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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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Dismissal date - 29/08/02

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SECTION OFFICER (Judl.)

FROM No. 4
(SEE RULE 42)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORDER SHEET

Original Application No. 152/2002
Misc Petition No. _____
Contempt Petition No. _____
Review Application No. _____

Applicants. Tapan Kr. Datta Roy

-Vs-

Respondant(s) H.O.P. Gans

Advocate for the Applicant(s) M. Chanda, Mrs. N.D. Goswami
Mr. C. N. Chakrabarty

Advocate for the Respondant(s) C.G. S.

Notes of the Registry	Date	Order of the Tribunal
<u>175574599</u> <u>13.5.2002</u> <u>JS</u> <u>13/5/02</u>	<u>14.5.02</u>	Heard Mr. M. Chanda, learned counsel for the Applicant. The application is admitted. Call for the records. List on 12.6.2002 for orders.
<u>Slips taken..</u> <u>Notice prepared and sent</u> <u>to D/S for any ltr.</u> <u>Resolutions No 1 to 5 by</u> <u>Regd. A/D</u> <u>D/N. 1551 155200</u> <u>1562 1564 8</u> <u>Dtd 29/5/30/5/02</u>	<u>mb</u> <u>12.6.02</u> <u>lm</u> <u>1.7.02</u>	<u>Member</u> List on 1.7.02 for orders. <u>Member</u> On the prayer of Mr. A. Deb Roy, learned Sr. C.S.S.C. for the Respondents four weeks time is allow- ed to file written statement. List again on 7.8.2002 for orders.
<u>① Service report are</u> <u>still awaited.</u> <u>28.6.02.</u>		<u>Vice-Chairman</u> <u>Vice-Chairman</u>

1.8.2002

*W/s Submitted
by the Respondents.*

[Signature]

7.8.02 Pleadings are complete. The case may now be listed for hearing on 29.8.2002. The applicant may file rejoinder, if any, within two weeks from today.

K. K. Sharma
Member

[Signature]
Vice-Chairman

mb

16.8.2002

*Rejoinder Submitted
by the applicant.*

[Signature]

29.8.02 Mr. M. Chanda, learned counsel for the applicant stated that subsequently the Respondents authority passed an order rejecting the representation of the applicant. Mr. Chanda, learned counsel wanted to incorporate all the subsequent event and prayed for time to file a amendment petition. Prayer is allowed.

List the matter on 23.9.2002 for orders to take necessary steps by the applicant.

K. K. Sharma
Member

[Signature]
Vice-Chairman

mb

29.9.2002

*An amendment
application has been
submitted by the applicant.*

[Signature]

23.9.02 perused the application praying for amendment of the application which was filed pursuant to the order dated 3.7.2002. The application shall form part of the O.A. The O.A. may now be posted for hearing.

Misc. Petition shall form part of the record.

List on 6.11.02 for hearing.

K. K. Sharma
Member

[Signature]
Vice-Chairman

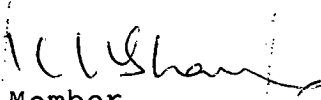

pg

6.11.02

On the prayer of learned counsel for the parties, the case is adjourned. List the matter again on 20.11.2002 for hearing.

K. K. Sharma
Member

[Signature]
Vice-Chairman

Note of the Registry	Date	Order of the Tribunal
	20/11/2002	<p>Heard Mr. M. Chanda, learned Counsel for the appellant & Mr. A. Debroy, S.C. for the respondents.</p> <p>Hearing concluded,</p> <p>Judgment reserved,</p> <p>M/s A.K. Jy 20/11/</p>
<p>27.12.2002</p> <p>Copy of the order has been sent to the office for filing the same to the appellant as well as to the R.C.G.S.C. for the reply.</p> <p>SS</p>	2.12.2002	<p>Judgment pronounced in open court, kept in separate sheets. The application is allowed. No order as to costs.</p> <p>Member </p> <p>Vice-Chairman </p> <p>nkm</p>

[illegible]

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A./XXX.No. 152 of 2002

DATE OF DECISION. 2nd Decemr. 2002

Shri Tapan Kumar Dutta Roy

APPLICANT(S)

Mr M. Chanda

ADVOCATE FOR THE APPLICANT(S)

-VERSUS-

The Union of India and others

RESPONDENT(S)

Mr A. Deb Roy, Sr. C.G.S.C.

ADVOCATE FOR THE
RESPONDENT(S)

THE HON'BLE MR JUSTICE D.N. CHOWDHURY, VICE-CHAIRMAN

THE HON'BLE MR K.K. SHARMA, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the judgment is to be circulated to the other Benches :

Judgment delivered by Hon'ble Vice-Chairman

Yes

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.152 of 2002

Date of decision: This the 2nd day of December 2002

The Hon'ble Mr Justice D.N. Chowdhury, Vice-Chairman

The Hon'ble Mr K.K. Sharma, Administrative Member

Shri Tapan Kumar Dutta Roy,
Office Superintendent,
Office of the Chief Post Master General,
North Eastern Circle,
Shillong.

.....Applicant

By Advocates Mr M. Chanda

- versus -

1. The Union of India, represented by the
Secretary to the Government of India,
Ministry of Communication,
New Delhi.
2. The Secretary and Director General,
Department of Posts,
New Delhi.
3. The Chief Postmaster General,
North Eastern Circle,
Shillong.
4. The Chief Postmaster General,
Assam Circle,
Guwahati.
5. The Asstt. Director General (SGP),
Department of Posts,
New Delhi.

.....Respondents

By Advocate Mr A. Deb Roy, Sr. C.G.S.C.

.....

O R D E R

CHOWDHURY. J. (V.C.)

This is an application under Section 19 of the
Administrative Tribunals Act, 1985 seeking for a direction
for antedating the date of promotion of the applicant as
Office Superintendent Higher Selection Grade I (O.S. (HSG-
I) for short) and the consequent improvement of his

seniority.

2. Facts : The applicant is working for gain in the Postal Department. He joined as Postal Clerk on 13.7.1965 in Shillong Postal Division under the respondents and thereafter promoted to the post of Upper Division Clerk in the Office of the Postmaster General, N.E. Circle, Shillong on 23.1.1973. He was thereafter promoted as Lower Selection Grade Clerk with effect from 1.1.1988. The applicant was thereafter given the benefit of Biennial Cadre Review promotion to HSG-II with effect from 26.6.1993. On the retirement of the incumbent who was holding the post of Office Superintendent, Circle Office, Shillong on 31.8.1995, the applicant was promoted as Office Superintendent, Circle Office, Shillong with effect from 1.9.1995 vide order dated 7.9.1995 in the scale of pay of Rs.1600-2660/-, a scale of HSG-II which he was also drawing in his earlier post. By Memo No.Staff/9-4/OS(CO)/2001 dated 22.5.2001 the applicant was conveyed about his promotion to the post of OS HSG-I in the scale of Rs.6500-10,500 from the post of OS HSG-II. The order also conveyed that the post of OS HSG-II, Circle Office, Shillong was to be treated as upgraded to HSG-I from the date of joining of the applicant in pursuance to the communications dated 30.3.2001 and 19.4.2001. The applicant also pleaded that prior to his aforesaid regular promotion he also officiated in the higher post on three different occasions. During 1994-95. The applicant pleaded that as per the policy of the Government of India the President of India accorded sanction for creation of two hundred and eight posts of HSG-I by way of upgradation from the post of HSG-II. As per the Staff Inspection Unit norms there was justification for one post of Office

Superintendent.....

Superintendent in N.E. Circle in HSG-I and the respondent authority in a most illegal fashion did not act as per the policy decision and delayed the upgradation of the applicant without any justifiable ground. By this application the applicant has sought for a direction to antedate his promotion to the post of HSG-I with effect from 1.9.1995 and give the consequential benefits. In the O.A. the applicant has also assailed the provisional seniority list communicated vide Mrmo No.12-3/2001-SPG dated 25.9.2001 wherein the applicant's name was shown at the bottom of the list at serial No.18 showing him as Deputy Office Superintendent as on 1.9.1995. By the said communication addressed to the Chief Postmaster General, N.E. Circle, Shillong, the Assistant Director General (SGP) indicated about the DPC meeting to be held for promotion to the grade of Assistant Director (Rectt.), GCS Group 'B' in the Department of Posts reserved for Office Superintendent/Deputy Office Superintendent working in the Circle Offices. In the said communication a list of officials who were likely to find place in the eligibility zone was enclosed as per their seniority. The concerned officer was advised to forward the up-to-date CR dossiers alongwith vigilance clearance of the officials belonging to the Circle by a specified date.

3. The respondents disputed and resisted the claim of the applicant by filing written statement. The respondents in the written statement stated that the post of Office Superintendent in Circle Office, Shillong was upgraded to HSG-I during 1981 abolishing the post of Deputy Office Superintendent consequent on creation of the posts of Head Assistant Grade-II in the same scale of pay as that of the grade of Office Superintendent having similar responsibility. The HSG-II post alongwith HSG-I grade post

continued.....

continued till bifurcation of the Composite North Eastern Circle in 1988 and on bifurcation the post of HSG-I was transferred to Assam Circle retaining the post of HSG-II in the Shillong Circle. The respondents admitted that the applicant was working as HSG-II from 1.9.1995 continuously as Office Superintendent (HSG-II) until upgradation of the post to HSG-I with effect from 22.5.2001. According to the respondents the applicant was holding the post of Office Superintendent which was in HSG-II grade and he was allowed the pay scale of HSG-II grade from 1.9.1995. In the written statement the respondents averred that the N.E. Postal Circle was not the only case of Office Superintendent being in grade II. The same was the status in case of Haryana and Himachal Pradesh also. The DTE by Memo No.22-1/89-PE-1(Vol.II) dated 30.3.2001 had upgraded 1622 posts in HSG-I grade with direction to upgrade the post of Office Superintendent to grade I where there was no HSG-I post of Office Superintendent and accordingly the post of Office Superintendent of Circle Office Shillong was also upgraded to grade I vide letter dated 19.4.2001. The respondents also pleaded in the written statement that the applicant was holding the post of Office Superintendent (HSG-II) with effect from 1.9.1995 and he was drawing grade pay from the said date. The seniority list that was circulated was purely for the officials holding the posts of Office Superintendent/Deputy Office superintendent in the HSG-I cadre. The applicant was not eligible to be included in the seniority list of Office Superintendent/Deputy Office Superintendent (HSG-I) and accordingly he was not considered by the competent authority for promotion to AD (Rectt) GCS Group 'B' post. Promotion to the post of AD (Rectt.) was finalized based on.....

on the correct seniority list of HSG-I officials and orders were issued by the competent authority, D.G., Posts vide Memo dated 31.12.2001.. Since the applicant was holding the post of HSG-II with effect from 1.9.1995 he could not be placed in the higher scale in which was not physically working. It may also be mentioned that the applicant submitted a number of representations assailing the action of the respondents and finally after institution of the application the authority vide order dated 3.7.2002 rejected the representation of the applicant declining to give him the promotion with retrospective effect, the legality of which was assailed in this proceeding.

4. We have heard Mr M. Chanda, learned counsel for the applicant and Mr A. Deb Roy, learned Sr. C.G.S.C. From the materials on record it appears that the applicant was ordered for promotion to OS (HSG-I) cadre vide order dated 22.5.2001. The promotion order itself shows that the post of OS HSG-II was treated as upgraded to HSG-I from the date of joining of the applicant. As per the pleadings as well as the materials on record it is also apparent that the Postmaster General, N.E. Circle accorded the creation of temporary post of Head Assistant (General) in the Circle Office, Shillong in the scale of Rs.550-750. Consequent on the creation of the post of Head Assistant (General), the Postmaster General also ordered to upgrade the post of Office Superintendent, Circle Office, Shillong to HSG-I in the scale of Rs.700-900 with immediate effect and the post of Office Superintendent in the scale of Rs.500-750 was treated as abolished. By communication 29.3.1985 the Office of the Postmaster General communicated the order of approval of the Postmaster General for permanency of the post of Office Superintendent, Circle Office, Shillong and

Head.....

Head Assistant, Shillong. In the gradation list of the officials of the Office of the Postmaster General, N.E. Circle corrected upto 1.7.1986, the post of Office Superintendent in the scale of pay of Rs.700-900 was shown as vacant.

5. At this stage it would be appropriate to refer to the communication dated 6.11.1995 issued by the Government of India, Ministry of Communications, Department of Posts, indicating the sanction for creation of 208 posts i.e. 3% of total BCR HSG-II posts in the HSG-I grade in the scale of Rs.2000-3200 by suitably upgrading the existing HSG-II posts in the scale of Rs.1600-2660 with immediate effect as per the details annexed to the said communication. The relevant part of the communication is reproduced below:

"Heads of Circles are requested to identify the number of HSG-II posts indicated against their Circle in Annex 'A' and upgrade them to HSG-I under intimation to this office. The identification of HSG-II posts may be done on the basis of following guidelines:

- i) Those HSG-II posts where an HSG-I post is justified on the basis of norms, but the same could not be created due to ban on creation of posts.
- ii) Posts of HSG-II Head Postmaster at District Headquarters where no HSG-I post exists at present. The Chief Postmaster General should identify the District based on its importance/workload in the Region.
- iii) Other HSG-II posts which are considered operationally important by Heads of Circles.

The work of identification of posts, holding of D.P.C. and placement of the officials against the posts should be completed by 01.12.1995 positively. Thereafter a report to this effect be furnished to the Directorate.

The mode of recruitment for the upgraded post will be by method of selection as prescribed in Recruitment Rules for the HSG-I posts."

Officewise distribution of 208 posts of HSG-I by way of upgradation as indicated in the Annexure to the aforementioned communication was shown. Serial No.13 showed two posts of HSG-I in the N.E. Postal Circle. The

communication.....

Communication referred to above itself indicated a time frame for filling up of the vacant posts. As per the communication issued by the Government of India, Ministry of Communications, Department of Posts dated 30.3.2001 addressed to all the Heads of Postal Circles according sanction for creation of 1622 posts of HSG-I by upgradation of the post of HSG-II, it is revealed that as per SIU norms there was justification of one post of Office Superintendent in each Circle (Administrative Office) in HSG-I grade. The said communication further revealed that every Circle had the post of OS HSG-I except Haryana, Himachal Pradesh and the North East. The Circle Heads of these Circles were requested to upgrade the post to HSG-I from amongst their quota allotted. Pursuant to the said communication the applicant was promoted to the cadre of OS HSG-I. As a matter of fact the said promotion was made by upgrading the post of OS HSG-II, Circle Office, Shillong to HSG-I. No justification was assigned as such as to why the respondents failed to adhere to the promotion and upgradation of the applicant in terms of the communication dated 6.11.1995. The materials indicated as to the justification for the post of Office Superintendent as per the SIU norms.

6. Mr A. Deb Roy placed before us the following written instructions received by him from the department:

"Instruction contained in the Directorate Letter No.22-1/89-PE-I (Vol.II) dated 6.11.95 for creation of 208 HSG-I posts through out the country relates to upgradation of 3% of HSG-II posts to HSG-I for General line officials based on specific criteria.

Heads of Circle were empowered under para-2 of the Dte letter to identify the HSG-II posts in the Circle according to the allotment/distribution of the number of posts to the Circle (as per Annexure-A of the Dte Letter) keeping in view the guide lines

in.....

in para-2 of the letter

To upgrade

1. Those HSG-II posts where HSG-I post was justified according to Norms but the same could not be created due to ban on creation.
2. To upgrade the post of HSG-II Head postmaster at the District HQ according to the importance/work load of the area/District HQ

And

3. To upgrade other HSG-II Posts which are considered operationally important.

As per annexure-A of the Dte letter Two posts were allotted to this circle. Keeping in view the guide lines of the Dte letter, two posts in important operative offices viz Dy postmaster Shillong G.P.O. a gazetted post office at Circle Head Quarters and the post of postmaster Dharmanagar Postal Divisional Head Quarters in Tripura were considered for upgradation from the postal operational point of view due to the work load and operational importance; the two posts were upgraded to HSG-I from 1.12.95.

The post of Office Supdt Circle office Shillong falls within the category of Administrative office positions mainly clerical supervision in nature and less important compared to the operational post offices and work load of the post also did not justify upgradation to HSG-I post according to Norms. In the absence of specific instructions in Dte letter for upgradation of the post of Office Supdt in Circle office, an administrative office, the competent authority did not consider to identify the post for upgradation to HSG-I post.

The post of Office Supdt was up graded to HSG-I post from 22.5.2001. The post was upgraded under the specific instruction from Dte in their letter No.22-1/89-PE-1 (Vol-II) dtd 30.3.02 (Annexure-B)."

7. We have given our anxious consideration in the matter. The aforesaid instructions also did not specify any reason as to why the competent authority did not consider to identify the posts for upgradation to HSG-I post above. The reasons are not far to seek. The Memo.No.Est/34-19/77 dated 19.5.1981, Annexure VII to the application itself indicated the decision of the authority to upgrade the post of Circle Office, Shillong to HSG-I in the scale of Rs.700-900 with immediate effect. By Memo.No.Est/34-6/96 dated

29.3.1985.....


29.3.1985 the Postmaster General, N.E. Circle, Shillong accorded sanction for permanency of the post of Office Superintendent, Circle Officer, Shillong at the scale of Rs.700-900. The instructions set forth above, therefore, goes counter to the policy enunciated by the respondents.

8. The materials placed before us clearly indicated the eligibility of the applicant for being considered for upgradation to HSG-I in terms of the O.M. dated 6.11.1995. The said communication also indicated about the existence of vacancies. Save and except the three places mentioned above, in the other Circles the concerned persons were upgraded to the higher scale. The respondents failed to assign any disability of the applicant for being considered for upgradation in terms of the aforementioned Office Memorandum. Obviously, the materials on record revealed manifest infraction on the constitutional right of the applicant guaranteed under Articles 14 and 16 of the Constitution. The respondents arbitrarily rejected the representation of the applicant with a most cryptic order without assigning any reason. The applicant was found eligible for promotion on upgradation by the competent authority in May 2001, which benefit the applicant ought to have been given on and from 1995 on the strength of the communication dated 6.11.1995 which as per the departmental communication was required to be completed by 1.12.1995.

9. For all the reasons stated above we are of the considered opinion that the applicant is entitled for antedating his promotion/upgradation to the post of Office Superintendent HSG-I on and from at least 1.12.1995, the date on which the respondents were ordered to complete the exercise of upgradation. The respondents are accordingly ordered to give effect to the upgradation/promotion of the applicant.....

applicant in terms of the communication dated 6.11.1995 and antedate the promotion of the applicant accordingly as expeditiously as possible, preferably within three months from the date of receipt of the order. The impugned order dated 3.7.2002 rejecting the representation of the applicant is also set aside.

10. The application is accordingly allowed. There shall, however, be no order as to costs.


(K. K. SHARMA)
ADMINISTRATIVE MEMBER


(D. N. CHOWDHURY)
VICE-CHAIRMAN

nkmm

(19 SEP 2002)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

In the matter of :

O. A. No. 152 of 2002

Shri T. K. Dutta Roy

-vs-

Union of India & Ors.

And

In the matter of :

An application filed by the applicant praying for
amendment of the application filed under O. A. No.
152/2002;

The applicant above named -

Most humbly and respectfully begs to state as under:

1. That the applicant had filed the O. A. No. 152/2002 praying inter alia, to treat his service as Office Superintendent in the grade of HSG-I with effect from 01.09.1995 instead of Deputy Office Superintendent as shown in the Seniority List since he was working as Office Superintendent on regular basis with effect from 01.09.1995 and also praying for a direction upon the respondents to extend all the benefits of HSG-I to him including the appropriate scale of pay and seniority to

Filed by the applicant
through Sri G. N.
Chakraborty Advocate
on 19.9.2002.

the Grade of Office Superintendent with effect from 01.09.1995.

2. That this Hon'ble Tribunal was pleased to admit the aforesaid O. A. No. 152/2002 and issued notice upon the respondents. The respondents have already filed their written statement and now the case has been posted for hearing.
3. That during the subsistence of the original application, the respondents have rejected the claim of the applicant vide impugned letter bearing no. Staff/35/2445/76 dated 3rd July 2002 in pursuance of the Directorate letter bearing no. 4-1/2002-SPB-II dated 21.06.2002 wherein it is stated that the request of the applicant for the grade of HSG-I pay scale of Office Superintendent with retrospective effect from 01.09.1995 etc. was considered by the competent authority but the same could not be acceded to. Hence, this amendment application for appropriate relief.
4. That the applicant be allowed to add the following paragraphs after paragraph no. 4.14 of the Original Application.

