M.A 684/97 in C.A SR NO. 2131/97 and pass such further order or orders as deem fit and proper in the circumstances of the case.

Attested Attested.

*Shan*  
Deponent.

Asst. Postmaster General (S. & V.)  
O/o. Chief Postmaster General,  
A.P. Circle, Hyderabad-500 001.

VERIFICATION.

H. SeshaGiri Rao  
I, ~~Shankar~~, <sup>Shankar</sup>, a/o Narasimha Murty aged about 56 Years do hereby verify & that the contents in the above paras are true to my knowledge and according to the legal advise of my counsel and that I have not suppressed any of the material facts.

Attested.

*Shan*  
Asst. Director (SR & Welfare)  
O/o. Chief Postmaster General  
A.P. Circle, HYDERABAD-500 001.  
Hyderabad.

Dt. 12.9.1997.

Asst. Postmaster General (S. & V.)  
O/o. Chief Postmaster General  
A.P. Circle, Hyderabad-500 001.

Recd  
12/9/97 MS  
C 11/09  
(C)

Reptov, C.R.T  
AT (B) (initials)

MA 686/92

OASR 2084/92

Copy statement

Ref No: C.R.T  
A.T. (G. 1984/92)

MA 686/92

CASR 2084/92

Copy statement

Filed on 12-9-92  
Filed by: Leela Bhavane  
Mobile 06152

BEFORE C.A.T : HYDERABAD

BENCH : AT HYDERABAD

M.A : 686/97

1m

O.A.S.R : 2084/97



Reply statement :

filed on: 15-9-97

filed by: kota Bhaskara Rao

Addl. C.G.S.C

in UDC cadre of UDC/95) were promoted to HSG-II under

} BCR scheme. The principle to be decided in this O.A.

is similar to the principle involved in the above referred OAs in paras-6 & 7. Hence, we see no reason to take a different view than what has already been taken in the above OAs.

9. This Tribunal has disposed of number of OAs where the reliefs prayed for were similar to OAs 403/92 on the file of Bangalore Bench and OA Nos. 1713/93 and 2597/93 on the file of the Principal Bench. It is stated for the applicants that the SLPx filed against the judgment delivered by this Bench following the Bangalore Bench and Principal Bench had been dismissed by the apex court, but the copies of the orders of apex court are not made available.

10. The applicants herein are similarly situated to the postal employees in OA 1713/93 and 2597/93 on the file of the principal Bench of this Tribunal; OA No. 403/92 on the file of Bangalore Bench; and OAs No. 352/94 and 961/93 on the file of this Bench. In view of the fact that all the applicants herein are having similar grievance, we see no reason to differ from the direction given by the Bangalore Bench and principal Bench of this Tribunal. In the result, the following directions are given:-

- (1) In implementing the BCR scheme, the applicants who are senior in UDC cadre by virtue of their promotion to UDC cadre compared to other officials who were promoted as HSG-II (Rs.1600-2660) under the BCR scheme, should be promoted to HSG-II in the scale of Rs.1600-2660 in their turn as per their seniority whenever their juniors in the lower grade are considered for promotion to HSG-II by virtue of their having completed 26 years of service in the basic and LSG cadre without insisting on the applicants completing the minimum prescribed years of service in basic as well as LSG cadre. All other conditions of BCR scheme except the length of service will however be applicable while considering their promotion to HSG-II cadre (Rs.1600-2660).

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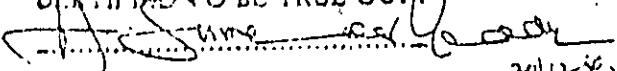
(ii) Consequently, in case the applicants are found suitable for such promotion, they shall be promoted to HSG-II with effect from the date their erstwhile juniors were promoted from LSG to HSG-II with all consequential benefits including seniority and arrears of pay and allowances from such dates. They should also be put on supervisory duties depending on their seniority,

(iii) The BCR scheme should be modified suitably to protect the interests of the officials like the applicants for their promotion from LSG to HSG-II,

(iv) The above directions shall be complied within a period of 4 months from the date of the receipt of the copy of this order.

PA. The OS is ordered accordingly. No costs.

CERTIFIED TO BE TRUE COPY


 20/12/85

Date.....  
 Court Officer  
 Central Administrative Tribunal  
 Hyderabad Bench  
 Hyderabad

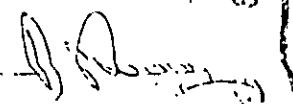
To

1. The Secretary and Director General, Department of Posts, Dak Bhavan, Union of India, 2 New Delhi-1.
2. The Chief Postmaster General, A.P. Circle, Hyderabad-1.
3. One copy to Mr. T.V.V.G. Murthy, Advocate, CAT.Hyd.
4. One copy to Mr. N.V. Raghava Reddy, Addl.CGSC.CAT.Hyd.
5. One copy to Library, CAT.Hyd.
6. One spare copy.

pvm.

 Somurthy  
 Counsel

 01/12/85  
 13/12/85  
 22/12/85



Annexure-A14  
Central Administrative Tribunal  
Principal Bench, New Delhi.

P.

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O.A. No. 45/91

New Delhi this the 24th Day of February, 1995.

Hon'ble Mr. J.P. Sharma, Bencher (J)  
Hon'ble Mr. B.K. Singh, Member (A)

Shri Bed Singh,  
S/o Shri Ram Singh,  
C/o Shri Sant Lal, advocate,  
C-21(B) New Sultan Nagar,  
Delhi-96.

Applicant

(through Sh. Sant Lal, advocate)

versus

1. Union of India, through  
the Secretary, Ministry of  
Communications, Department of Posts,  
New Delhi-1.

2. The Chief Postmaster General,  
Delhi Circle,  
Meghdoot Bhawan,  
New Delhi-1.

3. Shri K.K. Singh, I  
Asstt. Postmaster (Accounts),  
(LSC Accountant) New Delhi R.O.  
New Delhi-1.

4. Shri Brahma Pal LSC Accountant,  
New Delhi R.O. New Delhi-1.

5. Shri H.S. Gupta LSC Accountant,  
Ramesh Nagar P.O. New Delhi-15.

6. Shri Darba Singh LSC Accountant,  
Delhi G.P.O., Delhi-6.

Respondents

(through Mr. H.S. Gupta, advocate)

ORDER

delivered by Hon'ble Mr. B.K. Singh, Member (A)

This O.A. has been filed against memo  
numbers 1 & 2. Both were issued from the office of Chief  
Postmaster General Delhi Circle vide annexures A-1 and  
A-2. Annexure A-1 relates to the grant of special  
allowance of Rs.40/- to two persons promoted under time  
bound promotion scheme and annexure A-2 relates to the  
promotion of three persons who though passed the Post

1. *Authorisation*

2. *Signature*

3. *Signature*

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Office and I.C.C. Accountants examination in 1979 in their circles Western and North Eastern but on their request were transferred to Delhi circle. These people have been promoted upto the class of the applicant.

The admitted facts of this case are that the applicant was appointed as Postal Assistant with effect from 4.4.1977. He passed the departmental examination for promotion to the post of the Post Office and I.C.C. (Railway Mail Service) Accountants examination held in 1979 and was promoted as Post Office Accountant with effect from 2.4.1981.

A meeting of the Departmental Council (J.C.C.W.) was held in 1983 with the members of the service unions and staff side to consider the promotional events of postal employees wherein it was decided that scheme for two time bound promotions in one's service career (i) on completion of 16 years of service and other after completion of 26 years of service should be introduced.

The new scheme of one time bound promotion was framed and introduced in Postal Department with effect from 30.11.1983 vide order no. 31-26-83 'E-I dated 17.12.1983. This is annexure A-4 enclosed with the C.W. This was also applicable to the Post Office and I.M.S. Accountant cadre, vide para 21 of the Scheme according to which they were to be placed in the L.S.G. scale of pay only on completion of 16 years of service and were allowed supervisory allowance when posted against the standard post in their turn and it was not opposed by any service union.

-3-

It is admitted by both the parties that the applicant had not completed 16 years of service in clerical cadre which is a pre condition for grant of L.S.G. He could not be promoted to that grade. It is further admitted that though Respondents No.3 to 6 are junior to the applicant in Post Office and RMS Accountant cadre but since they had completed more than 16 years of service, they were approved by the D.P.C. under the Time Bound Promotion Scheme. The applicant has not completed 16 years of service and is not entitled to promotion under T.B.O.P. is not in dispute.

the relief prayed for are:-

- (i) to set-aside the impugned orders;
- (ii) to direct the respondents to consider the applicant for promotion to the post of Lower Selection Grade Accountant in accordance with his seniority and the Recruitment Rules 1976 from the date his immediate junior was promoted;
- (iii) to grant the consequential benefits of arrears of salary and allowances and seniority etc..

A notice was issued to the respondents who filed their reply and contested the application and grant of reliefs prayed for. We heard the learned counsel for both the parties and perused the record of the case.