"4.14.A. That it is stated that the respondents in deliberate violation of the provision of sub section 4 of section 19 of the Administrative Tribunals Act, 1985, had issued the impugned order bearing letter no. Staff/35/2445/76 dated 3rd July 2002 in pursuance of the Directorate letter

bearing no. 4-1/2002-SPB-II dated 21.06.2002, rejecting the claim of the applicant for the grade of HSG-I pay scale of Office Superintendent including seniority in the said grade with effect from 01.09.1995. It is relevant to mention here that the respondents, particularly the respondent nos. 2 and 3 did not disclose any reason for rejection of the claim of the applicant. It appears that the impugned order have been passed without application of mind and as such, the Directorate letter dated 21.06.2002 as well as the order dated 3rd July 2002 are liable to be set aside and quashed.

A copy of the impugned letter dated 3rd July 2002 is enclosed herewith and marked as

Annexure - XVII.

4.14.B. That it is stated the Govt. of India, Department of Personnel and Training vide its Office Memorandum bearing letter no. 28034/6/2002-Estt. (A) dated 11 January 2002, has provided that a reply sent to a Govt. Servant on his representation should be self contained covering all the points raised by him and in a case where the representation of the Govt. Servant is rejected, the grounds there for should be clearly indicated. But in the instant case, the respondents while rejecting the claim of the applicant have disclosed no reason and as such,

the impugned letter dated 3rd July 2002 is also in violation of Office Memorandum dated 11 January 2002.

A copy of the Office Memorandum dated 11 January 2002 is annexed herewith as Annexure -XVIII.

4.14C That it is stated that the contention of the respondents so far rank and status of Office Superintendent in the case of Haryana and Himachal Pradesh is identical to that of N.E.Circle but factually the situation was just reverse to N.E. Circle. It is relevant to mention here that the Himachal Pradesh and Haryana Circle was created pursuant to the bifurcation of the Original Punjab Circle and in that case the grade of Office Supdt. In the scale of HSG Gr I was retained to the parent circle of Punjab while the junior post i.e. the post of O.S. in HSG Gr. II was transferred to newly created Haryana and Himachal Pradesh Circle. Unlike that while bifurcating the N.E. Circle, the post of HSG Gr. I was given to the newly created Assam Circle while the Jr. post of HSG Gr. II was retained with the parent circle i.e. the N.E. Circle, Shillong. And as such, this case happens to be a deviation from the normal bifurcations made by the respondents in other cases and the case of N.E. Circle happens to be a lone and isolated one.

4.14D That it is stated that the respondents vide their No. EST/34-25/77 dated Shillong 3.7.2002 has also notified the duty chart of the Office Superintendent of the Office of the Chief Postmaster General, N.E. Circle, Shillong which clearly shows that it entails both administrative and financial responsibilities which are same as that of duties and responsibilities of Office Superintendent HSG Gr. I in all other circles.

A copy of the order dated 3.7.2002 is annexed as **Annexure-XIX.**

4.14 E That it is stated that the decision of the respondents so far distribution of posts are concerned between the erstwhile N.E. Circle and the then newly created Assam Circle is highly arbitrary as because the post of Office Superintendent HSG-I was allotted to the newly created circle from the old circle without any proper justification. It would further be evident from the Circular issued under letter No. 22-I/89-PE.I(Vol.II) dated 6.11.1995 issued by the Department of Post, whereby sanction were accorded for creation of 208 posts i.e. 3% of total BCR HSG-II posts in the HSG-I grade in the scale of Rs. 2000-3200 by upgrading the existing HSG-II posts in the scale of Rs. 1600-2660 with immediate effect. But surprisingly even after issuance of

the above order dated 6.11.1995 the post of the Office Superintendent HSG-II was not upgraded in the erstwhile N.E. Circle, Shillong for the reasons best known to the authorities. In the letter dated 30.3.2001 (Annexure-XII to the O.A.) it is fairly admitted by the Government that as per SIU norms there is a justification of one post of Office Superintendent in each Circle (Administrative Office) in HSG-I grade and it is further stated that at present every circle office has the post of Office Superintendent in HSG-I except Haryana, Himachal Pradesh and North East. Therefore it is quite clear from their own statement that all circle offices were enjoying since inception the post of Office Superintendent in the Grade of HSG-I except Haryana, Himachal Pradesh and North East. Thus the action of the respondents is highly arbitrary and discriminatory and the same is violative of Article 14 of the Constitution in as much as the present applicant is being forced to discharge similar duties and responsibilities in the post of Office Superintendent in N.E. Circle, Shillong but denied the rank, status and pay scale of HSG - I to the applicant.

In the circumstances stated above, the applicant is entitled to the benefit of HSG-I at least with effect from the date of appointment to the post

of Office Superintendent HSG- II with all consequential service benefits and monetary benefits.

Copy of the letter dated 6.11.1995 is annexed as Annexure-XX.

5. That the applicant be allowed to incorporate the following grounds after ground No. 5.7 of the Original Application.

"5.8 For that no reason has been disclosed while rejecting the claim of the applicant in denying the higher pay scale, seniority in the Grade HSG-I with effect from 1.9.1995 by the impugned order dated 3rd July, 2002 as such the same cannot be sustained in the eye of law and therefore liable to be set aside and quashed.

5.9 For that the respondents ought to have granted the benefit of up gradation at least with effect from 6.11.1995 to the solitary post of Office Superintendent to the erstwhile N.E. Circle in terms of the order dated 6.11.1995.

6. That the applicant be allowed to incorporate the following prayer after prayer No. 8.2 in the relief column of the Original Application.

8.2A That the Hon'ble Tribunal be pleased to set aside and quash the impugned letter bearing No. Staff/35/2445/76 dated the 3rd July, 2002 issued by the Chief Postmaster General, N.E. Circle, Shillong.

8.2 B That the Hon'ble Tribunal be pleased to declare that the applicant is entitled to the benefit of higher Grade of HSG - I including the pay scale and seniority in the cadre of Office Superintendent at least with effect from 1.9.1995.

8.2C That the Hon'ble Tribunal be pleased to declare that the allotment of solitary post of Office Superintendent of HSG-I grade to newly created Assam Circle from erstwhile N.E.Circle vide order dated 22.6.1988 is void ab initio.

6.. That this application is made bona fide and for the cause of justice.

In the premises aforesaid, Hon'ble Tribunal be pleased to allow the applicant to amend the Original Application No. 152/2002 in the manner as indicated above and further be pleased to pass any

9

25

other order or orders as deem fit
and proper.

For this act of kindness the
applicant as in duty bound shall
ever pray.

VERIFICATION

I, Shri Tapan Kumar Dutta Roy, Son of Late Dr. Subodh Chandra Dutta Roy, aged about 57 years, working as Office Superintendent, Office of the Chief Postmaster General, N.E.Circle, Shillong, do hereby verify that the statements made in Paragraph 1 to 6 of this application are true to my knowledge and I have not suppressed any material fact.

And I sign this verification on this the 19th day of September, 2002.

Tapan Kumar Dutta Roy.

2X

DEPARTMENT OF POSTS: INDIA
OFFICE OF THE CHIEF POSTMASTER GENERAL N.E. CIRCLE::
SHILLONG-793 001.

No.Staff/35/2445/76

Dated at Shillong, the 3rd July' 2002.

To,

✓ Sri T. K. Dutta Roy,
Office Superintendent,
Circle Office, Shillong.

Sub:- Request for the grade of HSG-I Pay Scale of OS with retrospective effect from 1-9-95 etc - case of Sri T. K. Dutta Roy.

Directorate under letter No.4-1/2002-SPB-II dated 21-6-2002 has intimated that the case on the above noted subject was considered by the competent authority but the benefit of HSG-I can be given only from the date of promotion to that grade and not with retrospective effect w.e.f. 01-09-95.

Sunder
(J. M. Dutta)
For Chief Postmaster General,
N. E. Circle, Shillong.

Attested.

hary
5/7/02

Deputy Divisional Manager (PM)
O/O the Chief Postmaster General
N.E. Circle, Shillong-793001

Attested
Advocate

2

NO. 20034/0/2002-ESTT(A)
GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES & PENSIONS
DEPARTMENT OF PERSONNEL AND TRAINING
(ESTT.(A)DESK-D)

Dated the 11th January, 2002

OFFICE MEMORANDUM

Subject : Recommendations of the Committee on Service Litigations regarding representations made by the Government employees, requiring examination in the Ministries/Departments.

The undersigned is directed to refer to the subject mentioned above and to communicate the following decision of this Department as per recommendations made by the Committee on Service Litigations :-

- a) A representation made by the Government employee requiring examination only in a Ministry/Department should be disposed of within a maximum period of six weeks and if requiring inter-departmental consultation such representation should be replied to normally within maximum period of three months.
- b) Final reply sent to a Government servant on his representation should be self-contained, cover all the points raised by him and in a case where the representation of the Government servant is rejected, the grounds therefor should be clearly indicated.

2. All the Ministries/Departments, therefore, are requested to dispose all the representations made by the Government employee accordingly.

Sd/-

(SAHADEO RAM)

DEPUTY SECRETARY TO THE GOVT. OF INDIA

Tel : 30173338

*Attested
for
Sd/-, call.*
To

All Ministries/Departments of the Govt. of India


DEPARTMENT OF POSTS
OFFICE OF THE CHIEF POSTMASTER GENERAL: N.E. CIRCLE: SHILLONG

No. Est/34-25/77

Dated Shillong, the 3-7-2002

Following works are entrusted to the Office Superintendent of Office of the Chief Postmaster General, North East Circle, Shillong to have immediate effect. In addition to the following works, the Office Superintendent should also perform the duties assigned to him by the Chief Postmaster General, Postmaster General, Director of Postal Services (HQ) and Group Officers of Circle Office, Shillong.

- 1) General supervision and direct responsibility for Central Registry, issue and dispatch, movements of files and papers through peons, old record section and reception, office stock and stationery.
- 2) He is required to scrutinise the disputed papers of Dak and make over them to the proper sections.
- 3) He will be responsible for posting of Stenographers to Section/ officers.
- 4) He is responsible for all house keeping functions of the Circle Office.
- 5) He will maintain CRs of the Class-IV staff.
- 6) He will be responsible for receipt, dispatch and distribution of Fax messages of the office.
- 7) He will be joint custodian of keys of safes and cash of Circle Office with APMG (A/Cs) in charge of its accounts and pension branch of the office.
- 8) He will be joint custodian of keys of safes and cash of Post Offices with A.D. (Staff) in-charge of the Technical branch.
- 9) Receipt and circulation of DG's dak, Newspaper cuttings.
- 10) He will be responsible for receipt and distribution of communications from the unions.
- 11) He will arrange for holding of all kind of meetings.
- 12) He will grant C.L. of Class-IV officials of the Circle Office except those attached to Chief PMG, PMG and DPS(HQ) whose CL will be granted by the Sr. PS/PS and PA.
- 13) He will maintain office Library.
- 14) He will be responsible for maintenance of corrected sets of Postal Manuals.
- 15) He will be responsible for controlling of supply of stationery to Sections/Officers.
- 16) He will accompany the Cashier to Shillong GPO everyday when the drawal of Rs. 5000/- at a time.
- 17) He will verify the cash book, account book and contingent register, break up register maintained by the Cashier of the Circle Office.

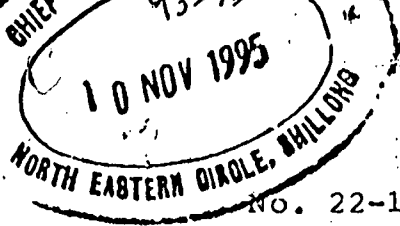

(LALHLUNA)

Director of Postal Services(Hq)

Copy to:-

The Office Superintendent O/O the Chief Postmaster-General,
N. E. Circle, Shillong for information and necessary action.

Adjusted for Advocate
Accepted
13/7/02
Deputy Divisional Manager (P&T)
O/O the Chief Postmaster General
N.E. Circle, Shillong-793001



ANNEXURE - XX

As (curr)

desires that act on this letter be taken
1 Me
14/11/95

No. 22-1/89-PE.I (Vol.II)
Government of India
Ministry of Communications
Department of Post

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

Dated: 06/11/95

To

All Heads of Postal Circles.

Subject: Upgradation of 208 posts of HSG-II to HSG-I grade.

Standard of 208 posts 2 HSG Gr I

The President is pleased to accord sanction for creation of 208 posts i.e. 3% of total BCR HSG-II posts in the HSG-I grade in the scale of Rs.2000-3200/- by suitably upgrading the existing HSG-II posts in the scale of Rs.1500-2660/- with immediate effect as per the details at Annex 'A'.

2. Heads of Circles are requested to identify the number of HSG-II posts indicated against their Circle in Annex 'A' and upgrade them to HSG-I under intimation to this office. The identification of HSG-II posts may be done on the basis of following guidelines :

- As per SIV
Chairs
Alleged
Din
Advocate
- i) Those HSG-II posts where an HSG-I post is justified on the basis of norms, but the same could not be created due to ban on creation of posts.
 - ii) Posts of HSG-II Head Postmasters at District Headquarters where no HSG-I post exists at present. The Chief Postmaster General should identify the District based on its importance/workload in the Region.
 - iii) Other HSG-II posts which are considered operationally important by Heads of Circles.

3. The work of identification of posts, holding of D.P.C. and placement of the officials against the posts should be completed by 01.12.1995 positively. Thereafter a report to this effect be furnished to the Directorate.

Every Circle
Each
Circle
One post 2 HSG I

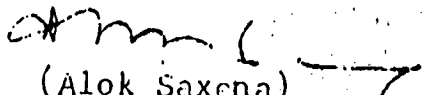
Contd.....2/-

3)
4. The mode of recruitment for the upgraded post will be by method of selection as prescribed in Recruitment rules for the HSG-I posts.

5. The expenditure involved is debitable to the Head "3201-Postal Services A-2(1) Circle Offices-1-Salaries" and should be met from the sanctioned grant of the respective year.

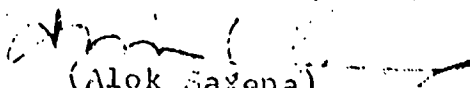
6. This issues with the concurrence of Ministry of Finance vide their ID No. 2(5)/EIII/94 dated 02.9.1994 and in consultation with the Internal Finance Advice Branch vide their ID No. 3063/FAI/95 dated 2/11/95.

7. Hindi version will follow.


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

Copy to:

1. P.F.S. to Secretary (Post).
2. P.S. to Member(O)/Member(P)/Member(D).
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, APS Record Office Kanpur.
14. All Sections in the Directorate.
15. All recognised unions/associations and federations.
16. Guard file.
17. Spare Copies.


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

*Attested
for
Advocate*

ANNEX 'A'

CIRCLE WISE DISTRIBUTION OF 208 HSG I POSTS BEING UPGRADED VIDE THESE ORDERS

Sl. No.	Name of the Circle	No. of Posts		
		POSTAL	RMS	TOTAL
1.	Andhra Pradesh	11	2	13
2.	Assam	5	1	6
3.	Bihar	5	1	6
4.	Delhi	9	2	11
5.	Gujarat	11	2	13
6.	Haryana	5	1	6
7.	Himachal Pradesh	2	0	2
8.	J&K	2	0	2
9.	Karnataka	11	2	13
10.	Kerala	5	1	6
11.	Madhya Pradesh	5	1	6
12.	Maharashtra	25	5	33
13.	North East	2	0	2
14.	Orissa	7	1	8
15.	Punjab	3	1	4
16.	Rajasthan	5	1	6
17.	Tamil Nadu	21	4	25
18.	Uttar Pradesh	24	5	29
19.	West Bengal	14	3	17
				208

*Pls find
for
advice*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

(An Application under Section 19 of the Administrative
Tribunals Act, 1985)

Title of the case : O.A. No. 152 /2002

Sri Tapan Kumar Dutta Roy, : Applicant

: Versus -

Union of India & Others : Respondents.

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Filed by

Advocate

Date :

Filed by me applic
through N.A. Gossu
Advocate
13/5/02

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH : GUWAHATI

(An Application under Section 19 of the Administrative
Tribunals Act, 1985)

O.A. No...../2002

BETWEEN

Sri Tapan Kumar Dutta Roy
Office Superintendent
Office of the Chief Post Master General,
North Eastern Circle,
Shillong-793001

...Applicant

-AND-

1. The Union of India,
Represented by the Secretary to the
Government of India,
Ministry of Communications,
New Delhi.
2. The Secretary and Director General
Department of Posts,
Dak Bhawan,
Samsad Marg,
New Delhi-110001

Tapas Kumar Dutta Roy.

3. The Chief Postmaster General
North Eastern Circle
Shillong-793001
4. The Chief Postmaster General
Assam Circle
Meghdoot Bhawan
Guwahati-781 001
5. The Asstt. Director General (SGP)
Department of Posts,
Dak Bhawan,
Samsad Marg,
New Delhi-110001

.....Respondents.

DETAILS OF THE APPLICATION

1. Particulars of order against which this application is made.

This application is made against the impugned letter issued under No. 12-3/2001-SPG dated 25.09.2001 by the Respondent No.5 and the provisional seniority list of OS.I/O.S.II appended thereto in connection with holding of proposed DPC for promotion of Office Superintendents/Dy. Office Superintendents to the grade of Assistant Director (Rectt.), GC S Group 'B' and praying for a direction to the Respondents to modify/amend the aforesaid seniority list prior to holding of proposed DPC treating the service of the

*Inter Se
Seniority
Ann XIV
p 74-75*

Tapas Kumar Datta Roy.

applicant as Office Superintendent in the grade of HSG-I with effect from 01.09.95 instead of Dy. Office Superintendent as shown in the seniority list since the applicant was working only as Office Superintendent on regular basis with effect from 01.09.1995 and not as Deputy Office Superintendent on regular basis with effect from 01.09.1995 and not as Deputy Office Superintendent and further praying for a direction to the Respondents to extend all the benefits of HSG-I to the Applicant including scale of pay, All India seniority with effect from 01.09.1995.

2. Jurisdiction of the Tribunal.

The applicant declares that the subject matter of this application is well within the jurisdiction of this Hon'ble Tribunal.

3. Limitation:

The applicant further declares that this application is filed within the limitation prescribed under section-21 of the Administrative Tribunals Act, 1985.

4. Facts of the case.

- 4.1 That the applicant is a citizen of India and as such he is entitled to all the rights, protections and privileges as guaranteed under the Constitution of India.

Tapas Kumar Datta Roy.

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4.2 That your applicant joined under the Respondents on 13.7.1965 as Postal clerk in Shillong Postal Division and promoted on 23.1.1973 as Upper Division Clerk in the office of the Post Master General, N.E. Circle, Shillong. He was then promoted as 20% Lower Selection Grade (LSG) clerk with effect from 1.1.1988 in the same office and then further promoted as Biennial cadre Review official (BCR) HSG-II with effect from 26.6.1993. Subsequently has was promoted as Office Superintendent with effect from 1.9.1995 on regular basis vide Memo No. Staff/35/1275/76/II, dated Shillong 7.9.1995 and placed in the pay scale of Rs. 1600-2660/- , a scale of HSG-II which he had been drawing in his earlier post also. Eventually the applicant was promoted from Office Superintendent (HSG-II) to Office Superintendent (HSG-I) in the pay scale of Rs. 6500-10,500/- vide Memo No. Staff/9-4/OS(CO)/2001 dated Shillong 22.5.2001 and he assumed charges as HSG-I with effect from 22.5.2001, where he is still continuing.

26.6.93

Copy of the Memo dated 7.9.1995 and Memo dated 22.5.2001 are annexed hereto as Annexure I and II respectively. (Correction made)

4.3 That your applicant begs to state that prior to his regular promotion as Office Superintendent on 1.9.1995 as stated above, he was working in the same post of Office Superintendent in officiating capacity in three

Tapas Kumar Datta Roy.

A

different spells from ^B(23.12.1994 to 6.3.1995) ^C(15.5.1995 to 3.7.1995) and [1.8.1995 to 31.8.1995] as per orders issued on 20.12.1994, 9.5.1995 and on 31.7.1995 (read with order dated 14.8.1995) respectively.

Copy of orders dated 20.12.1994, 9.5.1995, 31.7.1995 and 14.8.1995 are annexed hereto as Annexure III, IV, V and VI respectively.

4.4 That the applicant begs to state that the Post of Office Superintendent in the Circle Office, Shillong was upgraded from HSG-II to HSG-I in the pay scale of Rs. 700/- to 900/- (Pre-revised) in 1981 vide Memo No. Estt/34-19/77 dated Shillong 19.5.1981 and under the said Memo, the post of Office Superintendent in the HSG-II (in the scale of Rs. 550-750/- Pre revised) in the circle Office, Shilong was abolished, meaning thereby that the post of Office Superintendent in the Circle Office, Shillong is in the grade of HSG-I only with effect from 19.5.1981. The said post of Office Superintendent (HSG-I) in the Circle Office, Shillong was thereafter made permanent vide Memo No. EST/34-6/76 dated Shillong 29.3.1985 with effect from 1.3.1985, and the same was reflected in the gradation list corrected up to 1.7.1986, showing therein one permanent post of Office Superintendent in the scale of Rs. 700-900 (i.e. HSG-I).

Copy of Memo dated 19.5.1981, Memo dated 29.3.1985 and relevant pages of gradation list as on

Tapas Kumar Datta Roy.

1.7.1986 are annexed hereto as Annexure-VII, VIII and IX respectively.

4.5 That the applicant most humbly submits that as per the order dated 7.9.1995 (Annexure-I), he had been promoted to the post of Office Superintendent with effect from 1.9.1995 on regular basis and even prior to that he had been working as Office Superintendent in officiating capacity in three different spells as stated in para 4.3 above. It is also evident from the preceding para that the post of OS in circle office, Shillong is in the grade of HSG-I with effect from 1981. But surprisingly, in all the orders aforesaid, for officiating as well as regular promotion of the applicant to the post of OS, the respondents mentioned the name of the post as Office Superintendent but did not mention the grade (i.e. HSG-I or HSG-II) of the post or the scale of pay and most arbitrarily extended the pay scale of HSG-II to the applicant whereas the post of O.S. in circle office, Shillong is a post of HSG-I level and whereas the applicant had been discharging the same duties and responsibilities as the OS (HSG-I) of other circles had been doing. The applicant has thus been deprived of his legitimate entitlement of the scale and benefits of the HSG-I in an unfair, illegal and unjust manner which have been given to all the Office Superintendents of other circles doing similar works and similarly situated.

Tapaa Kumar Datta Roy.

4.6 That consequent upon the bifurcation of the N.E. circle into two circles viz., N.E. circle and Assam circle, the Respondents have distributed and shifted some posts from the N.E. Circle to the newly created Assam Circle in 1988. While doing so, the Respondents vide their Memo No. EST/34-37/81 dated Shillong 22.6.1988, have transferred inter alia the post of Office Superintendent (HSG-I) to the newly created Assam Circle and thereby keeping one HSG-II level post in the circle office, Shillong. It is pertinent to mention here that the post of Office Superintendent in HSG-I level was sanctioned for circle office, Shillong only and there was no sanction for any post of HSG-II level in N.E. Circle, Shillong, and manning was also done accordingly. This apart, the N.E. Circle being the parent circle, is older than and senior in status to the newly created Assam Circle and as such in all fitness of the things the senior level post of OS (HSG-I) ought to have been retained in the circle office, N.E. Circle instead of transferring the same to the newly created Assam Circle and retaining a non-existent junior level post of OS (HSG-II) in the N.E. Circle, or alternatively they ought to have created a post of OS (HSG-I) separately for Assam Circle which they did in case of other senior level posts, as evident from the Memo dated 22.6.1988. The transfer of the post of OS (HSG-I) from the parent circle to the newly created circle and keeping a junior level post of HSG-II in

Tapas Kumar Das Roy.

the parent circle was irrational and unfair in all stretch of imagination.

Copy of the Memo dated 22.6.1988 is annexed hereto as Annexure-X.

4.7 That the applicant begs to state that as a fall out of the aforesaid irrational and biased distribution of post, the newly created state of Assam got a senior level post of OS (HSG-I) since the date of its creation and the incumbent working in that circle got the privilege of senior scale of pay since inception while the applicant in spite of discharging similar duties and responsibilities in the similar post of Office Superintendent and that too in circle office, Shillong, N.E.Circle which is older and senior in status than Assam Circle, has been given the scale of HSG-II only, thus depriving him of his legitimate entitlement of the pay scale and benefits of HSG-I.

Further, three new postal circles viz (i) Jharkhand (ii) Uttaranchal and (iii) Chattisgarh were created only on 12.1.2001 vide letter No. 38-10/2000-Pt.II dated 12.01.2001. Even those newly created circles which are much junior in status than the N.E. Circle, have been blessed with the post of O.S. (HSG-I) from the date of their creation whereas the N.E.Circle which had the sanctioned post of OS(HSG-I) as back as in 1981 has been deprived of the same arbitrarily and

Tapas Kumar Datta Roy.

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capriciously, denying this norm-based post under SIU standard to N.E.Circle.

Copy of letter dated 12.01.2001 is annexed hereto as Annexure-XI.

4.8 That the Respondents vide their letter No. 22-I/89-PE-I(Vol.II) dated 30.3.2001 and subsequent Memo dated 19.04.2001 have now created 1622 nos. of posts in HSG-I grade all over the country including N.E.Circle through upgradation and abolition of some posts. In their said letter dated 30.3.2001, under Para (iv), the Respondents have admitted in unequivocal terms that -

"As per SIU norms there is a justification of one post of Office Superintendent in each circle (Administrative Office) in HSG-I grade. At present every Circle Office has the post of Office Superintendent in HSG-I grade except Haryana, Himachal Pradesh and North East....."

Paradoxically, N.E. Circle (So also Haryana and H.P) is a much older and senior circle than many order circles like Assam, Jharkhand, Uttaranchal, Chatisgarh etc. and as such while those circles could get the post of Office Superintendent in the HSG-I grade since their creation, it is not understandable why a discriminatory treatment was given to N.E. Circle, Haryana and Himachal Pradesh, more particularly when N.E.Circle already had the sanctioned post of

Tapas Kumar Datta Roy

Office Superintendent (HSG-I) as back as in 1981. Since the post of Office Superintendent in the HSG-I Grade was sanctioned for N.E.Circle in 1981, the question of up gradation of post to the same grade now for the second time for N.E.Circle is a superfluous and manipulative action and in all fitness of the things, the post of Office Superintendent in HSG-I grade should be treated and deemed to have been in existence in the circle office, Shillong since 1981 without any interruption whatsoever.

Copy of letter dated 30.3.2001 is annexed hereto as Annexure XII along with Memo dated 19.4.2001.

4.9 That the applicant begs to state that since his promotion to the post of Office Superintendent (HSG-I) with effect from 22.5.2001 vide order dated 22.5.2001 (Annexure-II herewith), he has been approaching the Respondents and submitted representations time and again praying for grant of HSG-I pay scale to him with retrospective effect from 1.9.1995 i.e. the date on which he was promoted to the post of Office Superintendent on regular basis and also for his earlier officiating periods from 23.12.1994 to 6.3.1995, 15.5.1995 to 3.7.1995 and 1.8.1995 to 31.8.1995 (some of the representations are annexed hereto) which have been turned down by the Respondents mechanically without any application of mind. The prayer of the applicant is more relevant in the context

Tapas Kumar Datta Roy.

of para (iv) of the letter dated 30.3.2001 issued by the Respondents (Annexure-XII).

Copy of representations dated 20.7.2001 dated 26.9.2001 dated 12.12.2001, dated 18.12.2001 and dated 27.2.2002 are annexed hereto as Annexure-XIII series.

4.10 That the applicant begs to state that in the meantime, the Respondents have issued the impugned letter No. 12-3/2001-SPG dated 25.09.2001 proposing for holding DPC for promotion to the grade of Asstt. Director (Rectt.) GCS Group 'B' reserved for OS/Dy. O.S. working in the circle offices and have appended along with the said letter a seniority list of Office Superintendents who are in the zone of eligibility for consideration by the aforesaid DPC. In the said seniority list, the name of the applicant has been shown under serial no. 18 at the bottom of the list showing his date of regular appointment on 1.9.1995 as Deputy Office Superintendent. Surprisingly, the applicant at no point of time, served as Deputy Office Superintendent and there was no such post in the N.E. Circle but the applicant served only as Office Superintendent with effect from 1.9.1995 as evident from the appointment letter and statements furnished in the foregoing paragraphs and as such it is wrong to treat him as Deputy Office Superintendent thus affecting his seniority adversely.

Tapas Kumar Datta Roy.

This apart, in the said seniority list, two incumbents Shri M.S. Parmar (Sl.No.7) and Shri G.K. Parmar (Sl. No.8) have been shown to have been appointed as OS-I on regular basis on the same date i.e. 6.3.1997 in Gujrat Circle, both holding the same post whereas the applicant being the lone incumbent working as OS in N.E.Circle has been shown as Dy. O.S.

Further, under Sl. No. 15 of the seniority list, Shri L.C. Saini has been shown to has been appointed as O.S-I with effect from 1.9.2000 in Haryana Circle whereas the post of OS-I came into existence in Haryana Circle only after the issuance of letter dated 30.03.2001 (Annexure-XII) but the applicant was denied the post of OS grade in the N.E. Circle retrospectively although such post came into existence in the N.E. Circle in 1981, and rejected his claim informing him that no retrospective effect can be given.

Copy of impugned letter dated 25.09.2001 is annexed hereto as Annexure-XIV.

4.11 That the applicant thereafter submitted representation on 26.9.2001 to the Respondent No.3 pointing out the anomalies and praying for its rectification etc. but with no effect.

Copy of representation dated 26.9.2001 is annexed hereto as Annexure-XV.

Tapaz Kumar Datta Roy.

4.12 That your applicant most humbly submits that due to arbitrary and irrational action of the respondents, the applicant has been deprived of his legitimate entitlement of the pay scale and benefits of HSG-I with effect from 1.9.1995 following his regular appointment as OS and even earlier, in his officiating capacity and further his All India seniority in the cadre of OS has been adversely affected. Thus the applicant has been a victim of unfair, capricious and arbitrary administrative action of the Respondents and has been incurring heavy pecuniary losses since he has not been given the HSG-I scale with effect from 1.2.1995 whereas similarly situated persons in other circles doing same duties and responsibilities as that of the applicant even in the newly created junior circles have been granted the HSG-I scale and benefits which is not only discriminatory but violative of the doctrine of equality.

4.13 That the applicant begs to submit that the duties and responsibilities of the Office Superintendents are same in all the circles throughout the country which have been specifically provided under para 63 in Chapter X, page 29 of the "manual of Office procedure for Postal Circle Office" and as such the Office Superintendents in all the Circles throughout the country are similarly situated who should be treated alike in respect of scale of pay and status without any discrimination whatsoever. As such, the case of the applicant ought to

Tapas Kumar Datta Roy.

be considered in the perspective of duties and responsibilities assigned to him and to be considered at par with the Office Superintendent in other similarly situated Circles.

Copy of the relevant pages of the "Manual" is annexed hereto as Annexure XVI.

4.14 That your applicant begs to state that due to non-consideration of his case for granting HSG-I scale retrospectively with effect from 1.9.1995, he is incurring heavy losses in terms of pay and also in terms of All India seniority vis-a-vis service prospects. As such finding no other alternative the applicant is approaching this Hon'ble Tribunal for protection of his legitimate rights and it is a fit case for the Hon'ble Tribunal to interfere with and to protect the rights and interests of the applicant, directing the Respondents to grant the HSG-I scale and benefits including All India seniority retrospectively in favour of the applicant as prayed for.

4.15 That this application is made bona fide and for the cause of justice.

5. Grounds for relief(s) with legal provisions.

5.1 For that the post of Office Superintendent sanctioned for circle office, N.E.Circle, Shillong is a post of HSG-I grade which was sanctioned as back as in 1981.

Tapaa Kumar Datta Roy.

5.2 For that the applicant has worked as Office Superintendent in Circle Office, Shillong in officiating capacity from 23.12.1994 to 6.3.1995, 15.5.1995 to 31.7.1995, 1.8.1995 to 31.8.1995 and on regular basis from 1.9.1995 and is therefore entitled to get the HSG-I grade accordingly.

5.3 For that the persons similarly situated in other circles and discharging the same works and responsibilities as that of the applicant have been getting the HSG-I grade since their joining as Office Superintendents whereas the applicant has been given the HSG-II grade which is discriminatory, illegal and violative of Article 14 and 16 of the Constitution of India.

5.4 For that the applicant has been working as Office Superintendent in the N.E. Circle which is older and senior in status to many other new circles but deprived of the HSG-I grade whereas in those newly created circles, the Office Superintendents are getting the benefits of HSG-I..

5.5 For that the Respondents themselves have categorically admitted in their letter dated 30.03.2001 (Annexure-XII) that as per SIU norms there is a justification of one post of Office Superintendent in each circle in HSG-I grade on the basis of data collected in 1993 and as such there cannot be any reason as to why the benefit

Tapas Kumar Dutta Roy.

of HSG-I cannot be extended to the applicant with effect from 1.9.1995.

5.6 For that the applicant repeatedly approached the Respondents for grant of HSG-I grade to him for the periods of his service as Office Superintendent in the Circle Office Shillong but to no result.

5.7 For that the applicant has been incurring heavy losses in terms of pay, seniority and promotional prospects due to arbitrary, illegal, unjust and unfair action of the Respondents.

6. Details of remedies exhausted.

That the applicant states that he has no other alternative and other efficacious remedy than to file this application. Representations to the Respondents submitted by the applicant failed to yield any result.

7. Matters not previously filed or pending with any other court.

The applicant further declares that he had not previously filed any application, Writ Petition or Suit regarding the matter in respect of which this application has been made before any court or any other authority or any other Bench of the Tribunal nor any such application, Writ Petition or Suit is pending before any of them.

Tapas Kumar Datta Roy.

8. Reliefs sought for :

Under the facts and circumstances stated above, the applicant humbly prays that your Lordships be pleased to issue notice to the respondents to show cause as to why the reliefs sought for by the applicant shall not be granted, call for the records of the case and on perusal of the records and after hearing the parties on the cause or causes that may be shown, be pleased to grant the following reliefs :

8.1 That the respondents be directed to grant the HSG-I grade to the applicant retrospectively in the scale of Rs. 2000-3200 (Revised Rs. 6500-10,500) for his services as Office Superintendent in officiating capacity during 23.12.1994 to 6.3.1995, 15.5.1995 to 3.7.1995, 1.8.1995 to 31.8.1995 and thereafter on regular basis from 1.9.1995 to 31.12.1995 with subsequent revised scale as per 5th central Pay Commission Rs. 6500-10,500 with effect from 1.1.1996 to 21.5.2001 (which has already been granted to the applicant w.e.f. 22.5.2001) with all arrears and consequential service benefits including financial benefits.

8.2 That the Respondents be directed to modify the All India Seniority list of HSG-I treating the

Tapas Kumar Datta Roy.

applicant in HSG-I with effect from 1.9.1995 and stepping up his name in the seniority list accordingly instead of that shown in the seniority list attached to their impugned letter dated 25.09.2001.

8.3 Costs of the application.

8.4 Any other relief or reliefs to which the applicant is entitled to, as the Hon'ble Tribunal may deem fit and proper.

9. Interim order prayed for.

During pendency of this application, the applicant prays for the following relief :-

9.1 That the Hon'ble Tribunal be pleased to restrain the respondents from holding any D.P.C. or giving any promotion to the Post of Assistant Director, GCS, Group B and stay the operation of their impugned letter dated 25.09.2001 till this application is finally disposed of by the Hon'ble Tribunal. The applicant further prays that the instant application be disposed of expeditiously.

10.

This application is filed through Advocates.

11. Particulars of the I.P.O.

i) I.P.O. No. : 76 574599
 ii) Date of issue : 13/5/02

Tapas Kumar Saha Roy.

iii) Issued from : G.P.O., Guwahati.

iv) Payable at : G.P.O., Guwahati.

12. List of enclosures.

As stated in the index.

Tapas Kumar Saha Roy.

VERIFICATION

I, Shri Tapan Kumar Dutta Roy, Son of Late Dr. Subodh Chandra Dutta Roy, aged about 57 years, working as Office Superintendent, Office of the Chief Postmaster General, N.E.Circle, Shillong, do hereby verify that the statements made in Paragraph 1 to 4 and 6 to 12 are true to my knowledge and those made in Paragraph 5 are true to my legal advice and I have not suppressed any material fact.

And, I sign this verification on this ~~19th~~ the 13th day of May, 2002.

Tapan Kumar Dutta Roy.

54

DEPARTMENT OF POST
OFFICE OF THE CHIEF POSTMASTER GENERAL: N.E.CIRCLE :
SHILLONG- 793 001.

Memo No.Staff/35/1275/76/II. Dated,Shillong-1, the 7th Sept,95.

Smti. J. Dutta, Office Superintendent, Circle Office, Shillong is retiring from service on superannuation w.e.f. 31-8-95(A/N).

In the resultant vacancies that have arisen, the following regular arrangements are made.

1. Shri. T.K. Dutta Roy, S.S.(Staff) Section is posted as Office Supdt., Circle Office, Shillong. w.s.f. 1-9-95
- ii. Smti. Asha Kar, the next senior most official is posted as S.S.(Staff)/Asstt./Bldg. Sections. w.s.f. 1-9-95

sd/-
(P.K. Nandi Mazunder)
Asstt. Postmaster General (Staff)
for Chief Postmaster General,
N.E.Circle, Shillong- 793 001.

Copy to:-

1. The Asstt. Director(A/c.), C.O., Shillong.
2. The AIA.O.(Bgt.), C.O., Shillong.
3. The A.D. (Estt.), C.O., Shillong.
- 4-5. The officials concerned. w.s.f. T.K. Dutta Roy
- 6-7. P/Fs of the officials.
8. The Director of Accounts(Postal), Calcutta- 700 012.
9. Arrangement file.
10. Office copy.

Attested

[Signature]
27/3/02

[Signature]
for Chief Postmaster General,
N.E.Circle, Shillong- 793 001.

Deputy Divisional Manager (PM)
O/O the Chief Postmaster General
N.E. Circle, Shillong-793001

OFFICE OF THE CHIEF POSTMASTER GENERAL N.E. CIRCLE::
SHILLONG-793 001.

Memo No.Staff/9-4/OS(CO)/2001 Dated Shillong, the 22nd May' 2001

Approval of the competent authority is hereby conveyed to the promotion of Sri Tapan Kumar Dutta Roy, OS, (HSG-II) C.O., Shillong to O.S.(HSG-I) cadre, in the Scale of 6500-10,500/= with immediate effect.

2. The post of O.S.(HSG-II) C.O., Shillong will be treated as upgraded to (HSG-I) from the date of joining of Sri T.K. Dutta Roy, in pursuance of Dte's letter No.22-1/89-PE-I (Vol-II) dtd.30-3-2001 and C.O., Shillong memo No.Est/20-20/Rlg.91-92 dtd.19-4-2001.

3. Sri T.K. Dutta Roy, will be on probation for a period of two years from the date of assuming charge of O.S.(HSG-I), C.O., Shillong.

4. He is requested to exchange necessary charge reports with copy to all concerned.

5. He may exercise option for fixation of pay under FR-22 within one month from the date of taking over charge.

W.E.F. 1.9.05
sd/
(Niranjana Das)
Asstt. Director(Staff)
For Chief Postmaster General,
N.E.Circle, Shillong.

Copy to:-

- we ✓*
1. The APMG(A/Cs), C.O., Shillong.
 2. All Group Officer, C.O., Shillong.
 3. The JAO(BGT), C.O., Shillong.
 4. Sri T.K. Dutta Roy, C.O., Shillong.
 5. P.F. of Sri T.K. Dutta Roy.
 6. Service Book of Sri T.K. Dutta Roy.
 7. The D.D.A. (P) Shillong.

Attested

hau
27/3/02
For Chief Postmaster General,
N. E. Circle, Shillong.

Deputy Divisional Manager (PLI)
O/O the Chief Postmaster General
N.E. Circle, Shillong-793001

7

DEPARTMENT OF POSTS: INDIA.
OFFICE OF THE CHIEF POSTMASTER GENERAL N.E. CIRCLE SHILLONG.