The learned counsel for the applicant placed his reliance on the Recruitment Rules of 1976 specially item No.15 dealing the grant of L.S.G. to Accountants of Post Offices and RMS Accountants cadre framed under proviso to Article 309 of the Constitution issued in the

name of President of India vide Ministry of  
Communication's Notification No.6/26-73-SPB-II dated  
30.9.1976 which stipulates that the (Clerks/Postal  
Assistants) in the Post Offices with 10 years of service  
in the grade who have passed the Post Offices and Railway  
Mail Service Accountants Examination are eligible for  
promotion to lower selection grade Accountants in the  
Post Offices and the promotion is by seniority based on  
the year of passing the examination. This is annexure  
A-8 of the paperbook. The applicant was due to be  
considered in accordance with the statutory rules of 1976  
but he was ignored. The learned counsel also referred to  
the clarifications given in D.C.P&T, New Delhi letter  
No.9-8/72-SPB-II dt.10.1.1974. It clearly lays down that  
senior officials should not be left out for consideration  
to lower selection grade just because they had not  
completed 16 years in the requisite clerical grade. It  
further stipulates that such cases should be referred to  
D.C. for purpose of granting necessary relaxation so  
that these seniors are brought within the zone of  
consideration. This letter of D.C.P&T is enclosed as  
Annexure A-7 with the O.A.

It was further pointed out that Respondent  
No.3 is junior to the applicant since the latter passed  
the P.O. & R.M.S. Accountants examination held in 1980  
where the former passed it in 1982. Similarly, Sarva  
Shri Braham Pal, M.S. Gauba and Darba Naha (Respondents  
No.4 to 6) are also junior to the applicant although they  
passed the examination in 1979 & as a result of inter  
circle transfer under the provisions of Rule 38 of P & T  
Manual Vol.4, on their request from Western and North

BB

Eastern Circles to Delhi Circle in October, 1989 and in June, 1982 they were placed below the applicant. This is not denied by the respondents.

The learned counsel for the applicant further argued that the new Scheme for grant of TBOP is a non-functional grade given on completion of 16 years of service and these officials so promoted will get supervisory posts in their turn.

The learned counsel for the respondents argued that since the applicant had not completed 16 years of service which is a pre condition for grant of TBOP, he was not granted LSG and his juniors i.e. respondents No.3 to 6 who had completed 16 years of service were allowed the promotion by D.P.C. under the schema framed by respondents in consultation with staff union. It is admitted that the applicant had completed only 14 years of service when DPC met. He argued that with the introduction of the new Scheme, all instructions on the subject had been superseded.

After hearing the rival contentions and going through the record, we are unable to accept the contentions of the learned counsel for the respondents. There is a clear averment in O.A. that rules of 1976 had not been amended even after the new scheme of TBOP was introduced. The rules have been framed under proviso to Article 309 and have a mandatory force and those will prevail over administrative instructions. Item 15 of the Recruitment Rules refers to officials who have passed the P.O. and R.M.S. Accountants' Examination and they are

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eligible for promotion after completion of only 10 years of service. They will rank senior to those who passed this examination subsequently and also to those who are being considered for TBOP on the basis of 16 years of service. Merit is a time honoured principle from the remote past and this is also contained in item 15 of the Recruitment Rules and this principle of seniority based on merit as a result of passing the P.O. and RMS Accountants examination has been incorporated in DCPAT letter No. 9/12/68-SPB-II dated 13.12.1959 and also in letter No. 9-10/68-SPB-II dated 12.3.1970 placed at annexure A-5 and annexure A-6 of the O.A. The same view has been reiterated in letter No. 9-8/72-SPB-II dated 10.1.1974 that seniors cannot be ignored just because they had not completed requisite number of years for being eligible to LSG. In all such cases reference is required to be made to DCPAT for relaxation.

The rules are of a mandatory nature and administrative instructions are merely directory in nature. The recruitment rules will prevail over administrative instructions. Only those administrative instructions which supplement the rules acquire mandatory force and, therefore, the instructions quoted and filed at annexures A-5, A-6 and A-7 will have the force of a statute and the instructions quoted by the learned counsel for the respondents which are inconsistent with rules will be treated as merely directory in nature. Their non-observance will not matter but non-observance of a rule issued under proviso to Article 309 of the Constitution and administrative instructions issued to supplement them will prove fatal.

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The crucial question is the applicability of the rules. The rules of 1976 have not been amended and are applicable as admitted by the respondents also. The applicant has passed the P.O. & MTS Accountants examination stipulated in serial No.15 of the Recruitment Rules. He has also completed 10 years of service. As such, the applicant is entitled for promotion under the said rules and he is not claiming promotion under TDOP but under the statutory rules of 1976. As such, his case should be considered on merits by holding a review D.P.C. and if he is suitable, he should be promoted from the date his immediate junior was promoted with all consequential benefits. The O.A. is thus allowed and the respondents are directed to consider the case of the applicant on merits under the statutory rules of 1976 to the grade of LSG. The respondents shall implement these directions within a period of two months from the date of receipt of a certified copy of this order.

There will, however, be no order as to costs.

(B.K. Singh)

Member (A)

(J.P. Sharma)

Member (J)

/VV/

Army  
Court

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From:

P. V. Sastri  
 PA (CO)  
 C PMA HYD

To:

The Chief Postmaster-General  
 A.P.Circle,  
 HYDERABAD-500 001.

Respected Sir,

Sub:- Request for promotion to the cadre of LSG  
 PA (CO) under TBOP on par with my junior(s).

According to the existing gradation list of  
 Group 'C' staff of CO/ROS as on 1-7-1987 my name stands at Sl. 22  
 under Permanent/Temp.LDCs. My junior at Sl. 10<sup>th</sup> by name  
 A. Sashikumar is promoted to the cadre of LSG w.e.f. 26.6.93  
 C.O. Memo. No. 51/47-5/C-RO/TEP-73 vide  
 C.O. Memo. No. 51/47-5/C-RO/TEP-73 ignoring me.

According to the Rectt., rules framed under  
 Article 309 of the Constitution of India, promotions should be  
 made based on the seniority subject to fitness. As such, I should  
 have been given promotion to the cadre of LSG PA(CO) from the  
 date my junior Sri/Smt. A. Sashikumar is promoted.

Ignoring the seniors and promoting the juniors basing on the  
 length of service is against the rules. In this connection,  
 kind attention is invited to the judgements delivered by the  
 CAT Bangalore Bench in OA No.403/92, Principal Bench, New Delhi  
 in OA No.1713/93 & 2597/93 and Hyderabad Bench OA No.28/94, 928/91  
 961/93 & 352/94 wherein the same principle was enunciated.

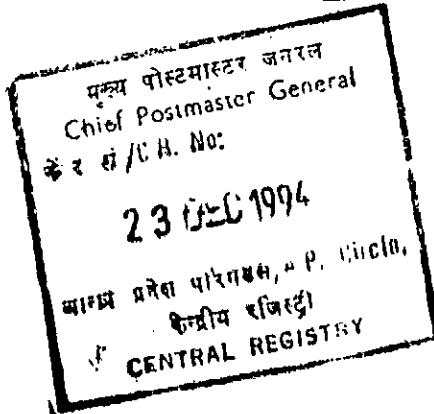
I, therefore, request you to kindly promote me  
 to the cadre of LSG PA(CO) w.e.f. 26.6.93 on par with my  
 junior(s) A. Sashikumar at the earliest for which  
 act of kindness, I shall be ever grateful to you.

Hyderabad-1

Date: 23-12-1994.

Yours faithfully,

(C.P.V. Sastri)



8m4nthy  
 Coundel

From:  
N. Yedagiri  
PA to CFO CPMG  
Hyd-1

To:  
The Chief Postmaster-General  
A.P. Circle,  
HYDERABAD-500 001.

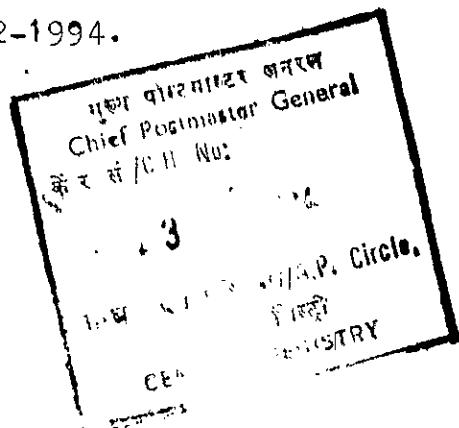
Respected Sir, Sub:- Request for promotion to the cadre of LSG PA (CO) under TBOP on par with my junior(s).

According to the existing gradation list of 28  
Group 'C' staff of CO/ROs as on 1-7-1987 my name stands at Sl. 830F  
under Permanent/Temp. LDCs. My junior at Sl. 26-6-53 by name  
A. S. S. Chavatia is promoted to the cadre of LSG w.e.f. 26-6-53 vide 94  
C.O. Memo. No. 26-6-53 ignoring me.

According to the Rectt., rules framed under Article 309 of the Constitution of India, promotions should be made based on the seniority subject to fitness. As such, I should have been given promotion to the cadre of LSG PA(CO) from the date my junior Sri/Smt. A. S. S. Chavatia is promoted. Ignoring the seniors and promoting the juniors basing on the length of service is against the rules. In this connection, kind attention is invited to the judgements delivered by the CAT Bangalore Bench in OA No. 403/92, Principal Bench, New Delhi in OA No. 1713/93 & 2597/93 and Hyderabad Bench OA No. 28/94, 923/91, 961/93 & 352/94 wherein the same principle was enunciated.