Memo.No. Staff/35/1275/76/II Dated at Shillong the 20-12-94

leave

Smti. J. Dutta, O/S, C.O. Shillong is granted/for 47 days on Medical ground w.e.f. 26-12-94 with permission to refix two days holidays on 24th and 25th Dec'1994.

2. In the resultant vacancies that have arisen the following arrangements are made purely on temporary and adhoc basis.

(i) Shri T.K. Dutta Roy, S.S. (PLI) Section is promoted to officiate as O/S, C.O. Shillong.

(ii) Shri E. Marwien, the next seniormost willing official is promoted to officiate as S/S (PLI) Section during the ~~period~~ leave period of Smti. S.R. Shome.

(iii) Smti. S.R. Shome, on her return from leave will work as S/S (PLI) Section.

3. The above arrangement will confer ~~no~~ ~~seniority~~ on the officials no claim for counting their services as seniority for promotion to the higher grade on regular absorption in the grade.

(N. Chowdhury)
Asstt. Postmaster General (S)
For Chief Postmaster General
N.E. Circle, Shillong-793001

Copy to:-

1. The Asstt. Director (A/Cs) C.O. Shillong.
2. The A.A.O. (BGT), C.O. Shillong.
3. The Asstt. Director (PLI), C.O. Shillong.
4. 6. The Officials concerned. *Shri T.K. Dutta Roy*
7. The D.A. (P), Calcutta.
8. P/File of the officials concerned.
9. Arrangement files.
10. Spare.

Attested
19/12/2001
Deputy Divisional Manager (PLI)
O/O the Chief Postmaster General
N.E. Circle, Shillong-793001

N. Chowdhury
For Chief Postmaster General,
N.E. Circle, Shillong-793001

....

Memo. No. Staff/35/1275/76/II. Dated Shillong, the 9.5.95.

Smti. J. Dutta, O/C., C.O., Shillong is granted leave for 45 days on Medical Ground with effect from 15.5.95 with permission to prefix two holidays on 13th & 14th May, 95.

2. In the resultant vacancies that have arisen the following arrangements are made purely on temporary and adhoc basis.

- (i) Shri T.K. Dutta Roy, S.S. (PLI), Section, is posted as Office Supdt., C.O., Shillong.
- (ii) Smti. S.R. Shome, S.S. (Staff) Section is posted as S.S. (PLI) Section.
- (iii) Smti. Asha Kar, the next seniormost official is posted as S.S. (Staff) Section.

The above arrangements will confer on the officials no claim for continuing in the post or regular absorption in the post.

(N. Chowdhury)
A.P.M.G. (Staff)
for Chief Postmaster General,
N.E. Circle, Shillong.

Lama95/

..-

Copy to :

1. The A.D. (A/Cs.), C.O., Shillong.
2. The A.A.O. (Bgt.), -do-
3. The A.D. (PLI), -do-
4. The A.D. (Estt.), -do-
- 5-7. The officials concerned. *Shri T.K. Dutta Roy*
- 8-10. P/Fs of the officials concerned.
11. The Director of Accounts (P), Calcutta.
12. Arrangement file.
13. Spare.

Attested

(N. Chowdhury)
for Chief Postmaster General,
N.E. Circle, Shillong.

..-.-.-

19/5/95
Deputy Divisional Manager (PLI)
O/O the Chief Postmaster General
N.E. Circle, Shillong 793001

25- *G Annex V*

DEPARTMENT OF POST: INDIA.
OFFICE OF THE CHIEF POSTMASTER GENERAL: N.E. CIRCLE: SHILLONG.

Memo No. Staff/35/1275/76/II

Dated at Shillong the 31.7.95.

Smti J. Dutta, Office Supdt. Circle Office Shillong is granted E/L for 5 days with effect from 1.8.95 to 5.8.95.

In the resultant vacancies that have arisen, the following arrangements are made purely on temporary and adhoc basis.

(i) Shri T.K. Dutta Roy, S.S(Staff) section is posted as Office Supdt. Circle Office Shillong.

(ii) Smti Asha Kar, the next seniormost official is posted as S.S(Staff) section.

The above arrangements will confer on the officials no claim for continuing in the post or regular absorption in the post.

(P.K. Nandi Majumder)
Asstt. Postmaster General(Staff),
for Chief Postmaster General,
N.E. Circle, Shillong.

Copy to:-

1. The Asstt. Director(A/Cs) Circle Office Shillong.
2. The A.A.O(Bgt) Circle Office Shillong.
3. The Asstt. Director(Estt) Circle Office Shillong.
4. The Officials concerned. *in T.K. Dutta Roy*
5. P/Fs of the Officials.
6. The Director of Accounts(Postal) Calcutta.
7. Arrangement file.
8. O/C.

Attested

Heav

27/3/02

Deputy Divisional Manager (PLS)
O/O the Chief Postmaster General
N.E. Circle, Shillong-793001

for Chief Postmaster General,
N.E. Circle, Shillong.

No. Staff/35/1275/76/11

Dated at Shillong the 14.8.95.

to order that in

In continuation of this office memo of even no. dated 31.7.95, the Chief Postmaster General is pleased the leave vacancy and Miss J. Dutta Office Supdt. Circle Office Sri T.K. Dutta Roy shall continue to work as Office Supdt. Circle Office and Sati. A. Kar will work as Section Supervisor Staff Section under same condition as laid down in memo dated 31.7.95.

(P.K. Nandi Majumdar)
Asstt. Postmaster General (Staff),
for Chief Postmaster General,
N.E. Circle, Shillong.

Copy to:-

1. The Asstt. Director(A/Cs) Circle Office Shillong.
2. The A.A.O(Egt) Circle Office Shillong.
3. The Asstt. Director(Estt) Circle Office Shillong.
4. Sri T.K. Dutta Roy, Office Supdt. Circle Office Shillong.
5. Sati. Asha Kar, Circle Office Shillong.
- 6-7. P/Fs of the officials.
8. The Director of Accounts(P) Calcutta.
9. Arrangement file.
10. O/C.

For Chief Postmaster General,
N.E. Circle, Shillong.

Attested

27/3/02

Deputy Divisional Manager (PLI)
@ the Chief Postmaster General *****
N.E. Circle, Shillong-793001

Memo.No. Est/34-19/77

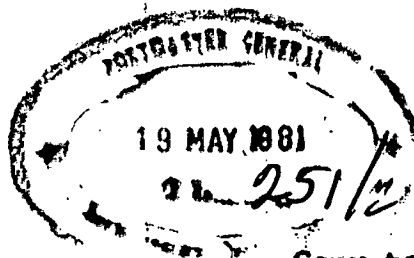
Dated Shillong, the 19th May, 81.

Approval of the Postmaster-General, North Eastern Circle, Shillong is hereby accorded to the creation of a temporary post of Head Assistant (General) in the Circle office, Shillong in the scale of Rs. 550/- to Rs. 750/- with immediate effect.

Consequent on the creation of the post of Head Assistant (General) in the scale of Rs. 550/- to Rs. 750/- the Postmaster-General, N.E. Circle, Shillong is further pleased to upgrade the post of the Office Supdt. Circle Office, Shillong to HSG-I in the scale of Rs. 700/- to Rs. 900/- with immediate effect.

The Postmaster-General, N.E. Circle, Shillong is also pleased to decide that from the date of filling up of the post of Office Supdt. in the scale of Rs. 700/- to Rs. 900/- the post of Office Supdt. in the scale of Rs. 500/- to Rs. 750/- may be treated as abolished.

The expenditure involved in this sanction is debitable to the Head of A/c-A2(1) Circle Office salaries and should be met from the sanctioned grant.



Sd/- I. Dewri
Director Postal Services (HQ)
for Postmaster-General,
N. E. Circle, Shillong.

Copy to :-

- 1) The Asstt. Director (Staff) C.O., Shillong for information. He will kindly intimate the date of filling up of the above posts to this section early. He will also kindly refer to this section Memo. no. Est/34-4/76 dated 29.4.81 and intimate the date of entertainment of the two posts of UDCs to this section early for issuing formal retention orders.
- 2) The Director of Accounts (Postal), Calcutta
- 3) The Asstt. Director (Accounts), C.O., Shillong.
- 4) The Office Supdt., C.O., Shillong.
- 5) The Guard file (S.S. Estt. section).
- 6) The Cell Share, Estt. section, C.O., Shillong.
- 7) The S.S. Staff and A&P section, C.O., Shillong.
- 8) The C.O. file No. Est/34-4/76.
- 9) Spare.

Attested

[Signature]

11/2/2002

Deputy Divisional Manager (PLI)
O/O the Chief Postmaster General
N.E. Circle, Shillong-793001

[Signature]
for Postmaster-General,
N. E. Circle, Shillong.

No. to EST/34-6/76 Dated at Shillong the 29/Nov/85

I am directed to convey the Approval
of the Postmaster General, N.E. Circle, Shillong, for permanency
of the following posts in annexure 'A' viz 1.3.85.

② Necessary proposition statement should
be submitted to this office immediately.

A.H. Steel

Deputy Divisional Manager (PLN)
O/O the Chief Postmaster General
N.E. Circle, Shillong-793001

(S.K. Sinha)
Asst. Postmaster General (ESM)
for P.O.s/Shillong.

Copy forwarded for information and necessary action to:-

- 1) The Asst. Director (Staff) Circle Office, Shillong
- 2) The Asst. Director (Office) Office, Shillong
- 3) The concerned establishment files in CO
- 4) The estt. register and Guard file
- 5) The O/S Circle Office, Shillong
- 6) Spare

19/12
For Postmaster General
N.E. Circle, Shillong-793001

See Annexure 'A' below at 96/c

Annexure 'A'

On 19.5.81 at ...

Sl. No.	Designation Name of the Post	Name of the HD quarters	Scale of Pay	Date of attestation ment	Co's Sanction memo No
1	2	3	4	5	6
1.	Office Supt. Circle Office	Shikony	Rs 700 - 20.90/-	20.5.81	Est / 34-19/77 Dt 19.5.81
2.	Head Asst (General)	Shikony	Rs 550 - 750/-	20.5.81	Est / 34-19/77 Dt 19.5.81

Annex - 1X

- 30 -

FOR OFFICIAL USE ONLY

GRADUATION LIST OF
OFFICIALS ON THE OFFICE OF THE POSTMASTER GENERAL
NORTH EASTERN CIRCLE
SHILLONG-793 001.

Corrected upto 1-7-1986.

Issued under the
Authority of the Postmaster General,
N.E. Circle, Shillong.

N.J.:-- Nothing in the publication is to be taken as conveying any sanction or Authority
or may be held to supersede any standing Rule or any orders of the Govt. of India.

Deputy Divisional Manager (PLI)
O/O the Chief Postmaster General
N.E. Circle, Shillong-793001

Attended

4/3/2002

MEMORANDA

- | | | |
|---|-------|---------------------------|
| (1) Postmaster General,
N.E.Circle, Shillong. | | Shri R.N.Dey, IPS |
| (2) Addl. Postmaster General
N.E.Circle, Shillong. | | Shri T.K.Tochhawng, IPS |
| (3) Director of Postal Services(HQ)
N.E.Circle, Shillong. | | Shri I.Dewri, IPS |
| (4) Vigilance Officer
N.E.Circle, Shillong. | | Shri A.N.D.Kachari IPS |
| (5) Asstt. Postmaster General (Staff)
N.E.Circle, Shillong. | | Shri Lal Munga. |
| (6) Chief Accounts Officer and
Financial Advisor.
N.E.Circle, Shillong. | | Shri M.L.Verna. |
| (7) Office Superintendent,
O/C the P.M.G. Shillong. | | Shri S.K.Suklabaidya. |

.....

OFFICE SUPERINTENDENT :
(Scale of pay Rs. 700-30-760-35-900)

No. of posts: Permanent - 1.

Sl. No.	Name.	Caste.	Date of birth.	Date of entry in the Deptt.	Date of entry in the cadre.	Date of substantive entry in the cadre.	Remarks.
---------	-------	--------	----------------	-----------------------------	-----------------------------	---	----------

1.	2.	3.	4.	5.	6.	7.	8.
----	----	----	----	----	----	----	----

1. Vacant.

Shri. S.K. Sukla-
baidya Cffg.w.e.f.
1-2-83.

DEPUTY OFFICE SUPERINTENDENT :
(Scale of pay Rs. 550-20-650-25-750/-).

No. of post: Permanent- 1

1.	2.	3.	4.	5.	6.	7.	8.
----	----	----	----	----	----	----	----

1. Shri Dinanath Sarma

OC 1.4.29 25.3.49 25.3.83 1.3.85.

LOWER SELECTION GRADE:

No. of post:

Permanent

Temporary

-- 9 (CO-8+RD-1)

-- nil.

Scale of pay Rs. 425-15-500-EB-15-560-20-700/-.

1400-40-1800-83-50-2300/-

1.	2.	3.	4.	5.	6.	7.	8.
1. Shri Nageswar Ias	OC	1-1-30	19-4-49	1-9-73	1-3-79		
2. Shri S.K.Suklabaidya	SC	6-9-33	12-7-52	23-5-74	1-3-79	Offg. as O.S.w.e.f.	
3. Shri M.D.Barthakur R	OC	11-3-29	2-6-49	1-6-74	1-3-79	1-2-83.	
4. Shri D.M.Bujarboruah	OC	1-6-30	6-6-49	1-6-74	1-7-81		
5. Shri B.C.Bania	SC	1-4-31	17-7-52	7-4-79	1-12-85	In RD Office.	
6. Shri D.K.Rana	OC	1-1-30	5-6-50	21-12-81	1-12-85		
7. Shri U.N.Das	SC	1-1-36	11-10-55	21-12-81	1-12-85		
8. Shri P.G.Das	OC	1-9-30	16-11-51	29-7-82	1-12-85		
9. Mrs. S.L.Borah	OC	18-2-31	28-8-50	1-12-82	1-12-85	Working as operative LSG in RD Office.	

LOWER SELECTION GRADE (20%).

No. of post: Temp.- 5.

Scale of pay Rs. 425-15-500-EB-15-560-20-700/-.

1. Mrs. A.S.Rahman	OC	19-4-30	21-12-56	25-3-83	--	Offg.as regular SS.
2. Mrs. Indira Dhar R	OC	16-3-29	16-10-51	6-5-83	--	-do-
3. Miss Juthika Dutta	OC	1-9-37	14-8-57	13-7-83	--	
4. Shri Bidyamani Roy	SC	1-3-36	31-5-61	13-7-83	--	
5. Shri J.L.Ghosh R	OC	1-8-29	1-6-51	18-4-84	--	
6. Shri M.C.Deb R	OC	1-8-28	3-9-52	1-12-85	--	

GOVERNMENT OF INDIA
MINISTRY OF COMMUNICATIONS
DEPARTMENT OF POSTS

Deputy Divisional Manager (PLI)
O/O the Chief Postmaster General
N.E. Circle, Shillong-793001

OFFICE OF THE POSTMASTER GENERAL: N.E. CIRCLE: SHILLONG-793 001.

Memo.No.EST/34-37/81 dated, Shillong, the 22nd June, 1988.

In pursuance of department of posts, New Delhi O.M. No.38-1/82-P.E.II dtd.25th May, 1988 regarding bifurcation of the erstwhile N.E.Circle into two separate circles namely N.E.*with circle Headquarter at Shillong and Assam with Headquarter at Guwahati, the following distribution of the staff of erstwhile N.E.Circle office including the staff of the O/O Addl.Postmaster General, Guwahati has been approved on 9th June '88 and 10th June '88 by the postmaster General, N.E.Circle and postmaster General, (designate) Assam Circle after mutual discussions and generally keeping in view the functional and administrative needs of the respective Circles and the original proposal made earlier by the postmaster General, Shillong in D.O.letter No.EST/34-37/81 dtd.10-3-87 and the same approved by the Directorate.

2. POSTMASTER GENERAL

As per the said letter, the present PMG, N.E.Circle, Shillong will be the Head of N.E.Circle and he will be assisted by an Addl.PMG and a Director(Vig). Assam Circle will be headed by a PMG redesignating the existing post of Addl.PMG, Guwahati and he will be assisted by a Director.

3. DIRECTOR(VIG)/AE(MCW)/HINDI OFFICER

The present Director(Vig)/AE(MCW)/Hindi officer, N.E.Circle, Shillong will be common for both the circles. The Headquarter of Director(Vig) and AE(MCW) will be at Shillong and the Headquarter of Hindi Officer will be at Guwahati.

4. ASST.POSTMASTER GENERAL

Out of 4 posts of APMG, 3 will be for Assam and 1 will be for N.E.Circle.

5. ASST.DIRECTOR OF POSTAL SERVICES

There are 5 posts of Asstt.Directors excluding one in GCS Gr.'B'. The GCS Gr.'B' and 2 other Aps will remain with N.E.Circle while the other 3 Aps will go to Assam Circle.

6. CHIEF ACCOUNTS OFFICER/ACCOUNTS OFFICER(ICO-SB)

The Chief Accounts Officer/Accounts Officer(ICO SB) of N.E.Circle will continue to remain with N.E.Circles. The post of CAO created vide the above dt's letter will be for Assam Circle till such time as the posting against this post is made, the CAO, N.E.Circle will continue to look after Assam Circle too. Present Accounts Officer of the O/O Addl.PMG will be redesignated as AO(ICO-SB) as per the said dt's letter and will continue to remain attached to the Assam Circle.

Contd...2...

Present post of N.E. Circle (S.I. Cr. I) will be transferred to Assam Circle.

8.

OFFICE SUPERINTENDENT

There is one post of Office Superintendent, S.I. and another post of Dy. Supdt. in HSG. II. As per Directorate's orders, the HSG. I, post of the Office Supdt. will go to Assam Circle and the HSG. II post will remain with the N.E. Circle after redesignating it as Office Supdt. in HSG. II. The respective Circles will however examine the justification of the post or its upgradation where necessary.

9.

ASSTT. SUPDT. OF POS/IPOS:

There are 9 posts of ASPOS out of which Assam Circle will get 6 and N.E. Circle will get 3. Out of 3 posts of IPOS viz IPOS (Planning), INV. Inspector and IPOS (Phil), the post of IPOS (Phil) will remain with the N.E. Circle and the other 2 posts will be for Assam Circle.

10.

SAS/S.I. RMS/Stg. Compilers.

As all the RMS divisions fall in the jurisdiction of Assam Circle, both the posts of SAS and S.I. will be for Assam Circle. However, for attending to miscellaneous RMS work in N.E. Circle, one post of Staging Compiler, out of the 2 present, will remain with the N.E. Circle, while the second post of Compiler will be transferred to Assam Circle.

11.

L.S.G., POSTS:

There are in all 14 LSG posts including 5 posts of LSG 20%. Out of 9 regular LSG posts 6 will be for Assam Circle and 3 for N.E. Circle. Out of 5 LSG 20% 2 will remain with N.E. Circle and other 3 will be for Assam Circle.

12.

S.B.D. Os:

Out of 7 posts of SBDOS in the Circle, 4 posts will go to Assam Circle and the rest 3 will remain for N.E. Circle.

13.

IPOS (PMI):

There are 6 posts, of IPOS (PMI) in the Circle out of which 4 posts will be for Assam Circle and 2 will be for N.E. Circle.

14.

D.O. (PLI):

The 4 posts of D.O. (PLI) will be equally shared by the two Circles.

15.

HINDI TRANSLATOR/HINDI TYPIST:

While the lone post of Hindi Typist (LDC) will go to the share of Assam Circle. The other lone post of Hindi Translator will remain with the N.E. Circle. ~~and of these 4 posts 2 will be~~

16.

J. Es:

There are 6 posts of JES including 4 posts sanctioned vide PMG/Shillong memo No. EST/34-4/76 dtd. 14-6-80, out of these 4 posts, only one post was entertained on 9-12-87, and action for recruitment to the remaining three posts is still in process by the Civil wing. Out of these 6 posts, 4 will be for Assam and 2 will be for N.E.

Contd...3...

17. J.A.OS:

Out of 4 posts of JAOS, 3 posts namely 2 JAOS(100 SB), 1 HAO(PLI) will go to Assam Circle, and the post of JA0(Bgt) will remain with N.E.Circle.