I, therefore, request you to kindly promote me to the cadre of LSG PA(CO) w.e.f. 26-6-53 on par with my junior(s) A. S. S. Chavatia at the earliest for which act of kindness, I shall be ever grateful to you.

Yours faithfully,  
Hyderabad-1  
Date: 23-12-1994.



*N. Yedagiri*  
P. A. C. O.  
OFC-8075  
8075  
G. M. S. Chavatia  
2

A-17

P. (b)

✓

From:

S. NARSAIAH

P.A. 90° with ④ HgD<sub>2</sub>CrAg<sub>2</sub>

10

The Chief Postmaster-General,  
A.P.Circle,  
HYD E R A B A D - 500 001.

Respected Sir,

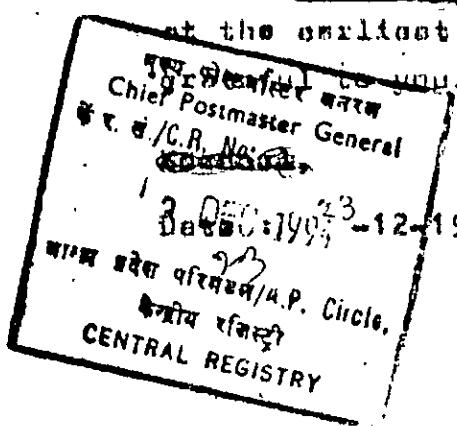
Sub: Request for promotion to the cadre of LSG/HSG II(PACO) under TBOP/ ECR Scheme of promotion on par with my juniors - Regarding.

• • •

UDC I have been promoted/appointed to the cadre of ~~W.S.C.~~ W.S.F. 16.6.88 on passing the examination. According to the existing gradation list of Group 'C' staff of CO/ROs as on 1-7-1987 my name stands at Sl. No. 51 under permanent/temp. UDCs. My juniors D.S. Seenu at Sl. 52 who are promoted to the cadre of UDC at a later date i.e. from 26.6.93 were promoted to the cadre of LSC/USG-II ~~W.S.C.~~ W.S.F. 26.6.93 vide C.O. Memo. No. Staff/47-S/CORO/TBOP-93, dated 4-1-94 ignoring me who is senior to the above mentioned officials.

According to the Recd. rules framed under Article 309 of Constitution of India, promotion should be made based on the seniority subject to fitness. As such, I should have been given promotion to the cadre of LSG/HSG-II from the date my junior(s) have been promoted i.e. 26.6.92. Ignoring the senior and promoting the juniors basing on the length of service is against the rules. In this connection, kind attention is invited to the judgements delivered by the CAT, Bangalore Bench in OA No.403/92, Principal Bench, New Delhi in OA No.1713/93 & 2597/93 and Hyderabad Bench-OA No.28/94, 928/91, 961/93 & 392/94 wherein the same principle was enunciated.

... I, therefore, request you to kindly promote me to the Cadre of LSG(PA CO)/HSG-II(PA CO) w.e.f. 26.6.82 on par with my junior(s). Discharge me at the earliest for which act of kindness, I shall be ever



Yours, faithfully,

• N Arg 3.9 74-17 )

Smithy  
Country  
Council

A-18

P. 67

71

From:

RBM Singh

PA (CO)

o/c P.M.C. 1111D

To:

The Chief Postmaster-General  
A.P.Circle,  
HYDERABAD-500 001.

Respected Sir,

Sub:- Request for promotion to the cadre of LSG PA (CO) under TBOP on par with my junior(s).

According to the existing gradation list of Group 'C' staff of CO/ROs as on 1-7-1987 my name stands at Sl. 24 under Permanent/Temp. LDCs. My junior at Sl. 26-6-93 by name A. Seshadri is promoted to the cadre of LSG w.e.f. 26-6-93 vide C.O. Memo. No. Sl. 2/47-5/C.O.-60/TBOP-93 ignoring me.

According to the Recrt., rules framed under Article 309 of the Constitution of India, promotions should be made based on the seniority subject to fitness. As such, I should have been given promotion to the cadre of LSG PA(CO) from the date my junior Sri/Smt. A. Seshadri is promoted.

Ignoring the seniors and promoting the juniors basing on the length of service is against the rules. In this connection, kind attention is invited to the judgements delivered by the CAT Bangalore Bench in OA No.403/92, Principal Bench, New Delhi in OA No.1713/93 & 2597/93 and Hyderabad Bench OA No.28/94, 923/91 961/93 & 352/94 wherein the same principle was enunciated.

I, therefore, request you to kindly promote me to the cadre of LSG PA(CO) w.e.f. 26-6-93 on par with my junior(s) A. Seshadri at the earliest for which act of kindness, I shall be ever grateful to you.

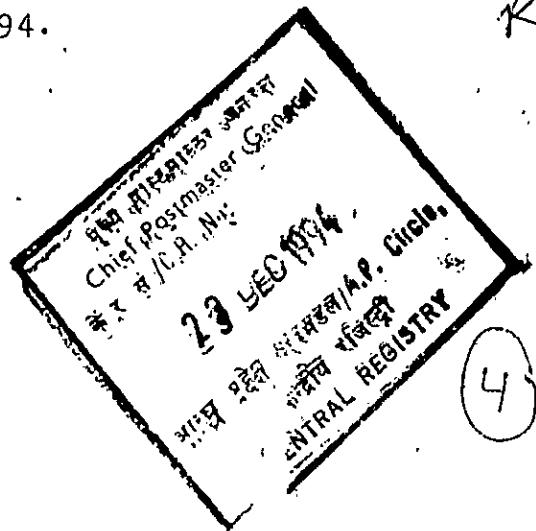
Hyderabad-1

Date: 23-12-1994.

Yours faithfully,

RBM Singh

Samyathy  
Court



(4)

A-19

P. 68

From:

Ch. Subbalakshmi  
PA (CO)  
7/CPNG-1110.

To

The Chief Postmaster-General  
A.P. Circle,  
HYDERABAD-500 001.

Respected Sir,

Sub:- Request for promotion to the cadre of LSG  
PA (CO) under TBOP on par with my junior(s).

According to the existing gradation list of  
Group 'C' staff of CO/ROs as on 1-7-1987 my name stands at Sl. 26  
under Permanent/Temp. LDCs. My junior at Sl. Team 8 by name \_\_\_\_\_

A. Seshadri is promoted to the cadre of LSG w.e.f. 26-6-93 vide  
C.O. Memo. No. Sl-ff/47-5/CO/RO/128-93 ignoring me.

According to the Rectt., rules framed under  
Article 309 of the Constitution of India, promotions should be  
made based on the seniority subject to fitness. As such, I should  
have been given promotion to the cadre of LSG PA(CO) from the  
date my junior Sri/Smt. A. Seshadri is promoted.  
Ignoring the seniors and promoting the juniors basing on the  
length of service is against the rules. In this connection,  
kind attention is invited to the judgements delivered by the  
CAT Bangalore Bench in OA No. 403/92, Principal Bench, New Delhi  
in OA No. 1713/93 & 2597/93 and Hyderabad Bench OA No. 28/94, 928/91  
961/93 & 352/94 wherein the same principle was enunciated.

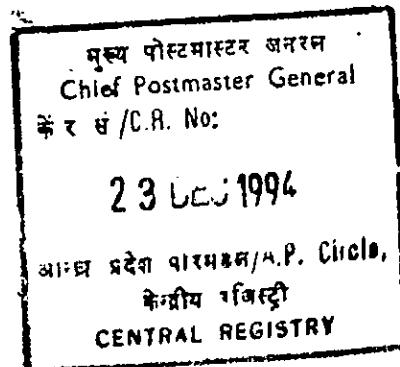
I, therefore, request you to kindly promote me  
to the cadre of LSG PA(CO) w.e.f. 26-6-93 on par with my  
junior(s) A. Seshadri the earliest for which  
act of kindness, I shall be ever grateful to you.

Hyderabad-1

Date: 23 - 12 - 1994.

Yours faithfully,

Ch. Subbalakshmi



3

Amunthy  
Conduct

From:-

Mrs. M. Viola Samuel  
 PA - Acc't. Section.  
 9/ CPMG. A.P. Circle,  
 Hyderabad - 1

To

The Chief Postmaster-General,  
 A.P. Circle,  
 Hyderabad-500001.

Respected Sir,

Sub:- Request for Promotion to the cadre of  
 LSG/HSG II(PA CO) under TBOP/BCII  
 Schemes of promotion on par with my  
 Juniors - Regarding.

\*\*\*

I have been promoted-appointed to the cadre of  
 L.D.C. w.e.f. 3.6.78 on passing the examination.  
 According to the existing gradation list of Group 'C' staff  
 of CO/RDs as on 1-7-1987 my name stands Sl.No. 517 under  
 Permanent/Temp. UDCs. My juniors D. Sangeeta at  
 Sl.No. 511 who are promoted to the cadre of UDC at a  
 later date i.e. from 26.6.93 were promoted to the cadre  
 of LSG/HSG w.e.f. 26.6.93 vidd C.O. Mem & No. Staff/47-5/  
 CORD/TBOP893, dated 4/1-1994 ignoring me who is senior to the  
 above mentioned officials.