18. Sr.PAS/PAS/STENOGRAPHERS:

(a) SENIOR PA (GRADE I):

Out of three sanctioned post of Sr.PAS, one post ordered to be created by upgradation of one post of PA(Grade II) is yet to be filled up for want of eligible candidate and as such two posts of Sr.PAS are available for the present. Out of these two posts, one will go to Assam Circle and the other will remain with N.E.Circle.

(b) PAS(GRADE II):

There are two posts of PA grade II including one ordered to be upgraded to Sr.PA(grade I) as mentioned above. One of these two posts is kept attached to the RDPs, Assam Region and this post is transferred to the Assam Circle while the other post of PA grade II is retained to the Addl.PMG, N.E.Circle temporarily pending upgradation of the same post to the status of Sr.PA by an eligible official.

(c) STENOGRAPHERS:

There are (8) eight posts of stenographers including one temporarily diverted to Kohima from C.O., Shillong. Out of these posts, one each is earmarked for IFA/CAO, N.E.Circle and Director(Vig), N.E.Circle and the proposed VO/Director(Vig), Assam Circle and these remaining 5 posts of stenographers are to be distributed between the N.E.Circle and Assam Circle. Out of these 5 posts of stenographers 3 will go to Assam Circle and 2 will remain with N.E.Circle. Thus the total share of stenographers will be 4 for N.E.Circle and 4 for Assam Circle.

19. U.P.CS:

Out of total sanctioned strength of 69 UDCs, 44 will be for Assam Circle and rest 25 will be for N.E.Circle. The above strength of 69 UDCs includes 8 such identified posts with special pay of Rs.70/- p.m. and one post of cashier. Out of these, 3 such identified posts and the post of cashier will be for N.E.Circle, and other 5 identified posts carrying special pay will be for Assam Circle.

20. L.D.CS:

Out of total sanctioned strength of 52 LDCs(including 13 LR + 1 Hindi typist LDC), 33 LDCs (including 8 LR + 1 Hindi typist LDC) will be for Assam Circle and rest 19 LDCs(including 5 LR) will be for N.E.Circle.

21. UDC & LDC, ICO/SB & RING UNITS:

Out of 3 UDCs of ICO/CPU and ICO/SB, 2 UDCs viz 1 UDC, ICO/SB and 1 UDC, ICO/SB will go to Assam Circle and the remaining 1 UDC/CPU and 1 LR LDC, ICO/SB will remain with N.E.Circle.

Contd....4.....

22. STAFF CAR DRIVERS:

There is one post of staff car driver now attached to PMG, Shillong and another post of driver attached to Addl.PMG, Guwahati. The posts will remain as it is now.

23. L.G. DRAFTSMEN:

The lone post of L.G.draftman will remain with the N.E. Circle.

24. CARETAKER/GESTETNER OPERATOR:

There is one post of care-taker and one post of Jr. Gestetner operator in the Circle. Both posts will remain with N.E.Circle.

25. DUFFRIES:

There are 6 posts of duffries including one post of S.G. duffry. 4 posts of duffries will go to Assam Circle and other 2 posts will remain with N.E.Circle.

26. JAMADARS:

Out of 3 sanctioned posts of Jamadars, 2 will be for Assam Circle and one will be for N.E.Circle.

27. OFFICE PEONS:


Sanctioned strength of office peons(including 3 LR) is 27. Out of these, 17 (including 2 LR) will go to Assam Circle and 10 (including 1 LR) will be for N.E.Circle.

28. OTHER GROUP 'D' (NON TEST):

There are 9 sanctioned posts of Group 'D' (non test) viz 2 farash, 4 chowkidars, 2 safaiwalas and 1 mali. Out of these 4 posts namely, 1 farash, 1 safaiwala and 2 chowkidars will go to Assam Circle and 5 posts namely, 1 farash, 1 safaiwala, 2 chowkidars and 1 mali will remain with N.E.Circle.

A copy of the bifurcation agreement dtd.10-6-88 signed by the PMGs of N.E.Circle and PMG(designate) Assam Circle along with an ANNEXURE 'A' showing sanctioned strength of the erstwhile N.E.Circle, and share of post between the two Circles, etc., is enclosed herewith.

HMK


(S.S.SEN)
A.D.P.S. (EST & SB)
for Postmaster General,
N.E.Circle, Shillong.

Contd....5....

Copy to:-

1. The Director General (posts), New Delhi with reference to his memo No. 38-1/82-PE.II dtd. 25-5-88.
2. All Group Officers in N.E. Circle and O/O the Addl. PMG, Guwahati.
3. All Section Supervisors in N.E. Circle office and O/O the Addl. PMG, Guwahati.
4. The Addl. Postmaster General, Guwahati.
5. The Sr. Postmaster, Shillong, Silchar and Guwahati.
6. The Director of Accounts (postal), Calcutta.
7. All Sr. Supdt./Supdt. of pos in N.E. Circle.
8. Supdt. of PSD, Silchar, Guwahati.
9. Supdt. N.E.S.D., Guwahati.
10. Manager, MMS, Guwahati.
11. Sr. Supdt. RMS/Guwahati, SRM, Silchar.
12. The C.A.O./IFA, N.E. Circle, Assam Circle.
13. All Director Postal Services in N.E. Circle.
14. All Postmasters in N.E. Circle.
15. Spare.

(S.S. SEN) 22/6/88

A.D.P.S. (EST & SB)
for Postmaster General,
N.E. Circle, Shillong.

Order for the bifurcation of North Eastern Postal Circle to create another postal Circle with Headquarter at Guwahati were issued by the postal Directorate in their O.M. No.38-1/82-PE.II dated 25th May, 1983. In accordance with para 3 thereof the distribution of Staff, Assets & Records has to be done by mutual agreement of the two PMGs on functional and administrative needs and in accordance with the proposals made earlier by the PMG, Shillong in DO letter No.EST/34-37/81 dated 10-3-1987.

To facilitate the bifurcation at an early date with distribution of staff/assets/records, meetings were held on 9th June '83 and 10th June '88 in the chamber of PMG, N.E.Circle, Shillong which were attended to by the following:-

1. Shri V.S.Saksena, PMG, Shillong.
2. Shri B.K.Mohanty, PMG, Guwahati
3. Shri S.P.Singh, Director (Vig), C.O., Shillong.
4. Shri S.S.Sen AD (ESTT), C.O., Shillong.
5. Shri M.L.Verma, CAO/IFA.

2.(a) DISTRIBUTION OF STAFF:

In the proposals earlier sent by the PMG, Shillong in March '87, to the postal Directorate, the staff for the Assam Circle and the N.E.Circle was to be distributed in the ratio of 65:35. This ratio had been suggested taking into account the fact that the PSD, Guwahati was to remain with the Assam Circle. However, as per orders issued by the Postal Directorate, PSD, Guwahati has to be a part of N.E.Circle. This necessitated slight revision in ratio which on the basis of staff strength of the units to go to Assam Circle and to remain with the N.E.Circle now calculates as 64:36-Assam: N.E.Circle. The question of distribution of staff in this ratio was discussed at length and as a result of mutual agreement arrived at between the PMG, Shillong and the PMG designate, Guwahati, Assam, the distribution of staff in various cadres has been shown in Annexure 'A'. Out of the share going to the Assam Circle as shown in the column 5 of the annexure, the persons to be physically transferred have been indicated in column 6-A and the posts to be transferred to Assam Circle in 6-B. During discussions it was pointed out by the Addl.PMG, Assam, Guwahati (PMG designate) that he is taking up the matter with the postal Directorate for revising their earlier orders to attach the PSD, Guwahati to Assam Circle. In case this is done the ratio of 64:36-Assam:N.E. Circle on the basis of which staff has been distributed as shown in the Annexure 'A' will have to be revised to make it 65:35-Assam: N.E.Circle, excluding officers and if any additional post goes to the share of Assam Circle on account of this revision the PMG, N.E.Circle, Shillong will take action to transfer that post. It also came under discussion that the O/o the PMG, Shillong has sent a proposal to the Postal Directorate for creation of a few additional posts for the Circle Office, Shillong. In case a few additional posts in certain cadre are created by the postal Directorate, these posts will also be distributed between the Assam Circle and N.E.Circle in the ratio of 64:36 or 65:35 as the case may be.

to examine and verify the correctness of the sanctioned strength in various cadres noted in Annexure 'A' in consultation with AD(Estt) of the C.O., Shillong. In case during such examination any variation is noticed, the calculation about distribution of staff would be modified accordingly if necessary.

For the PSDs, at Guwahati and Silchar, the feeder units at present are Guwahati postal division and Silchar postal division. Both the PSDs have their own justified and sanctioned strength but the men are placed in position by the two postal divisions mentioned above. This arrangement will continue as it is not going to effect the justified sanctioned strength of either at Guwahati postal division nor the Silchar postal division.

2.(b) RECORDS

The O/O the PMG, Shillong has already issued instructions to various branches of the office to segregate the files which have to be transferred to Assam Circle. It was agreed that this process should be accelerated and all the branches of Circle Office, Shillong should prepare lists and keep the files to be transferred to Assam Circle ready by the 24th of June, 1988.

2.(c) ASSETS

Various items of furniture, typewriters etc. which are at present used by the staff, coming to the share of Assam Circle will also be sent to that Circle. For this purpose the O/O the Addl. PMG, Guwahati and the AD(Tech), in the C.O., Shillong will call for tenders about the rate of transportation and the items of furniture would be given to the party for transportation to Guwahati whose rate happens to be favourable on the basis of enquiries made by AD(Tech) and O/O the Addl. PMG, Guwahati.

2.(d) ALLOTMENT OF FUNDS:

The budget allotment received from Postal Directorate for the year 1988-89 under various heads of accounts will be distributed on the basis of demands placed by the units in the Circle taking into account, of course, the additional requirement of the O/O the PMG, Assam to be created. However, in case of allotment under the head House Building Advance which is determined by the Circle Office only, the funds will be distributed in the ratio 64:36-Assam: N.E.Circle.

3. CIRCLE SPORTS CONTROL BOARD AND WELFARE FUND:

The Assm Circle will have its separate Circle Sports Control Board from 1st July, 1988. Regarding the Welfare Fund, apart from cash which is kept in the Savings Bank Account, this fund has got a TD A/C for Rs.1.50 lakhs which will mature on 22-11-88. It was decided that after the cash book of Welfare Fund is closed on 30th June, 1988, the cash in the Savings Bank Account will be apportioned to Assam and N.E.Circle in the ratio of 65:35. Similarly the amount lying in TD account along with the interest on maturity will also be apportioned at the appropriate time in the same ratio.

Contd....

4. To enable smooth bifurcation, transfer of staff, assets and to sort out various issues which may crop up after the new Circle at Guwahati starts functioning, both the PMGs will meet once a month or as and when necessary.

Sd/-
V.S.Saksena
PMG, Shillong

Sd/-
B.K.Mohanty,
PMG, Assam,
Guwahati.

ANNEXURE 'A'

DISTRIBUTION OF STAFF/POSTS BETWEEN N.E.CIRCLE: & ASSAM CIRCLE

Sl. No.	Cadre	Sanc-tioned strength	Share of NE Circle	Share of Assam Circle	out of Col.5 post & persons to be trans-ferred to Assam Circle	Only posts to be trans-ferred to Assam Circle	Remarks
1	2	3	4	5	6(a)	6(b)	7
1.	APMGS	4	1	3	3	Nil	(one post & person already trans-ferred).
2.	CAO/IFA	1	1	-	-	-	-
3.	Asstt. Directors	6	3	3	1	-	-
4.	Welfare Officer	1	-	1	1	Nil	-
5.	A.O.	2	1	1	-	-	-
6.	O.S.(HSG.I)	1	-	1	1	-	-
7.	Dy.OS(HSG.II)	1	1	-	-	-	-
8.	ASPOS	9	3	6	4	-	-
9.	IPOS	2	1	2	1	Nil	-
10.	Stg.Inspector	1	-	1	-	-	-
11.	S.E.(LSG)	9	3	6	3	-	(one post & persons already trans-ferred).
12.	S.A.SS	1	-	1	1	-	-
13.	J.Es	6	2	4	1	2	(3 posts not yet enter-tained).

Contd....4....

	1	2	3	4	5	6(a)	6(b)	7
14. J.A.O.	4		1	3	3	-	-	-
15. Steno Gr. I	2	2	1	1	1	-	-	-
Steno Gr. II	2	1	1	1	1	-	-	-
Steno Gr. III	8	4 (including IFA)	4 (excluding IFA)	3	3	-	-	-
16. Stg. Compiler	2	1	1	1	1	-	-	-
17. UDC (20% LSG)	5	2	3	12	18	-	-	-
18. UDCs	69	25	44			-	-	-
19. LDCs	38	14	24			-	-	-
20. LDCs (LR)	13	5	8	16	15	-	-	-
21. Hindi Typist	1	-	1			-	-	-
22. UDCs (ICO/CPU)	3	1	2	2	Nil	-	-	-
23. LR LDC (ICO/SB)	1	1	-	-	-	-	-	-
24. SBDOS	7	3	4	1	Nil	-	-	-
25. IPOS (PMI)	6	2	4	1	Nil	-	-	-
26. D.O. (PLI)	4	2	2	1	-	-	-	-
27. Staff Car Driver	2	1	1	-	-	-	-	-
28. L.G. Draftman	1	1	-	-	-	(scale Rs. 975-1540/-)	-	-
29. Caretaker	1	1	-	-	-	-	-	-
30. Jr. Gestetner Operator	1	1	-	-	-	(scale Rs. 800-1150/-)	-	-
31. S.G. Drafty Duffries	1 5	2	4	4	-	(scale Rs. 800-1150/-)	-	-
32. Jamadar	3	1	2	1	1	(scale Rs. 800-1150/-)	-	-
33. Gr. 'D' (Test)	24	9	15	10	Nil	-	-	-
Gr. 'D' (LR)	3	1	2	2	Nil	-	-	-
34. Gr. 'D' (non-test)								
a) Farash	2	1	1	1	Nil	-	-	-
b) Chowkidar	4	2	2	1	Nil	-	-	-
c) Safaiwala	2	1	1	-	1	-	-	-
d) Mali	1	1	-	-	Nil	-	-	-
35. Hindi translator	1	1	-	-	Nil	-	-	-

* Out of 69 UDC posts 8 posts are identified posts of pay special pay Rs.70/- p.m. The distribution will be 5 for Assam and 3 for N.E. one post is available now in the office of the Addl. Postmaster General, Guwahati.

NOTE:

- 1) All vacant posts shown in Col. 6(b) do not attract rank order.
- 2) Col. 6(a) does not include the posts already in position at Guwahati.
- 3) The Director(Vig)/AE(MCW)/Hindi officer will be common for both the Circles. The headquarter of the Director (V) and AE(MCW) will be at Shillong and that of Hindi officer will be at Guwahati.

Sd/-

(M.L.Verma)
Chief Accounts Officer
O/O PMG, N.E.Circle,
Shillong.

Sd/-

(Gurudas Ram)
SSPOS, Guwahati Dn.,
Guwahati.

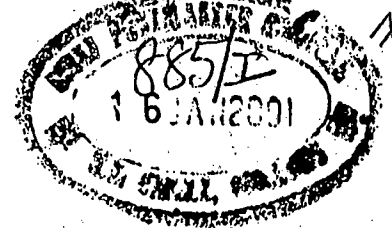
Sd/-

(V.S.Saksena)
PMG, Shillong

Sd/-

(B.K.Mohanty)
Addl.PMG, Guwahati.

ES # 322
138
No.38-10/2000-PE-II
Government of India
Ministry of Communications
Department of Posts,
Dak Bhavan, Sansad Marg,
New Delhi - 110001.



Dated:12.01.2001

Subject: Creation of three new Postal Circles viz: (1) Jharkhand, (2) Uttaranchal and (3) Chhattisgarh; subsequent to the formation of three new States viz: (1) Jharkhand, (2) Uttaranchal and (3) Chhattisgarh respectively - regarding.

1. The President is pleased to approve the creation of the new Postal Circles viz: (1) Jharkhand (2) Uttaranchal and (3) Chhattisgarh by converting the existing Regions in those areas carved out of their respective parent circles of Bihar, Uttar Pradesh and Madhya Pradesh.
2. The headquarters of the new Postal Circles viz: Jharkhand, Uttaranchal and Chhattisgarh, will be Ranchi, Dehradun and Raipur respectively; and the headquarters of the existing Postal Circles of Bihar, Uttar Pradesh and Madhya Pradesh will continue to be the same i.e. Patna, Lucknow and Bhopal respectively.
3. The jurisdiction of the newly created Postal Circles are shown at annex. "A", "B" and "C"; and the jurisdiction of the existing Postal Circles after carving out of the new circles mentioned above are shown at annex. I, II and III.
4. In respect of assets, staff, records etc., the new Circles will be comprising all that are presently with the respective Regions concerned. However, keeping in view their respective jurisdiction as indicated in the annexes, actions for distribution of assets/staff/record etc. of the new circles and existing circles will be taken by their respective Chief Post Masters General and/or their respective Post Masters General by mutual agreement based on the functional/administrative needs of each circle. Operational aspects with regard to each circle are placed at Annex 'O'.
5. This order will take effect from the date of issue.
6. This Memo. issues in consultation with our Integrated Finance Advice (Postal) vide their I.D. No.19/FA/2001 dated 12.01.2001.

Hindi version will follow

Attested

havis
11/4/2002

Devi
(DEVIKA KUMAR)
DIRECTOR (ESTT.)

Encl: As above.

Deputy Divisional Manager (PLI)
O/o the Chief Postmaster General
N.E. Circle, Shillong-793001

— 2 —

Copy to:

1. PS to Hon'ble Minister(C)/MOS(C).
2. PPS to Secretary(P).
3. PS to Member(P)/Member(O)/Member(D).
4. PS to JS & FA.
5. PS to Sr. DDG (CP) & Secretary(PSB).
6. All Principal Chief Postmasters General/ Chief Postmasters General.
7. All Postmasters General (Regions).
8. Chief General Manager, PLI Directorate, Chanakyapuri, New Delhi.
9. Chief General Manager, Business Development Directorate, Malcha Marg, New Delhi.
10. Director, Postal Staff College, India, Ghaziabad.
11. All DDsG/Directors/ADsG in the Directorate.
12. Additional Director General, AFS, C/o 56, APO, R.K. Puram, New Delhi.
13. All Directors of Accounts (Postal).
14. All Directors, Postal Training Centres.
15. Security Press.
16. Director (OL)
17. Parliament section.
18. Ministry of Finance.
19. Ministry of Law.
20. Department of Personnel & Training
21. All Sections of the Postal Directorate.
22. All recognized Unions/Federations/Associations
23. S.O's Guard File.
24. Dealing Hand.
25. Spare copies (100).

Lucas L. Kamsuan

(Lucas L. Kamsuan)
Section Officer(PE-II)

head
28/3/01
Deputy Divisional Manager (PLI)
O/O the Chief Postmaster General
N.E. Circle, Shillong-793001

No. 22-1/30-PE.I (Vol.II)
Government of India
Ministry of Communications
Department of Posts

Dak Bhavan, Sansad Marg,
New Delhi-110001

Dated: - 30-03-2001

To

All Heads of Postal Circles.

Subject: - Upgradation of 1622 posts of HSG.II to HSG.I grade.

The President is pleased to accord sanction for creation of 1622 posts in the HSG.I grade in the pay scale of Rs. 6500-10500/- by suitably upgrading the same number of existing HSG.II posts in the pay scale of Rs. 5000-8000/- with immediate effect as per the details Circle wise at Annex-A. As a result of this upgradation and alongwith 208 posts upgraded earlier to HSG.I grade vide this office letter of even number dated 6-11-95, 10% of HSG.II posts stand upgraded to HSG-I grade.

These posts of HSG-II shall be upgraded to HSG-I by simultaneously abolishing 690 existing live posts of PAs/SAs in the scale of pay Rs. 4000-6000/- proportionally as indicated Circle wise in Annex-A (Col.4). The order to be issued by the Circles for upgradation of posts should include a clause mentioning the fact of abolition of posts in the cadre of P.A. with reference to its original sanction order.

Heads of Circles are requested to identify the number of HSG.II posts as indicated against their Circle in the Annex-A and upgrade them to HSG.I under intimation to this office. It may be ensured that these HSG-II posts are upgraded on functional basis, identification being done on the basis of following guidelines.

- i) Posts of HSG-II Head Postmasters at district Headquarters where no HSG-I post exists at present and identification of HSG-II posts in SB Branches in major Head Offices. The CPMG should identify the district based on its importance/workload in the Regions, Postal and R.M.S. offices.

Contd...2/-

108/109
March 11/11
d. Singh

- ii) Other HSG.II posts in Gazetted H.O. supervised by HSG.II, carrying higher responsibilities, Circle/Regional Offices PO and RMS Divisions (administrative and operative offices), PSD/CSD and Customer Care Centers (CCC) which are considered Important by the Heads of Circle.
- iii) These posts should also be distributed from amongst SBCO staff (to whom the TBOP scheme was extended vide letter No. 20-2/88-PE:I dated 26-7-91) where these HSG.I posts are justified as per the norms.
- iv) As per SIU norms there is a justification of one post of Office Supdt. in each Circle (Administrative Office) in HSG-I grade. At present every Circle office has the post of Office Supdt. in HSG-I grade except Haryana, H.P. and North East. Circle Heads of these Circles are requested to upgrade the post to HSG-I level in their respective Circle from amongst their quota allotted.
- v) It may also be ensured that the ratio between HSG.II and HSG.I in the Circle at a particular unit may be maintained as far as possible as per the norms.

The work of Identification of posts, holding of DPC and placement of the officials against the posts should be completed as early as possible. Concerned IFA may ensure proper implementation of the above instructions. Thereafter, a compliance report to this effect i.e. posts upgraded, unit-wise distribution of posts, abolition of posts etc. may be sent to S.O. (PE.I) by 30-6-2001.

The mode of recruitment for the upgraded post will be by the method of selection as prescribed in the Recruitment Rules for the HSG.I posts for the concerned Unit.

The expenditure involved in this sanction is debitable to the relevant heads and should be met from the sanctioned grant for the respective year.

The respective Circles will retain these posts on year to year basis themselves.

This issue with the concurrence of the Ministry of Finance vide their U. O. No.2 (5)/E.III/94 dated 23-2-2001 and in consultation with the Internal Finance Advice vide their I.D. No. 152/FA/2001 dated 28-3-2001.

Attested
28/3/02

Deputy Divisional Manager (P.L.I.)
O/o the Chief Postmaster General
W.B. Circle, Shillong-793001

- 3 -

Kindly acknowledge the receipt of this letter.

Hindi version will follow.

Rakesh Kumar
(Rakesh Kumar)
Asstt. Director General (Estt.)

Copy to:

1. Secretary (P).
2. Member (O)/Member (P)/Member (D).
3. All Chief Postmasters General.
4. Senior DDG(CP)/All DDsG/Secretary (PSB)/JS&FA.
5. Chief General Manager, P.L.I., Chanakya Puri, New Delhi.
6. Chief General Manager, B.D. Directorate, Malcha Marg, New Delhi.
7. All Regional Postmasters General.
8. The Principal Director of Audit (Postal), Delhi-54.
9. Director of Accounts (Postal), Delhi-54.
10. All Directors and Dy. Directors of Accounts (Postal).
11. Director, Postal Staff College, Ghaziabad.
12. Addl. Director General, Army Postal Services Corps, R.K. Puram, New Delhi-110066.
13. Chief Engineer (Headquarters), Civil Wing.
14. Postal Accounts Wing.
15. All Directors, Postal Training Centres.
16. Officer In-Charge, APS Record Office, Kamptee.
17. All Sections of the Directorate.
18. All recognised Unions/Associations/Federations.
19. Guard files.
20. Spare copies.

S.D. Thapliyal
(S.D. Thapliyal)
Section Officer (PE-T)

ANNEX - A

S.No.	Circle	7% remaining HSG.II posts to be upgraded now based on the data collected in 1993	Posts of PAs to be abolished in order to find out matching savings
(1)	(2)	(3)	(4)
1.	Assam	056	24
2.	Andhra Pradesh	143	61
3.	Bihar	185	79
4.	Delhi	028	12
5.	Gujarat	086	37
6.	Haryana	050	21
7.	Himachal Pradesh	006	2
8.	J&K	001	Nil
9.	Karnataka	102	43
10.	Kerala	082	35
11.	Maharashtra	150	68
12.	Madhya Pradesh	100	43
13.	North East	005 ✓	2
14.	Orissa	064	27
15.	Punjab	096	41
16.	Rajasthan	064	27
17.	Tamil Nadu	114	48
18.	Uttar Pradesh	140	60
19.	West Bengal	141	60
Total		1622	690

Note: Consequent upon the bifurcation of Bihar, Madhya Pradesh and Uttar Pradesh Circles into Jharkhand, Chhatisgarh and Uttaranchal Circles, the upgraded post of HSG-I may also be distributed proportionally to these Circles by the erstwhile Circles.

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DEPARTMENT OF POSTS : INDIA
OFFICE OF THE CHIEF POSTMASTER GENERAL: N.E. CIRCLE: SHILLONG-1

MEMO NO: EST/20-20/RLG-91-92.

Dated at Shillong the 19.04.2001.

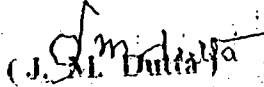
14/c 28
Reg file.

In pursuance of the Postal Dte New Delhi-1, letter No.22-1/39-PE.I(Vol.II), dated 30.03.2001 approval of the Chief Postmaster General, N.E.Circle, Shillong for upgradation of the following HSG-II posts in the scale of Rs.5000-8000/- to the status of HSG-I in the scale of Rs.6500-10500/- is issued to have an immediate effect.

<u>SL NO.</u>	<u>Name of posts upgraded.</u>
(a)	Office Supdt. Circle Office, Shillong.
(b)	Postmaster, Dharmanagar H.O.
(c)	Postmaster, Itanagar H.O.
(d)	Postmaster, Kohima H.O.
(e)	Postmaster, Aizawl H.O.

2. Before upgradation of the posts the Supdt. of Post Offices, Dharmanagar and the Director of Postal Services, Mizoram will ensure that one (1) regular post of Postal Asstt. in the scale of pay Rs.4000-6000/- each from their respective Divisions is abolished with reference to it's original sanction order as the upgradation is ordered under matching saving. Particulars of posts abolished should be communicated to this Office for onward submission of report to the Dte. A separate information should also be given to the Asstt. Director (Staff) of the Circle Office, Shillong for issuing posting order of HSG-I Official.

3. The expenditure involved in this sanction is debitable to head of A/C as follows :-
(a) above 01.101.01 salary of Circle Office.
(b) to (c) 01.101.02 salary of Postal Divisions.


(J. M. Dutta)
Asstt. Director (Establishment)

(contd. to page-2)

Attested


28/3/02
Deputy Divisional Manager (PLD)
Officer in Charge the Chief Postmaster General
N.E. Circle, Shillong-793001

(Page-2)

Copy to : 1-3. The Director Postal Services, Mizoram/ Itanagar/ Nagaland for doing the needful as stated above and submission of information regarding date of abolition/upgradation of posts.

4-5. The APMG(A/Cs)/ AD(Staff), C.O. Shillong for similar action please. The AD(Staff) will kindly note that the work of identification of posts, holding of DPC and placement of the Officials against the posts should be completed as early as possible. The mode of recruitment for the upgraded posts will be by the method of selection as prescribed in the Recruitment Rules for the HSG-1 posts for the concerned Unit. He will also ensure this Estt. Section the particulars of posts abolished by Dharmanagar and Mizoram Divn. before upgradation of Dharmanagar and Aizawl H.Os respectively.

6-7. The DPS, Manipur/ Agartala for information.

8. The SSPOs, Meghalaya, Shillong for information.

9. The Supdt. PSD, Silchar for information.

10. Sr. Postmaster, Shillong GPO.

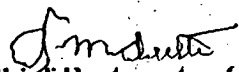
11-19. The Postmaster, Agartala/ Dharmanagar/ R.K.Pur/ Imphal/ Aizawl/ Kohima/ Itanagar/ Tura H.O.

20. The Director of Accounts (Postal), Calcutta.

21. The Dy. DA(P), Shillong.

22-25. Est. file of Circle Office/ Dharmanagar H.O/ Aizawl H.O/ Itanagar H.O/ Kohima H.O.

26-30. Spare copies.


For Chief Postmaster General
N. E. Circle, Shillong-793 001.

Shri Vijay Chitale,
Chief Postmaster General,
North Eastern Circle,
Shillong – 793 001.

Sub : Prayer for the grant of HSG-I pay scale of Office Supdt. with the retrospective effect from 1-9-95 and also grant HSG-I pay scale of Office Supdt. for the officiating periods from 23-12-94 to 6-3-95. from 15-5-95 to 3-7-95 and again from 1-8-95 to 31-8-95 and removing the discrimination thereof.

Respected Sir,

Kindly permit me to submit a few lines before your honour for favour of your kind perusal and sympathetic consideration.

2. That Sir, in this connection, a kind reference is invited to the para No. (iv) of Director General, department of Posts, New Delhi letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001 wherein it has been categorically admitted that as per SIU norms there is a justification of one post of Office Supdt., in each Circle (Administrative offices) in HSG-I grade. At present every circle office has the post of Office Supdt., in HSG-I grade except Haryana, H.P. and North East. Circle heads of these circles are requested to upgrade the post to HSG-I level in their respective circle from amongst their quota allotted.

3. That Sir, I am furnishing herewith a detailed list of HSG-I and HSG-II posts of the Office Superintendents of the postal circle offices all over India, prior to the issue of the Director General, Department of Posts, New Delhi letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001 for favour of your kind perusal and ready reference.

3. (a) H.S.G – I – Office Superintendents

- 1) Office Supdt., O/O the Chief P.M.G., Assam Circle, Guwahati.
- 2) Office Supdt., O/O the Chief PMG, Orissa Circle, Bhubaneswar.
- 3) Office Supdt., O/O the Principal CPMG, West Bengal Circle, Kolkata
- 4) Office Supdt., O/O the CPMG, Andhra Pradesh Circle, Hyderabad.
- 5) Office Supdt. O/O the CPMG, Tamilnadu Circle, Chennai.
- 6) Office Supdt., O/O the CPMG, Kerala Circle, Tiruvananthapuram.
- 7) Office Supdt., O/O the CPMG, Karnataka Circle, Bangalore.
- 8) Office Supdt., O/O the CPMG Maharashtra Circle, Mumbai.
- 9) Office Supdt. O/O the Principal CPMG M.P. Circle, Bhopal.
- 10) Office Supdt., O/O the CPMG, Chattishgarh Circle, Raipur.
- 11) Office Supdt., O/O the CPMG, Gujrat Circle, Ahmedabad.
- 12) Office Supdt., O/O the CPMG, Rajasthan Circle, Jaipur.
- 13) Office Supdt., O/O the CPMG, Delhi Circle, New Delhi.
- 14) Office Supdt., O/O the CPMG, Punjab Circle, Chandigarh.
- 15) Office Supdt., O/O the CPMG, J&K Circle, Srinagar.

- 17) Office Supdt., O/O the CPMG, Jharkhand Circle, Jamshedpur.
- 18) Office Supdt., O/O Principal CPMG, U.P. Circle, Lucknow.
- 19) Office Supdt., O/O CPMG, Bihar Circle, Patna.

3. (b) HSG-II – Office Superintendents

- 1) Office Supdt., O/O the CPMG, Haryana Circle, Ambala.
- 2) Office Supdt., O/O the CPMG, H.P. Circle, Shimla.
- 3) Office Supdt., O/O the CPMG, N.E. Circle, Shillong.

4. That Sir, from the particulars as narrated at para-(3) above, it may kindly be seen that out of the (22) twenty two Postal Circles, the Office Superintendents of the (19) nineteen circles as referred to para-3(a) above were granted the benefit of HSG-I pay scale on their assuming the charge of the Office Supdt., whereas in the case of the Office Supdt., of Haryana, Himachal Pradesh and North Eastern Circle, the said benefit of HSG-I pay scale was granted with effect from 30-3-2001 vide the Director General, Department of Posts letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001, and in my case the HSG-I pay scale was granted to me with effect from 22-5-2001 (F/N) vide C.O., Shillong memo No. Staff/9-4/OS(CO)/2001 dated 22-5-2001. This is a clear case of discrimination.

5. That Sir, I would like to mention here that I was promoted to officiate as Office Supdt., in three spells. The first spell was from 23-12-94 (A/N) to 6-3-95 (F/N) vide C.O., Shillong memo No. Staff/35/1275-76/II dated 24-12-94 and the second spell was from 15-5-95 (F/N) to 3-7-95 (F/N) vide C.O., Shillong memo No. Staff/35/1275/76/II dated 9-5-95, while the third spell was from 1-8-95 (F/N) to 31-8-95 (A/N) vide C.O., Shillong memo no. Staff/35/1275/76/II dated 31-7-95 and 14-8-95 and as per C.O., Shillong memo No. Staff/35/1275-76/II dated 7-9-95, I have been appointed as Office Supdt., on regular basis with effect from 1-9-95.

6. That Sir, I beg to point out here that the nature of duties so performed by the Office Superintendents of the (19) nineteen circles as referred to at para-3(a) above, I was also performing the same nature of duties and still continue to perform the same duties, and while the Office Superintendents of the nineteen circles as referred to at para-3(a) above were getting the HSG-I pay scale on their assuming the charge of Office Supdt., then I do hope and believe that your goodself will surely agree with me that there is perhaps absolutely no reasons of non granting the HSG-I pay scale to me with the retrospective effect from 1-9-95 and the officiating period as referred to at para-5 above, whereas I had been granted the HSG-II pay scale for the entire period. Is it not a bright example of great discrimination ?

7. That Sir, in this respect your kind attention is invited to the column No.3 of the Annex-A, circulated under the Director General, Department of Posts, New Delhi letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001, wherein, it has been categorically admitted that 7% remaining HSG-II posts to be upgraded now based on the data collected in 1993.

HSG-I posts which were created under the Director General, Department of Posts, New Delhi letter No. 22-1/89-PF-I (Vol.II) dated 30-3-2001 are based on the data collected in 1993, then I do hope that your honour will surely agree with me that there is perhaps absolutely no reasons of non-sanctioning the said 1622 HSG-I posts with effect from 1-1-93.

9. That Sir, I beg to mention here that as per para No. (iv) of the Director General, Department of Posts, New Delhi letter No. 22-1/89-PF-I (Vol.II) dated 30-3-2001 when it was admitted that as per SIU norms there is a justification of one posts of Office Supdt., in each Circle (Administrative office) in HSG-I grade and in the said para again when it was further admitted that at present every circle office viz., the (19) nineteen circles as referred to at para-3(a) above has the post of Office Supdt., in HSG-I grade, except Haryana, HP and North East, then there is perhaps absolutely no reasons of non granting the HSG-I pay scale to the Office Superintendents of the rest three circles as referred to at para-3(b) above from the date of their assuming the charge of Office Supdt. This is a clear instance of great discrimination.

10. That Sir, I beg to point out here that as per para (iv) of the Director General, Department of Posts, New Delhi letter No. 22-1/89-PF-I (Vol.II) dated 30-3-2001, when it has been categorically admitted that as per SIU norms there is a justification of one post of Office Supdt., in each circle (Administrative office) in HSG-I grade and at present every circle office has the post of Office Supdt., in HSG-I grade except Haryana, HP and North East. The post of Office Supdt., North Eastern Postal Circle, Shillong has come into existence from June, 1988 after the bifurcation of Assam Circle, and hence I do hope and believe that your honour will surely agree with me that the benefit of HSG-I grade should be extended to the Office Supdt., North Eastern Circle, Shillong from the date of existence of the Office Supdt. post, since it was justified as per SIU norms, and the sanction of HSG-I posts as conveyed under the Director General, Department of Posts, New Delhi letter No. 22-1/89-PF-I (Vol.II) dated 30-3-2001 has got no bearing with the norms based HSG-I post of Office Supdt., of Circle Offices. I, therefore, appeal to your honour that the benefit of HSG-I grade may kindly be extended to the Office Supdt., Circle Office, Shillong from June, 1988.

11. That Sir, further I beg to mention here that the non upgradation of the posts of Office Superintendents of Haryana, HP and North East to the grade of HSG-I as referred to at para (iv) of the Director General, Department of Posts, New Delhi letter No. 22-1/89-PF-I (Vol.II) dated 30-3-2001 in time and non sanction of HSG-I posts with effect from 1-1-93 as referred to at colum-3 of the Annex-A of the Director General, Department of Posts, New Delhi letter No. 22-1/89-PF-I (Vol.II) dated 30-3-2001, are the administrative lapses, and I do hope and believe that your nobleself will surely agree with me that for the administrative lapses the eligible officials may perhaps cannot suffer financial loss.

12. That Sir, I beg to add here that as per para (iv) of the Director General, Department of Posts, New Delhi letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001, I was eligible to get the HSG-I pay scale with the retrospective effect from 1-9-95 including the officiating pay as referred to at para-5 above, but due to the administrative lapses, I had to suffer great financial loss. Had the post of Office Supdt., of Haryana, HP and North East been upgraded in time, then I could get the benefit of HSG-I pay scale from the date of my assuming charge of Office Supdt., both in the officiating and regular capacity as mentioned at para-5 above as was granted to the Office Superintendents of nineteen circles as mentioned at para-3(a) above.

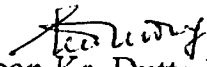
13. Now in view of the facts narrated above, I therefore fervently beg to appeal to your generous generosity to be gracious enough, kindly to consider the case with sympathy and kindness and pass necessary orders for the grant of HSG-I pay scale to me with the retrospective effect from 1-9-95 including the officiating period as mentioned at para-5 above and also pass necessary orders to pay me the arrear pay and allowances, since I have discharged the duties of the Office Supdt., during the period to remove the discrimination and for the end of justice.

14. That Sir, further I beg to point out here that as per para-(iv) of the Director General, Department of Posts, New Delhi letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001, when, it has been categorically admitted that as per SIU norms there is a justification of one post of Office Supdt., in each Circle (Administrative offices) in HSG-I grade, and when the post of the Office Supdt., North Eastern Postal Circle, Shillong was in existence from June 1988, as such I therefore fervently beg to appeal to your nobleself to be gracious enough, kindly to consider the case sympathetically and pass necessary order extending the benefit of HSG-I grade to the Office Supdt., North Eastern Postal Circle, Shillong from June 1988, so that the officials who were holding the post of the Office Supdt., Circle Office, Shillong from time to time since June 1988 can get the benefit of HSG-I grade, for the end of the proper justice and removal of discrimination.

An early action in the matter is solicited.

With kind regards,

Yours faithfully,


(Tapan Kr. Dutta Roy)
Office Superintendent,
Circle Office, Shillong.

Dated at Shillong,
The 20th July 2001.

बीमा नहीं NOT INSURED

लगाये गये डाक टिकटों का मूल्य

Amount of Stamps affixed

रु. 27/-
पै. 00

एक रजिस्ट्रि*

Received a Registered*

पानेवाले का नाम

Addressed to

N. Delhi - 1

प्राप्त किया

पानेवाले अधिकारी के हस्ताक्षर
Signature of Receiving Officer

क्रमांक

No.

570

तारीख मोहर

Date Stamp



10
Shri B.N. Som,
Secretary and
Director General,
Department of Posts,
Dak Bhawan, Sansad Marg,
New Delhi - 110 001.
(through proper channel)

Sub : Prayer for the grant of HSG-I pay scale of Office Supdt., and Seniority with the retrospective effect from 1-9-95 and also grant HSG-I pay scale of Office Supdt., for the officiating periods from 23-12-94 to 6-3-95, from 15-5-95 to 3-7-95 and again from 1-8-95 to 31-8-95 and removing the discrimination thereof.

Respected Sir,

Kindly permit me to submit a few lines before your honour for favour of your kind perusal and sympathetic consideration.

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3. That Sir, I am furnishing herewith a detailed list of HSG-I and HSG-II posts of the Office Superintendents of the postal circle offices all over India, prior to the issue of the Director General, Department of Posts, New Delhi letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001 for favour of your kind perusal and ready reference.