According to the recd. rules framed under Article 309  
 of Constitution of India, promotion should be made based on  
 the seniority subject to fitness. As such, I should have been  
 given promotion to the cadre of LSG/HSG-II from the date my  
 junior(s) have been promoted i.e. 26.6.93. Ignoring the  
 senior and promoting the juniors being on the length of service  
 is against the rules. In this connection, kind attention is  
 invited to the judgements delivered by the C.A.T., Bangalore  
 Bench in OA No.403/92, Principal Bench, New Delhi in  
 OA No.1713-93 & 2597/93 and Hyderabad Bench OA No.28/94, 928/91,  
 961/93 & 352/94 where in the same principle was enunciated.

I, therefore, request you to kindly promote  
 me to the cadre of LSG(PA CO)/HSG-II(PA CO) w.e.f. 26.6.93  
 on par with my juniors D. Sangeeta at the earliest  
 for which act-of kindness, I shall be ever grateful to you.

Chief Postmaster General  
 F. R. & C.A. No:

13 Dec. 1994

5/23-12-94

Yours faithfully,

M. Viola Samuel.

(M. VIOLA SAMUEL)

Om Prakash  
 (Signature)

ભારત પદ્ધતિ, A.P. Circle,  
 Date: 26/12/94  
 CENTRAL REGISTRY

A-21

P. (T)

From :  
XXXXXX  
R.B.SHOBHA RANI  
PA(CO)  
% THE CHIEF POSTMASTER GENERAL  
A.P.CIRCLE -HYDERABAD.

To  
The Chief Postmaster-General,  
A.P.Circle,  
HYDERABAD - 500 001.

Respected Sir,

Sub:- Request for promotion to the cadre of LSG/HSG II (PA CO) under TBOP/ DGR Schemes of promotion on par with my juniors - Regarding.

UDC I have been \* promoted/appointed to the cadre of XXX w.e.f. 9-6-1988 on passing the examination. According to the existing gradation list of Group 'C' staff of CO/RDs as on 1-7-1987 my name stands at Sl. No. ND under permanent/Temp. UDCs. My juniors D.SANJEEVA at Sl. ND who are promoted to the cadre of UDC at a later date i.e. from 26-6-93 were promoted to the cadre of LSG/HSG-II w.e.f. 26-6-93 vide C.O. Memo. No. Staff/47-5/CORO/TBOP-93, dated 4-1-94 ignoring me who is senior to the above mentioned officials.

According to the Rec'tt. rules framed under Article 309 of Constitution of India, promotion should be made based on the seniority subject to fitness. As such, I should have been given promotion to the cadre of LSG/HSG-II from the date my junior(s) have been promoted i.e. 24.6.93. Ignoring the senior and promoting the juniors basing on the length of service is against the rules. In this connection, kind attention is invited to the judgements delivered by the CAT, Bangalore Bench in OA No.403/92, Principal Bench, New Delhi in OA No.1713/93 & 2597/93 and Hyderabad Bench OA No.28/94, 920/91, 961/93 & 352/94 wherein the same principle was enunciated.

I, therefore, request you to kindly promote me to the Cadre of LSG (PA CO)/NSG-II (PA CO) w.e.f. 01-06-03 on par with my junior(s). With thanks at the earliest for which act of kindness, I shall be ever grateful to you.

Yours faithfully,  
R. B. SHOBA RANI.

पुस्तकालय पास्टमास्टर बनरेल  
प्राप्ति क्रमांक No. : 12-  
Date : ८/८/८५  
G.P. No. : 12-  
Date : 8/8/85  
G.P. No. : 12-

19 DECEMBER 1995  
मान्य शहर परिषद/ A.P. Circle  
केन्द्रीय रजिस्ट्री  
CENTRAL REGISTRY

From:

JagadeeshwarPA (C 6)Postman IMD

To:

The Chief Postmaster-General  
A.P. Circle,  
HYDERABAD-500 001.

Respected Sir,

Sub:- Request for promotion to the cadre of LSG  
PA (CO) under TBOP on par with my junior(s).

According to the existing gradation list of Group 'C' staff of CO/ROs as on 1-7-1987 my name stands at Sl. 34 under Permanent/Temp. LDCs. My junior at Sl. 26 ~~8~~ by name Seshadramulu is promoted to the cadre of LSG w.e.f. 26.6.93 vide C.O. Memo. No. Sl. 8/47-5/CO-R/ TBOP-93 ignoring me. 74

According to the Recrt., rules framed under Article 309 of the Constitution of India, promotions should be made based on the seniority subject to fitness. As such, I should have been given promotion to the cadre of LSG PA(CO) from the date my junior Sri/Smt. A. seshadramulu is promoted.

Ignoring the seniors and promoting the juniors basing on the length of service is against the rules. In this connection, kind attention is invited to the judgements delivered by the CAT Bangalore Bench in OA No. 403/92, Principal Bench, New Delhi in OA No. 1713/93 & 2597/93 and Hyderabad Bench OA No. 28/94, 923/91 961/93 & 352/94 wherein the same principle was enunciated.

I, therefore, request you to kindly promote me to the cadre of LSG PA(CO) w.e.f. 26-6-93 on par with my junior(s) A. seshadramulu at the earliest for which act of kindness, I shall be ever grateful to you.

Jagadeeshwar  
Yours faithfully,

Hyderabad-1

Date: 23 -12-1994.

Om Prakash  
Council

(8)

From:  
 L.VENUGOPAL  
 PA (CO)  
 % CHIEF POSTMASTER GENERAL  
 A.P.CIRCLE, HYDERABAD.

To  
 The Chief Postmaster-General,  
 A.P.Circle,  
H Y D E R A B A D - 500 001.

Respected Sir,

Sub: Request for promotion to the cadre of LSG/HSG II(PA CO) under TBOP/BCR Schemes of promotion on par with my juniors - Regarding.

\* \* \*

I have been promoted/appointed to the cadre of LDC w.e.f. 21-5-1979 on passing the examination. According to the existing gradation list of Group 'C' staff of CO/ROs as on 1-7-1987 my name stands at Sl. No. 25 under permanent/Temp. UDCs. My juniors D.SANJEEVA at Sl. 51 who are promoted to the cadre of UDC at a later date i.e. from 26-6-1993 were promoted to the cadre of LSG/HSG-II w.e.f. 26-6-93 vide C.O. Memo. No. Steff/47-5/CORO/TBOP-93, dated 4-1-94 ignoring me who is senior to the above mentioned officials.

According to the Recd. rules framed under Article 309 of Constitution of India, promotion should be made based on the seniority subject to fitness. As such, I should have been given promotion to the cadre of LSG/HSG-II from the date my junior(s) have been promoted i.e. 26-6-93. Ignoring the senior and promoting the juniors basing on the length of service is against the rules. In this connection, kind attention is invited to the judgements delivered by the CAT, Bangalore Bench in OA No.403/92, Principal Bench, New Delhi in OA No.1713/93 & 2597/93 and Hyderabad Bench OA No.28/94, 928/91, 961/93 & 352/94 wherein the same principle was enunciated.

I, therefore, request you to kindly promote me to the Cadre of LSG(PA CO)/HSG-II(PA CO) w.e.f. 26-6-93 on par with my junior(s). D. SANJEEVA at the earliest for which act of kindness, I shall be ever

Yours sincerely,  
 Chief Postmaster General  
 A.P.CIRCLE

Date: 12-12-1994.

Yours faithfully,  
 ( L.VENUGOPAL )

From :  
 L.VENUGOPAL  
 PA (CO)  
 % CHIEF POSTMASTER GENERAL  
 A.P.CIRCLE, HYDERABAD.

To :  
 The Chief Postmaster-General,  
 A.P.Circle,  
 HYDERABAD - 500 001.

Respected Sir,

Sub: Request for promotion to the cadre of LSG/HSG II(PA CO) under TBOP/ DCR Schemes of promotion on par with my juniors - Regarding.

\* \* \*

I have been promoted/appointed to the cadre of LDC w.e.f. 21-5-1979 on passing the examination. According to the existing gradation list of Group 'C' staff of CO/R0s as on 1-7-1987 my name stands at Sl. No. 25 under permanent/temp. UDCs. My juniors D.SANJEEVA at Sl. 51 who are promoted to the cadre of UDC at a later date i.e. from 26-6-1993 were promoted to the cadre of LSG/HSG-II w.e.f. 26-6-93 vide C.O. Memo. No. Steff/ 47-5/CORO/TBOP-93, dated 4-1-94 ignoring me who is senior to the above mentioned officials.

According to the Recrt. rules framed under Article 309 of Constitution of India, promotion should be made based on the seniority subject to fitness. As such, I should have been given promotion to the cadre of LSG/HSG-II from the date my junior(s) have been promoted i.e. 26-6-93. Ignoring the senior and promoting the juniors basing on the length of service is against the rules. In this connection, kind attention is invited to the judgments delivered by the CAT, Bangalore Bench in OA No.403/92, Principal Bench, New Delhi in OA No.1713/93 & 2597/93 and Hyderabad Bench OA No.28/94, 928/91, 961/93 & 352/94 wherein the same principle was enunciated.