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- 2) Office Supdt., O/O the Chief PMG, Orissa Circle, Bhubaneswar.
- 3) Office Supdt., O/O the Principal CPMG, West Bengal Circle, Kolkata
- 4) Office Supdt., O/O the CPMG, Andhra Pradesh Circle, Hyderabad.
- 5) Office Supdt. O/O the CPMG, Tamilnadu Circle, Chennai.
- 6) Office Supdt., O/O the CPMG, Kerala Circle, Tiruvananthapuram.
- 7) Office Supdt., O/O the CPMG, Karnataka Circle, Bangalore.
- 8) Office Supdt., O/O the CPMG Maharashtra Circle, Mumbai.
- 9) Office Supdt. O/O the Principal CPMG M.P. Circle, Bhopal.
- 10) Office Supdt., O/O the CPMG, Chattishgarh Circle, Raipur.
- 11) Office Supdt., O/O the CPMG, Gujrat Circle, Ahmedabad.
- 12) Office Supdt., O/O the CPMG, Rajasthan Circle, Jaipur.

- 13) Office Supdt., O/O the CPMG, Delhi Circle, New Delhi.
- 14) Office Supdt., O/O the CPMG, Punjab Circle, Chandigarh.
- 15) Office Supdt., O/O the CPMG, J&K Circle, Srinagar.
- 16) Office Supdt., O/O the CPMG, Uttarakhand Circle, Dehradun.
- 17) Office Supdt., O/O the CPMG, Jharkhand Circle, Jamshedpur.
- 18) Office Supdt., O/O Principal CPMG, U.P. Circle, Lucknow.
- 19) Office Supdt., O/O CPMG, Bihar Circle, Patna.

3. (b) HSG-II – Office Superintendents

- 1) Office Supdt., O/O the CPMG, Haryana Circle, Ambala.
- 2) Office Supdt., O/O the CPMG, H.P. Circle, Shimla.
- 3) Office Supdt., O/O the CPMG, N.E. Circle, Shillong.

4. That Sir, from the particulars as narrated at para-(3) above, it may kindly be seen that out of the (22) twenty two Postal Circles, the Office Superintendents of the (19) nineteen circles as referred to para-3(a) above were granted the benefit of HSG-I pay scale on their assuming the charge of the Office Supdt., whereas in the case of the Office Supdt., of Haryana, Himachal Pradesh and North Eastern Circle, the said benefit of HSG-I pay scale was granted with effect from 30-3-2001 vide the Director General, Department of Posts letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001, and in my case the HSG-I pay scale was granted to me with effect from 22-5-2001 (F/N) vide C.O., Shillong memo No. Staff/9-4/OS(CO)/2001 dated 22-5-2001. This is a clear case of discrimination.

5. That Sir, I would like to mention here that I was promoted to officiate as Office Supdt., in three spells. The first spell was from 23-12-94 (A/N) to 6-3-95 (F/N) vide C.O., Shillong memo No. Staff/35/1275-76/II dated 24-12-94 and the second spell was from 15-5-95 (F/N) to 3-7-95 (F/N) vide C.O., Shillong memo No. Staff/35/1275/76/II dated 9-5-95, while the third spell was from 1-8-95 (F/N) to 31-8-95 (A/N) vide C.O., Shillong memo no. Staff/35/1275/76/II dated 31-7-95 and 14-8-95 and as per C.O., Shillong memo No. Staff/35/1275-76/II dated 7-9-95, I have been appointed as Office Supdt., on regular basis with effect from 1-9-95.

6. That Sir, I beg to point out here that the nature of duties so performed by the Office Superintendents of the (19) nineteen circles as referred to at para-3(a) above, I was also performing the same nature of duties and still continue to perform the same duties, and while the Office Superintendents of the nineteen circles as referred to at para-3(a) above were getting the HSG-I pay scale on their assuming the charge of Office Supdt., then I do hope and believe, that your good-self will surely agree with me that there is perhaps absolutely no reasons of non granting the HSG-I pay scale to me with the retrospective effect from 1-9-95 and the officiating period as referred to at para-5 above, whereas I had been granted the HSG-II pay scale for the entire period. Is it not a bright example of great discrimination?

7. That Sir, in this respect your kind attention is invited to the column No.3 of the Annex-A, circulated under the Director General, Department of Posts, New Delhi letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001, wherein, it has been categorically admitted that 7% remaining HSG-II posts to be upgraded now based on the data collected in 1993.

8. That Sir, I beg to add here that when, it was admitted that the 1622 HSG-I posts which were created under the Director General, Department of Posts, New Delhi letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001 are based on the data collected in 1993, then I do hope that your honour will surely agree with me that there is perhaps absolutely no reasons of non-sanctioning the said 1622 HSG-I posts with effect from 1-1-93.

9. That Sir, I beg to mention here that as per para No. (iv) of the Director General, Department of Posts, New Delhi letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001 when it was admitted that as per SIU norms there is a justification of one posts of Office Supdt., in each Circle (Administrative office) in HSG-I grade and in the said para again when it was further admitted that at present every circle office viz., the (19) nineteen circles as referred to at para-3(a) above has the post of Office Supdt., in HSG-I grade, except Haryana, HP and North East, then there is perhaps absolutely no reasons of non granting the HSG-I pay scale to the Office Superintendents of the rest three circles as referred to at para-3(b) above from the date of their assuming the charge of Office Supdt. This is a clear instance of great discrimination.

10. That Sir, I beg to point out here that as per para (iv) of the Director General, Department of Posts, New Delhi letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001, when it has been categorically admitted that as per SIU norms there is a justification of one post of Office Supdt., in each circle (Administrative office) in HSG-I grade and at present every circle office has the post of Office Supdt., in HSG-I grade except Haryana, HP and North East. The post of Office Supdt., North Eastern Postal Circle, Shillong has come into existence from June, 1988 after the bifurcation of Assam Circle, and hence I do hope and believe that your honour will surely agree with me that the benefit of HSG-I grade should be extended to the Office Supdt., North Eastern Circle, Shillong from the date of existence of the Office Supdt. post, since it was justified as per SIU norms, and the sanction of HSG-I posts as conveyed under the Director General, Department of Posts, New Delhi letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001 has got no bearing with the norms based HSG-I post of Office Supdt., of Circle Offices. I, therefore, appeal to your honour that the benefit of HSG-I grade may kindly be extended to the Office Supdt., Circle Office, Shillong from June, 1988.

11. That Sir, further I beg to mention here that the non upgradation of the posts of Office Superintendents of Haryana, HP and North East to the grade of HSG-I as referred to at para (iv) of the Director General, Department of Posts, New Delhi letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001 in time and non sanction of HSG-I posts with effect from 1-1-93 as referred to at colum-3 of the

Annex A of the Director General, Department of Posts, New Delhi letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001, are the administrative lapses, and I do hope and believe that your noble-self will surely agree with me that for the administrative lapses the eligible officials may perhaps cannot suffer financial loss.

12. That Sir, I beg to add here that as per para (iv) of the Director General, Department of Posts, New Delhi letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001, I was eligible to get the HSG-I pay scale with the retrospective effect from 1-9-95 including the officiating pay as referred to at para-5 above, but due to the administrative lapses, I had to suffer great financial loss. Had the post of Office Supdt., of Haryana, HP and North East been upgraded in time, then I could get the benefit of HSG-I pay scale from the date of my assuming charge of Office Supdt., both in the officiating and regular capacity as mentioned at para-5 above as was granted to the Office Superintendents of nineteen circles as mentioned at para-3(a) above.

13. That Sir, I beg to mention here that as regards the granting of the benefit of HSG-I pay-scale with the retrospective effect from 1-9-95 including the officiating periods as mentioned at para-5 above, the case was represented to the Chief Postmaster General, North Eastern Circle, Shillong vide my representation dated 20th July, 2001, but unfortunately the Circle Administration, Shillong, has turned down my prayer vide Circle Office, Shillong letter No. Staff/35/2445/76 dated 13-9-2001. The xerox copies of my representation dated 20th July, 2001 and C.O. letter as referred to above dated 13-9-2001 are enclosed for favour of kind perusal and ready reference.

14. Now in view of the facts narrated above, I therefore, fervently beg to appeal to your generous-generosity to be gracious enough, kindly to consider the case with sympathy and kindness and pass necessary orders for the grant of HSG-I pay scale to me with the retrospective effect from 1-9-95 including the officiating period as mentioned at para-5 above, as well as granting of All India seniority to me with effect from 1-9-95, as I was due to get the HSG-I benefit with effect from 1-9-95 vide para-(iv) of the Director General, Department of Posts, New Delhi letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001 and also pass necessary orders to pay me the arrear pay and allowances since I have discharged the duties of the Office Supdt., during the period to remove the discrimination and for the end of justice.

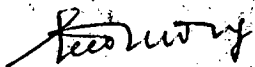
15. That Sir, further I beg to point out here that as per para-(iv) of the Director General, Department of Posts, New Delhi letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001, when, it has been categorically admitted that as per SIU norms there is a justification of one post of Office Supdt., in each Circle (Administrative offices) in HSG-I grade, and when the post of the Office Supdt., North Eastern Postal Circle, Shillong was in existence from June 1988, as such I therefore fervently beg to appeal to your noble-self to be gracious enough, kindly to consider the case sympathetically and pass necessary order extending the benefit of HSG-I grade to the Office Supdt., North Eastern Postal Circle, Shillong from June 1988,

so that the officials who were holding the post of the Office Superintendent, Circle Office, Shillong from time to time since June 1988 can get the benefit of HSG-I grade, for the end of the proper justice and removal of discrimination.

An early action in the matter is solicited.

With kind regards,

Yours faithfully,


(Tapan Kr. Dutta Roy)
Office Superintendent,
Circle Office, Shillong.

Dated at Shillong,
The 26th Sep 2001.

Registered

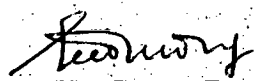
Copy in advance to :-

Shri B.N. Som, Secretary and Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi-110001 for favour of kind information. I beg to enclose herewith the xerox copies of my representation dated 20th July, 2001 and the C.O. letter No. Staff/35/2445/76 dated 13-9-2001 for favour of kind perusal and ready reference. His noble-self is requested to be gracious enough kindly to consider the case with sympathy and kindness and pass necessary orders to the Circle Administration, Shillong for the grant of HSG-I pay scale to me with the retrospective effect from 1-9-95 including the officiating periods as mentioned at para-5 above as well as granting of all India seniority to me with effect from 1-9-95, as I was due to get the HSG-I benefit with effect from 1-9-95 vide Para-(iv) of the Director General, Department of Posts, New Delhi letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001 and also pass necessary orders to pay me the arrear pay and allowances, since I have discharged the duties of the Office Supdt., during the period for the end of proper justice and removal of discrimination.

An early action in the matter is solicited.

With kind regards,

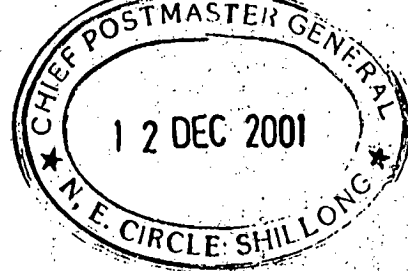
Yours faithfully,


(Tapan Kr. Dutta Roy)
Office Superintendent
Circle Office, Shillong.

DA - As said above
Dated at Shillong
The 26th Sept, 2001.

To

Shri B.N. Som,
Secretary and Director General
Department of Posts,
Dak Bhawan, Sansad Marg,
New Delhi - 110 001.
(Through proper channel)



Sub : Appeal against the decision conveyed under Circle Office, Shillong letter No. Staff/35/2445/76 dated 13-9-2001 and 3-12-01 and prayer for grant of HSG-I pay scale of Office Supdt., together with the granting of all India seniority with retrospective effect from 1-9-95 and also grant of HSG-I pay scale of Office Supdt., for the officiating periods from 23-12-94 to 6-3-95, from 15-5-95 to 3-7-95 and again from 1-8-95 to 31-8-95 and removing the discrimination thereof.

Respected Sir,

This is an appeal against the decision conveyed under Circle Office, Shillong letter No. Staff/35/2445/76 dated 13-9-2001 and 3-12-01 and prayer for the grant of HSG-I pay scale of Office Supdt., together with granting of all India seniority with retrospective effect from 1-9-95 and also grant of HSG-I pay scale of Office Supdt., for the officiating periods from 23-12-94 to 6-3-95, from 15-5-95 to 3-7-95 and again from 1-8-95 to 31-8-95 and removing of discrimination thereof.

2. That Sir, in this respect, kindly permit to submit a few lines before your honour for favour of your kind perusal and sympathetic consideration.

3. That Sir, in this connection, a kind reference is invited to the para No. (iv) of the Directorate's letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001, wherein, it has been categorically admitted that as per SIU norms there is a justification of one post of Office Supdt., in each Circle (Administrative offices) in HSG-I grade. At present every Circle Office has the post of Office Supdt., in HSG-I grade, except Haryana, H.P., and North East. Circle Heads of these Circles are requested to upgrade the post to HSG-I level in their respective Circle from amongst their quota allotted.

4. That Sir, I beg to point out here that out of the (22) twenty two Postal Circles, the Office Superintendents of the (19) nineteen Circles were granted the benefit of HSG-I pay scale on their assuming the charge of the Office Supdt., whereas in the case of Haryana, Himachal Pradesh and North Eastern Circle, the said benefit of HSG-I pay scale was granted with effect from 30-3-2001 vide the Directorate's letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001 and in my case the HSG-I pay scale was granted to me with effect from 22-5-2001 (F/N) vide C.O., Shillong memo No. Staff/9-4/OS (CO)/2001 dated 22-5-2001.

5. That Sir, I would like to mention here that I was promoted to officiate as Office Supdt., in three spells. The first spell was from 23-12-94 to 6-3-95 (F/N) vide C.O., Shillong memo No. Staff/35/1275-76/II dated 24-12-94 and the second spell was from 15-5-95 (F/N) to 3-7-95 (F/N) vide C.O., Shillong memo No. Staff/35/1275-76/II dated 9-5-95, while the third spell was from 1-8-95 (F/N) to 31-8-95 (F/N) vide C.O., Shillong memo No. Staff/35/1275-76/II dated 31-7-95 and 14-8-95 and as per C.O., Shillong memo No. Staff/35/1275-76/II dated 7-9-95. I have been appointed as Office Supdt., on regular basis with effect from 1-9-95.

6. That Sir, I beg to mention here that the nature of duties so performed by the Office Superintendents of the (19) nineteen Circles as referred to at para-4 above, I was also performing the same nature of duties and still continue to perform the same duties, and while the Office Superintendents of the nineteen circles as referred to at para-4 above were getting the HSG-I pay scale on their assuming the charge of Office Supdt., then I do hope and believe, that your goodself will surely agree with me that there is perhaps absolutely no reasons of non granting the HSG-I pay scale to me with the retrospective effect from 1-9-95 and the officiating period as referred to at para-1 above, whereas I had been granted the HSG-II pay scale for the entire period from 23-12-94 to 6-3-95, from 15-5-95 to 3-7-95, from 1-8-95 to 31-8-95 and from 1-9-95 to 21-5-2001.

7. That Sir, in this respect your kind attention is invited to the column No.3 of the Annex-A circulated under Directorate's letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001 wherein it has been categorically admitted that 7% remaining HSG-II posts to be upgraded now based on the data collected in 1993.

8. That Sir, I beg to add here that, when it was admitted that the 1622 HSG-I posts which were created under the Directorate's letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001 are based on the data collected in 1993, then I do hope that your honour will surely agree with me that there is perhaps absolutely no reasons of non-sanctioning the said 1622 HSG-I posts with effect from 1-1-93.

9. That Sir, further I beg to mention here that the non-upgradation of the posts of Office Superintendents of Haryana, H.P., and North East Circles to the grade of HSG-I as referred to at para-(iv) of the Directorate's letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001 in time and non-sanction of HSG-I posts with effect from 1-1-93 as referred to at column-3 of the Annex-A of the Directorate's letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001 are the administrative in-action and I do hope and believe that your nobleself will surely agree with me that for the administrative in-action the eligible officials may perhaps cannot suffer financial loss.

10. That Sir, I beg to mention here that as per para-(iv) of the Directorate's letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001, when it was

admitted that as per SIU norms there is a justification of one post of Office Supdt., in each Circle (Administrative office) in HSG-I grade and in the said para again when it was further admitted that at present every circle office viz., (19) nineteen circles as referred to at para-4 above has the post of Office Supdt., in HSG-I grade, except Haryana, H.P., and North East, then there is perhaps absolutely no reasons of non-granting the HSG-I pay scale to the Office Superintendents of the rest three circles as mentioned above from the date of their assuming the charge of the Office Supdt.

11. That Sir, I beg to point out here that as per para-(iv) of the Directorate's letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001, when it has been categorically admitted that as per SIU norms there is a justification of one post of Office Supdt., in each Circle (Administrative office) in HSG-I grade and at present every Circle Office has the post of Office Supdt., in HSG-I grade except Haryana, H.P., and North East, hence it is therefore evident that the post of the Office Supdt., of the Circle Offices are the norms based HSG-I post and it has got no bearing with the upgradation of 7% HSG-II posts and creation of 1622 HSG-I posts, so sanctioned vide Directorate's letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001.

12. That Sir, further I beg to point-out here that the 1622 HSG-I posts so sanctioned by upgradation of HSG-II posts vide Directorate's letter No. 22-9/89-PE-I (Vol.II) dated 30-3-2001 are the matching savings HSG-I posts and as against the sanction of 1622 HSG-I posts, 690 (six hundred and ninety) PA posts all over India were abolished as ordered at Col-4 of Annex-A of the Directorate's letter No. 22-9/89-PE-I (Vol.II) dated 30-3-2001. Hence it has been doubly confirmed that the sanction of the 1622 HSG-I posts, so sanctioned under the Directorate's letter No. 22-9/89-PE-I (Vol.II) dated 30-3-2001 has got no bearing at all with the norms based HSG-I post of the Office Superintendent of the Circle (Administrative office).

13. That Sir, I beg to mention here that the post of the Office Supdt. (HSG-II) of the North Eastern Postal Circle, Shillong has come into existence with effect from 28-6-88, after the bifurcation of the erstwhile N.E. Circle and creation of Assam Circle and hence I do hope and believe that your honour will surely agree with me that there is perhaps no reasons of non-granting the HSG-I grade to the Office Supdt., of the North Eastern Circle, Shillong with effect from 28-6-88, since it was justified as per SIU norms. I therefore appeal to your honour that the benefit of HSG-I grade may kindly be extended to the Office Supdt., of the Circle Office, Shillong with effect from 28-6-88.

14. That Sir, I beg to add here that as per para-(iv) of the Directorate's letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001, I was eligible to get the HSG-I pay scale with the retrospective effect from 1-9-95 including the officiating pay as

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referred to at para-1 above, but due to the administrative in-action, I had to suffer great financial loss. Had the post of Office Supdt., of Haryana, H.P., and North East Circles been upgraded in time, then I could get the benefit of HSG-I pay scale from the date of my assuming the charge of Office Supdt., both in the officiating and regular capacity as mentioned at para-1 above as was granted to the Office Superintendents of the nineteen circles.

15. That Sir, I beg to mention here that as regards the granting of the benefit of HSG-I pay scale with the retrospective effect from 1-9-95 including the officiating periods as mentioned at para-1, the case was represented to the Chief Postmaster General, North Eastern Circle, Shillong vide my representation dated 20th July, 2001, but unfortunately the Circle Administration, Shillong has turned down my prayer and as per Circle Office, Shillong letter No. Staff/35/2445/76 dated 13-9-2001, I have been informed that "your request on the above subject have been examined by the competent authority. But it is regretted that the date of upgradation can not be given retrospective effect". Whereas the Circle Administration, Shillong is totally silent about the pay and allowances about the officiating period as referred to at para-1 above. The xerox copies of my representation dated 20th July, 2001 and the C.O., letter as referred to above dated 13-9-2001 are enclosed for favour of kind perusal and ready reference.

16. That Sir, I beg to add here that as regards the rejection of my prayer as conveyed under C.O., Shillong letter No. Staff/35/2445/76 dated 13-9-2001, I had submitted an appeal to your honour by name through proper channel with an advance copy vide my representation dated 26-9-2001, together with the necessary documents which has been reflected at para-13 and para-14 of my representation dated 26-9-2001, but the said fact remained un-noticed. It is painful to mention here that after a lapse of (2) two months, my representation dated 26-9-2001 was returned to me in original vide C.O., letter No. Staff/35/2445/76 dated 3rd Dec, 2001 (xerox copy enclosed) on the ground that the representation dated 26-9-2001 is the copy of the representation dated 20-7-2001, which was examined and rejected by the Chief Postmaster General, hence the representation cannot be forwarded to the Directorate.