I, therefore, request you to kindly promote me to the Cadre of LSG(PA CO)/HSG-II(PA CO) w.e.f. 26-6-93 on par with my junior(s) D.SANJEEVA at the earliest for which act of kindness, I shall be ever

With thanks to you,  
 Chief Postmaster General  
 A.P.Circles

Date: 22/12/94

आप सेवा परिषद/A.P. Circle,  
 केन्द्रीय रजिस्ट्री  
 CENTRAL REGISTRY

Yours faithfully,  
 (L.VENUGOPAL)

83m 4th  
 Council

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

OA. No. 2134/97.

AT HYDERABAD

\*\*\*

OA. 1244/97.

Dt. of Decision : 17-09-97.

1. P. Visweswara Sastry
2. N. Yadagiri
3. S. Narsaiah
4. R. B. M. Singh
5. Ch. Subba Lakshmi
6. Smt. Viola Samuel
7. R. B. Shobha Rani
8. Jagdeshwar
9. L. Venugopal

.. Applicants.

Vs

1. The Union of India, rep. by  
Secretary and Director-General,  
Dept. of Posts, Dak Bhavan,  
New Delhi-1.
2. The Chief Postmaster General,  
AP Circle, Hyderabad-1.

.. Respondents.

Counsel for the applicants : Mr. T. V. V. S. Murthy

Counsel for the respondents : Mr. K. Bhaskara Rao, Addl. CGSC.

CORAM:-

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

THE HON'BLE SHRI B. S. JAI PARAMESHWAR : MEMBER (JUDL.)

\*\*\*\*\*

ORDER

ORAL ORDER (PER HON'BLE SHRI R. RANGARAJAN: MEMBER (ADMN.)

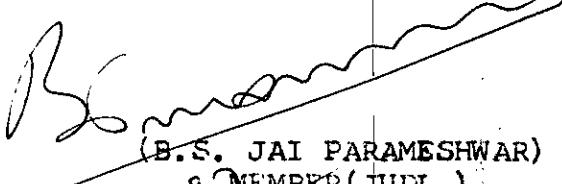
Heard Mr. T. V. V. S. Murthy, learned counsel for the applicants. None for the respondents.

2. There are 9 applicants in this OA. They were not promoted under the Time Bound One Promotion (TBOP) Scheme. The TBOP Scheme was introduced by R-1 by memo No. 4-12/88-PEI (Pt) dated 22-07-93 (Annexure-3). A clarification was issued by R-1 to that scheme by memo No. 22-5/95-PEI dated 8-2-96 (Annexure-9) on the basis of the judgement of this Tribunal in OA. 1022/95 dated 13-12-95.

(Annexure-13). But instead of amending the scheme in accordance with the directions given, the case of the applicants were considered as per the ~~st~~ original orders. Thus they were deprived of the promotion under that scheme by not modifying the said scheme. The applicants had filed representations in this connection to R-2 which are enclosed from Annexure-15 to Annexure-23. It is stated that those representations are still to be disposed of. In view of the above pending representations the following direction is given:-

R-1 and R-2 should dispose of the representations of the applicants judiciously taking due note of the observations/ directions given in OA.1022/95 dated 13-12-95 (Annexure-13) ~~as~~ within a period of two months from the date of receipt of a copy of this judgement.

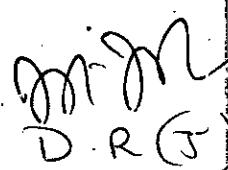
3. The OA is ordered accordingly at the admission stage itself. No costs.

  
(B.S. JAI PARAMESHWAR)  
17.9.97 MEMBER (JUDL.)

  
(R. RANGARAJAN)  
MEMBER (ADMN.)

Dated : The 17th Sept. 1997.  
(Dictated in the Open Court)

spr

  
D.R.G.

Copy to:

1. The Secretary and Director General, Dept. of Posts, Dak Bhavan, New Delhi.
2. The Chief Postmaster General, A.P.Circle, Hyderabad.
3. One copy to Mr.T.V.V.S.Murthy, Advocate, CAT, Hyderabad.
4. One copy to Mr.K.Bhaskara Rao, Addl.CGSC, CAT, Hyderabad.
5. One copy to D.R(A), CAT, Hyderabad.
6. One duplicate copy.

YLKR

SPB  
6/10/87

TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD

THE HON'BLE SHRI R.RANGARAJAN : M(A)

AND

THE HON'BLE SHRI B.S.JAI PARAMESHWAR :  
M (J)

Dated: 17/9/87

ORDER/JUDGMENT

M.A/R.A/C.A.NO.

in

O.A.NO. 1244/87

Admitted and Interim Directions  
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

YLKR

II Court

केन्द्रीय प्रशासनिक अधिकार  
Central Administrative Tribunal

DESPATCH

21 OCT 1997

हैदराबाद न्यायपीठ  
HYDERABAD BENCH

81

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD  
M.A.NO. 21/98 in O.A.1244/97.

Date of Order: 19-1-98.

Between:

1. The Union of India, rep. by the  
Secretary & Director General,  
Dept. of Posts, Dak Bhavan, New Delhi-1.
2. The Chief Postmaster General,  
A.P. Circle, Hyderabad-1.

... Applicants/Respondents.  
and

1. P. Visweswara Sastry.
2. N. Yadagiri
3. S. Narsaiah.
4. R. B. M. Singh.
5. Ch. Subhalakshmi.
6. Smt. Viola Samuel.
7. R. B. Shobha Rani.
8. Jagdeshwar.
9. L. Venugopal.

... Respondents/Applicants.

For the Applicants: Mr. K. Bhaskar Rao, Addl. CGSC.

For the Respondents: Mr. T. V. V. S. Murthy, Advocate.

CORAM:

THE HON'BLE MR. H. RAJENDRA PRASAD : MEMBER(ADMN)

The Tribunal made the following Order:-

Heard Mr. T. V. V. S. Murthy for the applicants (in O.A.)

In view of the reasons stated in the MA time is granted upto 31-3-98 to take a final decision in the matter.

Thus the M.A. is disposed of.

*JV/DR*  
Deputy Registrar.

To

1. The Secretary & Director-General,  
Union of India, Dept. of Posts, Dak Bhavan, New Delhi-1.
2. The Chief Postmaster General, A.P. Circle, Hyderabad-1.
3. One copy to Mr. K. Bhaskar Rao, Addl. CGSC. CAT. Hyd.
4. One copy to Mr. T. V. V. S. Murthy, Advocate, CAT. Hyd.
5. One spare copy.

pvm.

*ca u/198*  
TYPED BY  
COMPIRED BY

I CO  
CHECKED BY  
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE  
VICE-CHAIRMAN

AND ✓  
THE HON'BLE MR.H.RAJENDRA PRASAD:M(A)

DATED: 19-1-1998

ORDER/JUDGMENT:

M.A./R.A./C.A.No. 21/98

in  
O.A.No. 1246/97

T.A.No. (W.R)

Admitted and Interim directions  
Issued.

Allowed

Disposed of with direction

Dismissed.

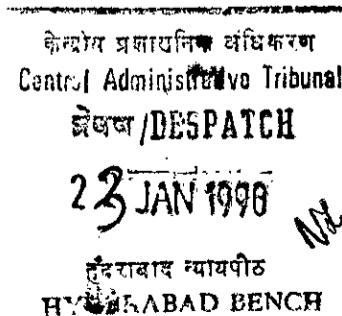
Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected.

No order as to costs.

pvm.



Annexure - A 1

P. 15

20

\*\*\*\*\*  
FOR OFFICIAL USE ONLY

GRADATION LIST OF OFFICIALS

IN THE OFFICE OF THE POSTMASTER-GENERAL  
ANDHRA PRADESH CIRCLE: HYDERABAD

A N D

DIRECTOR OF POSTAL SERVICES

HYDERABAD : VIJAYAWADA : KURNOOL : VIZAG

AS ON 1-7-1986

ISSUED UNDER THE AUTHORITY OF POSTMASTER-GENERAL  
HYDERABAD-500001

22  
26  
9/86

18

24121986

A-1

P. 16

21

(Rs. 260-5-222-E3-6-6-32-E3-8-334-E3-8-390-10-400) 15

LBC. Permanent

SL. NO.	NAME	Community	Date of birth	Date of entry	Designation	Pay	Date of next draw	Date from which increment	Remarks	
1	2	3	4	5	6	7	8	9	10	11
1.	K. Seetharamulu <i>retired</i>	10-8-32	18-5-54	1-3-76	Off. UDC	476/-	1-1-87			
2.	1. Viswanatharao <i>resigned</i>	1-7-51	2-1-72	1-3-76	Off. UDC	392/-	1-4-87			
3.	K. Vijay Kumar	2-3-43	17-1-67	1-6-77	Off. UDC	392/-	1-4-87			
4.	C. Satyanarayana	15-12-49	4-1-64	1-11-79	Off. UDC	392/-	1-4-87			
5.	<u>Seervadam</u>	4-1-48	13-2-74	1-3-80	Off. UDC	380/-	1-2-87			
6.	K. Krishna	12-7-49	15-2-74	27-3-80	Off. UDC	380/-	1-2-87			
7.	M. V. Ramana	2-3-46	29-1-61	1-3-82	Off. UDC	370/-	1-12-86			
8.	S. Sattaih	4-9-51	13-3-75	1-3-82	Off. UDC	370/-	1-7-86			
9.	B. V. Dageswaran	SC	16-6-57	5-7-72	1-2-83	Off. UDC	350/-	1-9-86		
10.	Seethaevi		5-12-55	1-4-76	1-2-83	LDC				
11.	G. V. Satyanarayana	SC	15-12-33	23-10-64	1-12-83	Off. UDC	370/-	1-7-86		
12.	Mir Hidayat Ali <i>resigned</i>		27-3-50	19-1-75	1-10-84	Off. UDC	330/-	1-7-86		
13.	S. M. H. Nehri		14-10-59	16-1-77	2-1-84	LDC	314/-	1-3-87		
14.	K. Eswar	ST	25-5-43	3-7-77	1-3-85	Off. UDC				
15.	Md. Jaffer Ali <i>upd.</i>		20-5-45	19-10-67	1-3-85	LDC	314/-	1-7-86		

(2)

(19)

- 16 -

1	2	3	4	5	6	7	8	9	10	11
68	16. J. Kishan	S C	215-9-43	13-11-65	1-3-35	Offg. UDC	360/-	1-4-87		
69	✓ 17. Smt. V. S. Prasad		19-1-52	3-6-73	1-3-35	LDC	300/-	1-6-87		
70	✓ 18. A. Kameswararao		5-3-53	16-6-73	1-3-35	Offg. UDC				
71	✓ 19. P. Padmanabha Prasad	Exd.	2-6-54	2-6-73	1-3-35	LDC	300/-	1-6-87		
72	✓ 20. S. R. Sivaramakrishna		3-12-54	6-10-79	1-3-35	Offg. UDC	330/-	1-6-87		
73	✓ 21. G. Gopal		1-8-3-55	24-5-79	1-3-35	LDC	370/-	1-9-86		
74	✓ 22. P. Visweswara Sastry		22-6-56	1-6-79	1-3-35	LDC	370/-	1-9-86	— II —	1
75	✓ 23. R. V. Rajaram	unqual	22-1-55	25-9-79	1-3-35	LDC	296/-	1-9-86	— II —	2
76	✓ 24. R. B. M. Singh		17-1-57	6-7-79	1-3-35	LDC	302/-	1-7-86	— II —	3
77	✓ 25. L. Venugopal		11-3-56	21-5-79	1-3-35	LDC	302/-	1-5-87	— II —	4
78	✓ 26. Smt. Ch. Subbalakshmi		1-2-53	21-5-79	1-3-35	LDC	302/-	1-5-87	— II —	5
79	✓ 27. V. Subramanieswararao		5-4-55	21-5-79	1-3-35	LDC				
80	✓ 28. N. Yedagiri		22-3-53	21-5-79	1-3-35	LDC	302/-	1-5-87	— II —	2
81	✓ 29. K. Sunkararao	unqual	7-1-54	22-5-79	1-3-35	Offg. UDC	340/-	1-5-87		
82	✓ 30. Kum. V. V. Ramanamma	unqual	16-6-61	9-1-80	1-3-35	Offg. UDC	330/-	1-5-87		
83	✓ 31. Smt. Habeeba		15-11-57	6-7-80	1-3-35	LDC	24/-	1-7-86		
84	✓ 32. G. S. Sivaramakrishna		26-1-56	24-4-81	1-3-35	LDC	20/-	1-4-87		

1469

P. 18

23

- 1.7 -

TFD u/s - 38 from 346  
vaginal  
Tried on 16.8.8.

4

21

A-1

P. 19

- 18 -

1	2	3	4	5	6	7	8	9	10	11
50.	Smt. N. Shantha		26-3-43	25-10-82	1-3-85	LDC	273/-	1-2-86		
51.	Smt. M. Umeshi Malathi Devi		3-6-59	2-11-82	1-3-85	LDC	273/-	1-11-86		
52.	G. Vijay Kumar. III		29-12-53	6-12-82	1-3-85	LDC	273/-	1-12-86		
53.	Shri. K. Kulkarni		15-11-57	3-12-82	1-3-85	LDC	273/-	1-12-86		
54.	N. R. Srinivasan	SC	14-1-50	9-2-83	1-3-85	LDC	273/-	1-2-87		
55.	Venkateswarlu		7-3-57	18-1-83	1-3-85	LDC	273/-	1-1-87		
56.	Suraj Krishnappa		5-12-56	7-3-83	1-1-86	LDC	273/-	1-5-87		
57.			5-6-62	2-3-83	1-7-86	LDC	273/-	1-3-87		
58.	Vijay Kumar	SG	19-4-57	12-9-83	12-7-86	LDC	272/-	1-2-86		
59.	V. Jayaraju	SC	4-3-56	11-10-83	1-3-86	LDC	272/-	1-10-86		

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P. 20

1	2	3	4	5	6	7	8	9	10	11
(Rs. 250/- 5-29- E3- 6-326- 2-334- 3- 2-320- 1/2-400)										
1. <u>V.E. Sivakumar</u>				16-11-56	20-2-83					
2. <u>S. Nairack Panthar</u> <sup>assigned</sup>				12-9-56	14-1-83				LDC	273/- 1-2-87
3. Kum. B. Rani Pranayashala				10-12-52	6-4-83				LDC	273/- 1-1-87
4. K. Sivaramakumar				16-3-62	15-6-83				LDC	273/- 1-4-87
5. <u>Venkatesan</u> <sup>assigned</sup>				26-9-62	12-5-83				LDC	273/- 1-4-87
6. Smt. Usha P. reddy				1-7-57	10-2-83				LDC	273/- 1-5-87
7. Syed Omar Hashmi				15-6-57	3-9-79				LDC	273/- 1-5-87
8. Smt. A. Seetharamam	<u>LS</u>			15-5-53	26-1-76				LDC	272/- 1-9-86
9. M. V. Yoswantha Kumar	<u>assigned</u>			1-4-62-50	5-11-83				LDC	272/- 1-1-87
10. Kum. S. Rema Somnath				27-6-62	9-11-83				LDC	272/- 1-11-86
11. Venkatesan				12-3-60	27-3-84				LDC	272/- 1-11-86
12. R. P. Prakasharao				11-3-53	21-1-83				LDC	272/- 1-3-87
13. Kum. B. Krishnaveni	<u>LS</u>			11-3-51	31-1-84				LDC	272/- 1-10-86
14. G. Venkatesan	<u>LS</u>			20-1-63	26-7-84				LDC	272/- 1-1-87
15. K. V. Kameswararao				23-3-57	3-12-84				LDC	272/- 1-7-86
16. Smt. G. Sree Devi				20-2-61	14-12-84				LDC	266/- 1-12-86
										266/- 1-12-86

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P. 21

A-28

1	2	3	4	5	6	7	8	9	10	11
17.	Anil Chandra Sharma		22-7-64	1-3-85		LDC	260/-			
18.	M. Yedaiah	SC	13-10-57	6-9-80		LDC	260/-			
19.	Kum. Shoba Menon		3-7-65	19-3-85		LDC	260/-	1-3-86		
20.	Kum. S. Anureadha		14-6-61	10-4-85		LDC	266/-	1-4-87		
21.	Smt. U. Jyothirlaatha	SC	5-5-64	6-5-85		LDC	266/-	1-5-87		
22.	Smt. Daphne Ernestine Jamal		26-7-61	15-5-85		LDC	266/-	1-5-87		
23.	Kum. R. Kannamma	Madras	16-3-63	3-5-85		LDC	266/-	1-5-87		
24.	S. L. Venkata Subbu		7-5-63	10-4-85		LDC	266/-	1-4-85		
25.	M. L. Shementha Kumari	SC	5-3-62	20-4-85		LDC	266/-	1-4-87		
26.	Bum. V. Sandhya		13-7-65	15-7-85		LDC	266/-	1-7-86		
27.	R. V. Nege Sai		25-5-65	29-5-85		LDC	266/-	1-5-87		
28.	G. Ravi Kumar		24-6-66	6-6-85		LDC	260/-	1-6-86		
29.	S. Ramarao		6-7-63	7-6-85		LDC	266/-	1-6-87		
30.	S. Srinivasarao		5-6-62	22-7-85		LDC	266/-	1-7-86	U/R -33 from S.CO to Circle joined on 23-12-85.	
31.	N. N. Sastry		1-2-52	24-9-73		LDC	326/-	1-3-87	U/R-38 from S.CO to C.O jo on 17-1-86.	
32.	K. R. Narasimha Prasad		15-3-66	22-10-85		LDC	260/-	1-10-86		

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P. 22

27

1	2	3	4	5	6	7	8	9	10	11
33.	Y.V. Achut Kumar		5-3-65	28-1-86		LDC	260/-	1-1-87		
34.	Smt. G. Vajramani		3-3-57	29-3-86		LDC	260/-	1-5-87		
35.	M. Kondaiah	SC	6-9-41	22-7-74		LDC	290/-	1-5-87		
36.	M. Iswar		12-7-53	15-5-74		LDC	290/-	1-5-87		
37.	S. N. Reddy		15-1-37	19-4-74		LDC	290/-	1-5-87		
38.	Laminarayudu		1-5-52	1-7-77		LDC	290/-	1-5-87		
39.	Mohan Lal		12-3-44	3-2-71		LDC	290/-	1-5-87		
40.	P. Vijay Kumar		14-1-60	5-6-71		LDC	272/-	1-3-87		
41.	K. Ramachandram		5-3-57	19-12-81		LDC	260/-			
42.	Samloss		11-5-53	23-11-81		LDC	260/-			
43.	run Deshpande	Railways	13-6-60	21-7-80		LDC	260/-	Resigned with effect from 13-12-85		
44.	K. Viswanath	SC	5-3-50	26-3-81		LDC	260/-			
45.	S. yed .ziz'		1-5-47	11-9-65		LDC	260/-			
46.	S. Jayanand	SC	24-7-50	19-10-82		LDC	260/-			
47.	K. P. Surya Rao		3-10-51	26-3-83		LDC	260/-			
48.	Smt. L. Rama Devi		13-6-55	16-1-84		LDC	260/-			

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(8) (25)

Community  
Council

(1)

(18)

Annexure - A2.

P. 23

For official  
use only

G R A D A T I O N L I S T

of officials in the Office of  
THE CHIEF POSTMASTER-GENERAL, A.P. CIRCLE, HYDERABAD

A n d

REGIONAL POSTMASTERS-GENERAL,  
HYDERABAD / KURNOL / VIJAYAWADA / VISAKHAPATNAM

A S S n 3-7-1996

Issued under the Authority of  
The Chief Postmaster-General, A.P. Circle, Hyderabad

B. RAM  
MOHAN

A2

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P. 24

## GRADATION LIST OF CIRCLE OFFICE / REGIONAL OFFICES

Sl. No.	Name	Com- Mun- ity	Date of Birth	Date of entry in the Dep- artment	Design- ation	Office in which now working	Pay drawn	Date of next incre- ment	Date from which continu- ously working in the Grade	Remarks
1	2	3	4	5	6	7	8	9	10	11
<u>Sarva Sri/Smt/Kum.</u> <u>OFFICE SUPERINTENDENT - I (Rs. 2000-60-2300-EB-75-3200)</u>										
1. K. Prakasa Rao			1. 7.40	28.11.61	O.S.	C.O.	2300	1. 9.96	1. 2.95	
<u>DEPUTY OFFICE SUPERINTENDENT - I (Rs. 1600-50-2300-EB-60-2660)</u>										
1. M.D. Prakasa Rao			S.C	27.11.41	29. 2.64	Dy. OS-I	C.O.	2150	1. 6.97	2. 3.95
<u>DEPUTY OFFICE SUPERINTENDENT - II (Rs. 1600-50-2300-EB-60-2660)</u>										
1. S.Rameshchandarkumar			S.T	13. 7.47	9. 8.68	Dy. OS-II	C.O.	2100	1. 6.97	

(Contd. 2)

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1	2	3	4	5	6	7	8	9	10	11
34.	M.L. Narayana		14. 8.52	17.11.73	L.S.G.P.A	RO HYD	1520	1. 1.97	26. 6.93	
35.	B. Sai Baba, B.Com.		22. 3.56	28. 4.81	"	RO Vizag	1520	1. 6.97	26. 6.93	
36.	Smt. M. Saraswathamma	SC	2. 1.51	24.12.77	"	CO	1520	1. 3.97	26. 6.93	
37.	P. Nageswara Swamy		1. 6.59	15. 8.80	"	RO VIJ	1450	1. 3.97	26. 6.93	
38.	M. Raviraj	SC	7. 3.60	21. 4.81	"	CO	1520	1. 3.97	26. 6.93	
39.	S.M.H. Nehri		14.10.58	18. 1.77	"	CO	1560	1. 4.97	25. 6.93	Offtg. as DO PLI
40.	Smt. M. Gayatri		28. 2.61	24. 2.82	L.S.G.P.A	CO	1520	1. 6.97	2. 7.93	
41.	M.V. Rao		24.12.57	6. 1.82	"	CO	1520	1. 5.97	2. 7.93	Offtg. as DO PLI
42.	Md. Jaffar Ali		20. 5.45	19.10.67	L.S.G.P.A	CO	1560	1. 4.97	2. 7.03	
43.	R.B. Shobha Rani	SC	25. 7.61	25. 2.82	"	CO	1520	1. 6.97	4. 6.94	App No. 7
44.	P. Sudarshana Rao	SC	1. 6.63	5.12.61	"	RO KNL	1520	1. 6.97	4. 6.94	
45.	S. Narsaiah	SC	18. 2.58	21. 4.82	"	RO HYD	1520	1. 6.97	4. 6.94	App No. 3
46.	Smt. Viola Samuel		19. 1.58	3. 6.70	"	CO	1520	1. 6.97	4. 6.94	Applicant No. 6
47.	M. Pitchaiah	SC	6. 7.47	2. 5.68	"	RO VIJ	1640	1. 4.97	1. 4.95	
48.	M. Mohan Rao	SC	1. 4.55	6. 5.76	"	RO VIJ	1680	1. 4.97	1. 4.95	
49.	P. Krishna		12. 7.49	15. 2.74	"	CO	1640	1. 9.96	1. 4.95	

(Contd. 10)

1	2	3	4	5	6	7	8	9	10	11	1
50.	Smt. A.V. Swarnalatha	30.	3.57	20.	4.82	L.S.G.P.A. CO	1480	1. 3.97	21.	5.95	
51.	G. Gopal	13.	8.55	21.	5.79	RO KNL	1640	1. 9.96	21.	5.95	1. S
52.	M. Doraiswamy	9.12.57	27.11.80	"	"	CO	1520	1.11.96	21.	5.95	2. N
✓ 53.	P. Visweswara Sastry	20.	6.56	1.	6.79	CO	1440	1. 4.97	21.	5.95	App H. No. 1 3. S
✓ 54.	R.B.K. Singh	17.	1.57	6.	7.79	CO	1440	1. 9.96	21.	5.95	4. G
✓ 55.	L. Venugopal	11.	3.56	21.	5.79	"	1440	1. 8.96	21.	5.95	5. J
✓ 56.	Smt. Ch. Subbalakshmi	18.12.53	21.	5.79	L.S.G.P.A CO	1440	1. 9.96	21.	5.95	DO PET 5. S	
57.	V. Subrahmanyamswara Rao	5.	4.55	21.	5.79	RO Vizag	1440	1. 5.97	21.	5.95	6. S
✓ 58.	N. Vadagiri	20.	8.53	21.	5.79	CO	1440	1. 9.96	26.	5.95	7. K
											8. S
											9. B
											10. M
											11. V
											12. A
											13. E
											14. P
											15. X
											16. S

(Contd. 11)

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11	1	2	3	4	5	6	7	8	9	10	11
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POSTAL ASSISTANTS (Rs. 975-25-1150-EB-30-1660)

1. S. Vapas	ST	10. 7.48	19.11.71	P.A	RO	KNL	1600	1.11.96	19.11.71		
2. N.K.D.V. Anjaneyulu		21. 2.57	9.12.81	"	RO	VJ	1600	1. 6.97	9.12.81		
✓ 3. Smt. Habeeba		15.11.57	5. 7.80	"	RO	HYD	1360	1. 6.97	5. 7.80		
✓ 4. G. Sreeramakrishna		26. 1.56	24. 4.81	5	CO		1330	1. 9.95	24. 4.81		
✓ 5. Jagadiswar	SC	5. 2.52	7. 3.75	"	CO		1360	1. 7.97	31. 5.81	DP	
✓ 6. Smt. R. Usha Rani		28. 1.54	11. 8.81	"	CO		1300	1. 8.96	11. 8.81		
✓ 7. K. Bhavani Shankar		11. 3.55	2. 1.82	"	CO		1300	1. 1.97	2. 1.82		
✓ 8. Smt. Aruna		5. 5.55	11. 8.81	"	CO		1300	1. 8.96	11. 8.81		
✓ 9. B. Venkateswara Rao		6. 6.55	13.11.81	"	CO		1300	1.11.96	13.11.81		
✓ 10. M.V. Seetaram		16. 8.55	15.12.81	"	CO		1300	1.12.96	15.12.81		
11. V. Durga Prasad		6. 8.54	7. 1.82	"	CO		1300	1.1.97	7. 1.82		
12. A.N.M. Shyamasundaram		18. 8.54	16.11.81	"	RO	VJ	1300	1.11.96	16.11.81		
✓ 13. I. Vinodkumar		1. 1.58	7.12.81	"	CO				7.12.81		
✓ 14. P. Vijayasree	SC	13.10.60	13. 5.82	"	RO	VJ	1480	1. 1.97	13. 5.82		
✓ 15. M.A. Rafiq		5. 6.61	14. 5.82	"	CO		1300	1. 5.97	14. 5.82		
✓ 16. Smt. N. Shanta		26. 3.43	25.10.82	"	CO		1270	1.10.96	25.10.82		

Applicant  
No. 8

1	2	3	4	5	6	7	8	9	10	11	1
51.	P. Vijaikumar		14. 1.60	5. 6.78	P.A CO		1240	1. 8.96	26. 8.33	D.P	68. I
52.	P. Lakshminarayana		1. 6.50	1. 8.77	" CO		1330	1. 6.97	31. 5.81	D.P	69. S
53.	C. Ravitej		19.11.64	15.10.86	" CO		1150	1.10.96	15.10.86		70. D
54.	Smt. L. Radadevi		18. 6.55	18. 1.84	" CO		1240	1. 1.97	18. 1.84		71. M
55.	T. Brinives		24. 1.64	7. 1.87	" CO		1150	1. 1.97	7. 1.87		72. C
56.	T.P. Sastry	—	1. 1.55	28. 7.78	LEGPA RO VJ		1520	1. 7.97	18. 7.94	Tfd. u/R-38	73. V
57.	M. Visweswara Rao	—	5.12.61	18. 2.81	P.A. RO VJ		1360	1. 2.97	18. 2.81	Tfd. u/R-38	74. M
58.	V. Satya Sai Babu	—	32. 6.62	14. 9.83	" RO VJ		1270	1. 9.96	14. 9.83	Tfd. u/R-38	75. K
59.	R. Padmakumari		27. 6.66	15. 6.87	" RO HYD		1150	1. 6.97	15. 6.87		76. S
60.	Smt. K. Kusuma		3. 4.59	28. 7.82	" RO VJ		1300	1. 7.97	28. 7.82	Tfd. u/R-38	77. I
61.	Smt. B. Sarada Devi, M.Sc.		20.11.54	16. 8.80	" RO VM		1390	1. 6.97	16. 8.80	Tfd. u/R-38	78. E
62.	H.S. Subrahmanyam, B.Com., P.G.D.P.A.		1. 6.58	15. 9.79	" RO VM		1440	1. 9.96	15. 9.79	Tfd. u/R-38	79. S
63.	Smt. J. Balatripurasundari		4. 6.61	2. 8.88	" RO HYD		1100	1. 6.97	2. 8.88		80. S
64.	I.V. Ramana Rao	—	1. 7.59	25. 2.82	" RO VJ		1330	1. 2.97	25. 2.82	Tfd. u/R-38	81. S
65.	L. Dayanand	SC	24. 7.50	11. 9.69	" CO		1270	1.10.96	19.10.82	D.P	82. S
66.	P.B. Satya Rao		8.10.51	20. 5.74	" CO		1240	1. 8.96	26. 8.83	D.P	83. S
67.	A. Sesharathnam	—	15. 5.50	28. 1.76	LEGPA CO		1520	1. 6.97	26. 6.93	Tfd. u/R-38	84. S

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1	2	3	4	5	6	7	8	9	10	11
68.	I.K.M. Goud	—	6. 5.58	26.11.80	P.A.	CO	1390	1. 6.97	26.11.80	Tfd. u/R-38
69.	Syed Aziz	—	1. 5.47	11. 9.69	"	CO	1330	1. 6.97	31. 5.81	D.P
70.	D. Devadanan	—	19. 2.67	27.10.89	"	RO KNL	1075	1.10.96	27.10.89	
71.	Md. Sharfuddinkhan	—	4. 6.47	1. 5.67	"	CO	1390	1. 6.97	2. 6.80	DP; Tfd.u/R-38
72.	<u>J. Ammaji</u>	ST	8. 4.55	24. 9.79	LSGPA RO	HYD	1520	1. 6.97	26.5.93	Tfd. u/R-38
73.	M. Nalini	—	28.11.58	28.10.81	P.A.	RO	KNL	1330	1.10.96	28.10.81 Tfd. u/R-38
74.	M. Yadaiah	SC	13.10.51	6. 9.80	"	CO	1240	1. 6.97	12. 3.85	D.P
75.	K. Sarala Devi	—	25. 4.58	4. 3.83	"	RO	KNL	1240	1. 6.97	4. 3.83 Tfd. u/R-38
76.	Smt. G. Vajramani	—	3. 3.50	29. 5.86	"	CO	1175	1. 6.97	29. 5.86	
77.	<u>D. Sanjeeva</u>	—	1. 1.50	20. 5.75	LSGPA	CO	1560	1.10.96	26. 5.93	Tfd. u/R-38
78.	K. Viswanath	SC	5. 8.58	26. 3.81	P.A.	CO	1330	1. 3.97	26. 3.81	
79.	Smt. P. Jyothi	—	6. 4.59	26.10.83	"	CO	1270	1.10.96	26.10.83	Tfd. u/R-38
80.	P. Soundar Rajan	SC	13. 9.66	15. 7.88	"	CO	1125	1. 6.97	15. 7.88	
81.	S. Udayasree	—	4.12.56	20. 9.84	"	RO	KNL	1210	1. 6.97	20. 9.84 Tfd. u/R-38
82.	Anil Chandra Sharma	—	22. 7.64	1. 3.85	"	RO	HYD	1240	1. 6.97	1. 3.85
83.	T.L. Lakshmana Rao	SC	20.12.54	23.10.82	"	RO	HYD	1150	1. 2.97	4. 2.87 D.P
84.	<u>V.R. Vijaya Bhaskar</u>	ST	27. 3.57	7.12.79	LSGPA	RO	KNL	1520	1. 6.97	26. 5.93 Tfd. u/R-38

(Contd. 16)

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1	2	3	4	5	6	7	8	9	10	11
85. P. Srinivasa Reddy			14. 8.54	5.12.79	LSGPA	RO	HYD 1440	1.12.96	9.12.95	Tfd. u/R-38
86. Mohd. Azam Ali			25. 7.43	12. 2.81	P.A	RO	HYD 1150	1. 2.97	4. 2.92	D.P
87. E. Eswaraiah	SC	10. 8.53	8. 6.82	"	RO	HYD 1150	1. 2.97	4. 2.92	D.P	
88. Smt. M.L.P. Priya		7.11.58	5. 5.80	"	RO	HYD 1390	1. 6.97	5. 5.80	Tfd. u/R-38	
89. G.C. Saibaba		1. 7.58	16. 8.79	LSGPA	RO	KNL 1520	1.10.96	20. 8.95	Tfd. u/R-38	
90. B. Sreeramachandramurthy		20. 5.67	11. 8.93	P.A	RO	HYD 1075	1. 6.97	11. 8.93	)	
91. N. Srinivasa Rao		1. 7.70	10. 8.93	"	RO	VJ 1025	1. 8.96	10. 8.93	)	Seniorit
92. G. Praveenkumar		29. 8.69	11. 9.93	"	RO	VJ 1100	1. 6.97	11. 9.93	)	fixed as per the
93. K. Ramesh		1. 5.66	30. 8.93	"	RO	VJ 1025	1. 8.96	30. 8.93	)	issued by Director
94. C. Padmavathi, B.A.		8.12.65	28. 8.93	"	RO	VM 1050	1. 8.96	28. 8.93	)	
95. P. Venkateswarlu		29. 4.50	1. 5.79	"	RO	HYD 1125	1. 6.97	23.11.88	D.P	
96. Kishore Babu	SC	29. 6.71	29. 4.91	"	RO	VJ 1075	1. 4.97	29. 4.91	Tfd. u/R-38	
97. G. Ramulu	ST	1.12.48	6. 5.75	"	CO	1125	1. 5.97	5. 1.89	D.P	
98. B. Savithri Devi		8.12.57	26.10.89	"	CO	1100	1. 6.97	26.10.89		
99. H. Manjula Rani	SC	19.12.61	17. 5.83	"	RO	VJ 1250	1. 5.97	17. 5.83	Tfd. u/R-38	
100. R. Veeresh Babu		5. 9.56	22. 8.60	"	CO	1390	1. 8.96	22. 8.60	Tfd. u/R-38	

(Contd. 17)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYD.  
H.L.NO. 21/97, in C.A.1244

Between:

1. The Union of India, rep. by the Secretary & Director General, Dept. of Posts, Lok Bhawan, New Delhi-1.
2. The Chief Postmaster General, ...P.Circle, Hyderabad-1.

and

... P.C. Ltd

1. P. Visveswara Sastry.
2. N. Yandgiri
3. A. Marasikar.
4. A. M. Singh.
5. Ch. Lubhulakshmi.
6. St. Viol. Samuel.
7. ... Hobhu Iani.
8. Jagdeeshwar.
9. L. Venugopal.

... Regd

For the Applicants: Mr. K. Bhaskar Rao, ...P.C. Ltd.

For the Defendants: Mr. T. V. ...Murthy, ...etc.

C.A. 1244

... 10.0.1 in the H. C. Court, Hyderabad, H. C. 1244.

The Tribunal made the following orders:-

Record Mr. T. V. ...Murthy for the applicants

In view of the reasons stated in the matter, upto 31-3-98 to take a final decision in the matter.

... the matter is disposed of.

मानित रात

CERTIFIED TO BE TRUE COPY

*[Signature]* 22/3/98  
केंद्रीय प्रशासनिक अधिकारी  
Court Officer/Dy. Registrar

केंद्रीय प्रशासनिक अधिकारी  
Central Administrative Tribunal

-/-x x  
Deputy Registrar

1. To ...HYDERABAD POSTMASTER-General,  
Union of India, ...Dept. of Posts, Lok Bhawan, New Delhi-1.  
2. To Chief Postmaster General, ...P.Circle, Hyderabad-1.  
3. One copy to Mr. K. Bhaskar Rao, ...P.C. Ltd., ...Hyd.  
4. One copy to Mr. T. V. ...Murthy, ...etc., C.A. Hyd.  
5. One spare copy.

TVM.