17. That Sir, I do hope and believe that your honour will surely agree with me that unless the full fact is reproduced in the appeal, then as to how the entire fact will come to the lime-light of the highest authorities. The decision of the C.O., letter dated 3rd December, 2001 is, therefore, most unfortunate.

18. That Sir, it is more painful to add here that although a considerable period of more than 4 months have elapsed from the date of representing the case to the Circle Administration, Shillong on 20-7-2001, but the case still remain unsettled at the circle level, and in case if the case is not resolved soon, then the

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undersigned will have no option but to proceed to the Court of Law for the redress of my grievances.

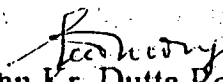
19. Now in view of the facts narrated above, I therefore, fervently beg to appeal to your generous generosity to be gracious enough kindly to consider the case with sympathy and kindness and pass necessary orders for the grant of HSG-I pay scale to me with the retrospective effect from 1-9-95 including the officiating period as mentioned at para-1 as well as granting of All India seniority to me with effect from 1-9-95, as I was due to get the HSG-I benefit with effect from 1-9-95 vide para-(iv) of the Directorate's letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001 and also pass necessary orders to pay me the arrear pay and allowances for the periods from 23-12-94 to 6-3-95, 15-5-95 to 3-7-95, 1-8-95 to 31-8-95 and from 1-9-95 to 21-5-2001, since I have discharged the duties of the Office Supdt., during the period to remove the discrimination and for the end of justice.

An early action in the matter is solicited.

With kind regards,

Yours faithfully,

DA - As said above
Dated at Shillong,
The 12 th Dec, 2001


(Tapan Kr. Dutta Roy)
Office Superintendent
Circle Office, Shillong.

Registered A/D

Copy in advance to :-

Shri B.N. Som, Secretary and Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi-110001 for favour of kind information. This is an appeal against the decision conveyed under Circle Office, Shillong letter No. Staff/35/2445/76 dated 13-9-2001 and 3-12-2001 and prayer for the grant of HSG-I pay scale of Office Supdt., together with the granting of all India seniority with retrospective effect from 1-9-95 and also grant of HSG-I pay scale of Office Supdt., for the officiating periods from 23-12-94 to 6-3-95, 15-5-95 to 3-7-95, 1-8-95 to 31-8-95. I beg to enclose herewith the xerox copies of my representation dated 20th July, 2001 and the C.O., letter No. Staff/35/ 2445/76 dated 13-9-2001 and 3rd Dec/2001 for favour of kind perusal and ready reference. I beg to mention here that the case above had already suffered delay for more than 4 months at the circle level from the date of representing my case to the Circle Administrative on 20th July/2001 and in case, if the case is not resolved soon then the undersigned will have no option but to proceed to the Court of Law for the redress of my

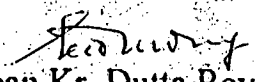
grievances. His nobleself is therefore requested once again to be gracious enough kindly to consider the case with sympathy and kindness and pass necessary orders to the Circle Administration, Shillong for the grant of HSG-I pay scale to me with the retrospective effect from 1-9-95 including the officiating periods as mentioned above, as well as granting of all India seniority to me with effect from 1-9-95, since I was due to get the HSG-I benefit with effect from 1-9-95 vide para-(iv) of the Directorate's letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001 and also pass necessary orders to pay me the arrear and allowances of HSG-I grade since I have discharged the duties of the Office Supdt., during the period for the end of justice and removal of discrimination.

An early action in the matter is solicited.

With kind regards,

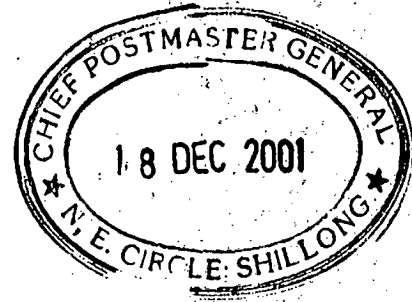
Yours faithfully,

DA - As said above
Dated at Shillong,
The 12 th Dec, 2001


(Tapan Kr. Dutta Roy)
Office Superintendent
Circle Office, Shillong.

To

Shri B.N. Som
Secretary and Director General
Department of Posts
Dak Bhawan, Sansad Marg
New Delhi - 110 001.
(Through proper channel)



Sub : Appeal against the decision conveyed under Circle Office, Shillong letter No. Staff/35/2445/76 dated 13-9-2001 and 3-12-01 and prayer for the grant of HSG-I pay scale of Office Supdt., together with the granting of all India seniority with retrospective effect from 1-9-95 and also grant of HSG-I pay scale of Office Supdt., from the officiating periods from 23-12-94 to 6-3-95, from 15-5-95 to 3-7-95 and again from 1-8-95 to 31-8-95 and removing the discrimination thereof.

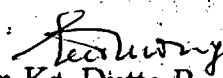
Respected Sir,

I beg to draw your kind attention to the para No. 12 of my representation dated 12th Dec/2001, wherein in the 2nd and 3rd line, 6th line and 8th line, the Directorate's letter number was mentioned as No. 22-9/89-PE-I (Vol.II) dated 30-3-2001, instead of No. 22-1/89-PE-I (Vol.II) dated 30-3-2001. I therefore request your honour that in the 2nd and 3rd line, 6th line and 8th line in para-12 of my representation, the Directorate's letter number may kindly be read as No. 22-1/89-PE-I (Vol.II) dated 30-3-2001, instead of No. 22-9/89-PE-I (Vol.II) dated 30-3-2001.

The mistake above is sincerely regretted.

With kind regards,

Yours faithfully,


(Tapan Kr. Dutta Roy)
Office Superintendent
Circle Office, Shillong.

Dated at Shillong
The 18th Dec/01

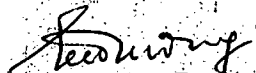
Regd A/D

Copy in advance to :-

Shri B.N. Som, Secretary and Director General, Department of Posts,
Dak Bhawan, Sansad Marg, New Delhi-110001 for favour of kind information.
The mistake at para-12 of my representation dated 12/Dec/2001 is sincerely
regretted.

With kind regards,

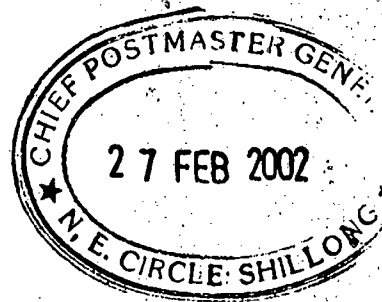
Yours faithfully,


(Tapan Kr. Dutta Roy)
Office Superintendent
Circle Office, Shillong.

Dated at Shillong
The 18th Dec/01

To

Shri S.C. Dutta,
Secretary and Director General,
Department of Posts,
Dak Bhawan, Sansad Marg,
New Delhi 110 001.
(Through proper channel).



Sub : Appeal against the decision conveyed under Circle Office, Shillong letter No. Staff/35/2445/76 dated 13-9-2001 and 3-12-01 and prayer for the grant of HSG-I pay scale of Office Supdt., together with the granting of all India seniority with retrospective effect from 1-9-95 and also grant of HSG-I pay scale of Office Supdt., for the officiating periods from 23-12-94 to 6-3-95, from 15-5-95 to 3-7-95 and again from 1-8-95 to 31-8-95 and removing the discrimination thereof.

Respected Sir,

This is a second appeal against the decision conveyed under Circle Office, Shillong letter No. Staff/35/2445/76 dated 13-9-2001 and 3-12-01 and prayer for the grant of HSG-I pay scale of Office Supdt., together with the granting of all India seniority with retrospective effect from 1-9-95 and also grant of HSG-I pay scale of Office Supdt., for the officiating periods from 23-12-94 to 6-3-95, from 15-5-95 to 3-7-95 and again from 1-8-95 to 31-8-95 and removing of discrimination thereof.

2. That Sir, in this respect, kindly permit me to submit a few lines before your honour for favour of your kind perusal and sympathetic consideration.

3. That Sir, in this connection, a kind reference is invited to the para No. (iv) of the Directorate's letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001, wherein it has been categorically admitted that as per SIU norms there is a justification of one post of Office Supdt., in each Circle (Administrative Offices) in HSG-I grade. At present every Circle Office has the post of Office Supdt., in HSG-I grade except Haryana, H.P., and North East. Circle Heads of these Circles are requested to upgrade the post of HSG-I level in their respective circle from amongst their quota allotted.

4. That Sir, it may be pointed out here that the post of the Office Supdt., of the North Eastern Circle to the level of HSG-I in the scale of Rs. 700/- to 900/- was sanctioned vide PMG, N.E. Circle, Shillong memo No. Est/34-19/77 dated 19-5-81 and the said post was entertained on 20-5-81 and the post of the Office Supdt., (HSG-I) was made permanent with effect from 1-3-85 vide PMG, N.E.

Circle. Shillong memo No. Est/34-6/76 dated 29-3-85, whereas at the time of bifurcation of the erstwhile N.E. Circle on 28-6-1988, the norms based permanent HSG-I post of Office Supdt. of the North Eastern Circle was transferred to the newly created Assam Circle, Guwahati, vide C.O., Shillong memo No. Est/34-37/81 dated 22-6-88.

5. That Sir, I do hope and believe that your honour will surely agree with me that the norms based permanent HSG-I post of Office Supdt., of N.E. Circle, should have remained with the parent Circle (N.E. Circle) and a new HSG-I Office Supdt., post should have been created for Assam Circle, and there is no such rules in force to prove that the norms based permanent HSG-I post of Office Supdt., of the parent circle (N.E. Circle) should be transferred to the newly created circle (Assam Circle). The transfer of the norms based permanent HSG-I post of Office Supdt., of the parent circle (N.E. Circle) to the newly created Assam Circle was therefore an administrative omission and for the said administrative omission, the eligible officials of the parent circle (N.E. Circle) cannot lose promotion/seniority and suffer financial loss. I therefore totally differ with the observation as made at para-(iv) of the Directorate's letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001, that there is no post of HSG-I Office Supdt., in N.E. Circle, rather alternatively it may be said that there is no post of HSG-I Office Supdt., in Assam Circle, as the post of the Office Supdt., in Assam Circle has not been sanctioned and the said HSG-I post of Office Supdt., of Assam Circle is yet to be created. I therefore request your honour that the norms based permanent HSG-I post of Office Supdt., of the N.E. Circle which was sanctioned vide PMG, N.E. Circle, Shillong memo No. Est/34-19/77 dated 19-5-81 and which was irregularly transferred to Assam Circle, Guwahati vide C.O., Shillong memo No. Est/34-37/81 dated 22-6-88 may kindly be transferred back to N.E. Circle by creating a new HSG-I post of Office Supdt., for Assam Circle with retrospective effect from 28-6-88 and my HSG-I Office Supdt., claim benefits both officiating and regular periods as mentioned at para-1 above may kindly be settled against the norms based permanent HSG-I post of Office Supdt., so sanctioned vide PMG, N.E. Circle, Shillong memo No. Est/34-19/77 dated 19-5-81 to set right the anomalies.

6. That Sir, I beg to mention here that while the HSG-I post of Office Supdt., of N.E. Circle was sanctioned vide PMG, N.E. Circle, Shillong memo No. Est/34-19/77 dated 19-5-81 and made permanent with effect from 1-3-85 vide PMG, N.E. Circle, Shillong memo No. Est/34-6/76 dated 29-3-85 as such the question of sanctioning or upgrading the post of Office Supdt., of N.E. Circle to the level of HSG-I for the second time may perhaps does not arise.

7. That Sir, in this connection a kind reference is invited to the Directorate's letter No. 38-10/2000-PE-II dated 12-1-2001 under which three new Postal Circles namely Jharkhand, Uttaranchal and Chattisgarh Circles were created with effect from 12-1-2001 and for all the three newly created circles above one

post of Office Supdt., to the level of HSG-I for each circle above were created with effect from 12-1-2001.

8. That Sir, if the newly created circles such as Jharkhand, (2) Uttaranchal and (3) Chattisgarh circles which were created only on 12-1-2001 can have a post of Office Supdt., to the level of HSG-I with effect from 12-1-2001 itself, then I do hope and believe that your honour will surely agree with me that the circles like Haryana, H.P., and Assam Circle were very much eligible to get the post of HSG-I Office Supdt., from the date of their creation as the Haryana, H.P., and Assam circle were much older circles than that of Jharkhand, Uttaranchal and Chattisgarh circles.

9. That Sir, I beg to mention here that non-creation or non-upgradation of the post of the Office Superintendents of the Haryana, HP and Assam Circles to the level of HSG-I from the date of creation of the above circles is the administrative omission and I do believe that your honour will agree with me that for the administrative omission the eligible officials of Haryana, HP and Assam circle cannot lose promotion/seniority and suffer financial loss.

10. That Sir, in this respect, a kind reference is invited to the Ministry of Personnel, Public Grievances and Pensions, Department of Personnel & Training OM No. 28034/6/2002-Estt(A) dated 11-1-2002 circulated under the Directorate's letter No. 137-5/2002-SPB-II dated 29-01/1-2-2002 and according to the guide lines issued under the above OM, the following decisions are made.

(a) A representation made by the Government employee requiring examination only in a Ministry/Department should be disposed of within a maximum period of six weeks and if requiring inter departmental consultation such representation should be replied to normally within maximum period of three months.

(b) Final reply sent to a Government servant on his representation should be self-contained, cover all the points raised by him and in a case, where the representation of the Government servant is rejected, the grounds there-for should be clearly indicated.

11. That Sir, it is reliably learnt that my representation dated 12th December, 2001 on the above subject addressed to Shri B.N. Som, the then Secretary and Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi-110001 was sent to the Directorate by the Chief Postmaster General, N.E. Circle, Shillong duly approving the case, but decision of the Directorate is still awaited.

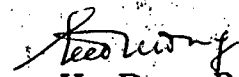
12. That Sir, I would like to mention here that as per the guidelines as mentioned at paras 10(a) and (b) above, my case above is likely to be settled within 11th March, 2002 from the date of my first appeal dated 12-12-01 and in case if the case is not resolved within 11th March, 2002, then the undersigned will have no option but to proceed to the Court of Law for the redress of my grievances.

13. Now in view of the facts narrated above, I therefore fervently beg to appeal to your generous generosity to be gracious enough kindly to consider the case with sympathy and kindness and pass necessary orders to transfer the norms based permanent HSG-I post of Office Supdt., of N.E. Circle, which was sanctioned vide PMG, N.E. Circle, Shillong memo No. Est/34-19/77 dated 19-5-81 and which was irregularly transferred to Assam Circle, Guwahati vide C.O., Shillong memo No. Est/34-37/81 dated 22-6-88 back to N.E. Circle from Assam Circle by creating a new HSG-I post of Office Supdt., for Assam Circle with retrospective effect from 28-6-88 and kindly pass necessary orders for the grant of HSG-I pay scale to me with the retrospective effect from 1-9-95 including the officiating periods as mentioned in the subject and at para-1 above against the norms based permanent HSG-I post of Office Supdt., of N.E. Circle, which was sanctioned vide PMG, N.E. Circle, Shillong memo No. Est/34-19/77 dated 19-5-81, as well as granting of All India seniority with retrospective effect from 1-9-95 as I was due to get the HSG-I benefit with effect from 1-9-95 vide para-(iv) of the Directorate's letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001 and kindly also pass necessary orders to pay me the arrear pay and allowances for the periods from 23-12-94 to 6-3-95, 15-5-95 to 3-7-95, 1-8-95 to 31-8-95 and from 1-9-95 to 21-5-2001, since I have discharged the duties of the Office Supdt., during the period to remove the discrimination and for the end of justice.

An early action in the matter is solicited.

With kind regards,

Yours faithfully,


(Tapan Kr. Dutta Roy)
Office Superintendent,
Circle Office, Shillong.

Dated at Shillong
The 27th February, 2002

Registered A/D

Copy in advance to :-

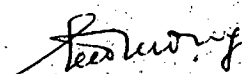
Shri S.C. Dutta, Secretary and Director General, Department of Posts,
Dak Bhawan, Sansad Marg, New Delhi-110001 for favour of kind information.

This is a second appeal against the decision conveyed under Circle Office, Shillong letter No. Staff/35/2445/76 dated 13-9-2001 and 3-12-01 and prayer for the grant of HSG-I pay scale of Office Supdt., together with the granting of all India seniority with retrospective effect from 1-9-95 and also grant of HSG-I pay scale of Office Supdt., for the officiating periods from 23-12-94 to 6-3-95, 15-5-95 to 3-7-95 and from 1-8-95 to 31-8-95. I beg to mention here that the case above had already suffered delay for more than 6 months from the date of representing the case to the Circle Administration, Shillong on 20th July, 2001 and as per Ministry of Personnel, PG and Pensions OM No. 28034/6/2002-Estt(A) dated 11-1-02 my case above is likely to be settled within 11th March, 2002 from the date of my first appeal dated 12-12-01 and in case, if the case is not resolved within 11th March, 2002, then the undersigned will have no option but to proceed to the Court of Law for the redress of my grievances. His noble-self is therefore requested to be gracious enough kindly to consider the case with sympathy and kindness and kindly to pass necessary orders for the grant of HSG-I pay scale to me with retrospective effect from 1-9-95 including the officiating periods as mentioned in the subject and at para-1 above, against the norms based permanent HSG-I post of Office Supdt., of N.E. Circle which was sanctioned vide PMG, N.E. Circle, Shillong memo No. Est/34-19/77 dated 19-5-81, as well, as granting of All India seniority with retrospective effect from 1-9-95 as I was due to get the HSG-I benefit with effect from 1-9-95 vide para-(iv) of the Directorate's letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001. His noble-self is also requested kindly to pass necessary orders to pay me the arrear pay and allowances for the periods from 23-12-94 to 6-3-95, 15-5-95 to 3-7-95, 1-8-95 to 31-8-95 and from 1-9-95 to 21-5-2001, since I have discharged the duties of the Office Supdt., during the period to remove the discrimination and for the end of justice.

An early action in the matter is solicited.

With kind regards,

Yours faithfully,


(Tapan Kr. Dutta Roy)
Office Superintendent,
Circle Office, Shillong.

Dated at Shillong
The 27th February, 2002

IMMEDIATE

No. 12- 3/2001-SPG
Government of India
Ministry of Communications
Department of Posts
Dak Bhawan, New Delhi - 110 001

Dated: 25.09.2001

To

The Chief Postmaster General,
N.E. Circle,
Shillong - 793001

Subject: DPC for promotion to the grade of Asstt. Director (Rectt.), GCS Group 'B' reserved for OS./ Dy. Office Supdt. working in Circle Offices.

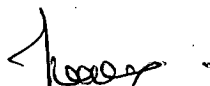
Sir,

I am directed to say that it is proposed to hold a DPC meeting for selection of official for promotion for three posts of Asstt. Director (Rectt.), GCS Group 'B' in the Department of Posts on retirement of a regular incumbents of the said grade. A list of the officials who are likely to find place in eligibility zone is enclosed herewith. Seniority list is provisional and subject to change on receipt of omissions/ corrections, if any, yet to be received from various circles.

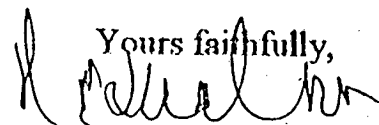
You are, therefore, requested to forward the up-to-date CR dossier along with the vigilance clearance of the official(s) belonging to your circle to this office latest by 10th October 2001. A statement indicating particulars of current punishment /penalty, if any, against these official(s) may also be furnished.

This office may also be kept informed of any change in the aspect relating to vig./disc. case, if any, about these official(s) until the DPC meeting is held. The particulars of the official(s) mentioned in the enclosed list may also be got confirmed.

Attested


27/9/02

Deputy Divisional Manager (PLI)
O/o the Chief Postmaster General
N.E. Circle, Shillong-793001



(R.C.Sharma)
Assistant Director General (SGP)

Provisional seniority List of OS I/ OS II for consideration for the post of AD(Rectt.), GCS Group 'B' as on 01.01.2001

<u>S.</u> <u>N.</u>	<u>Name of the officer</u>	<u>DOB</u>	<u>Date of regular apptt.</u> <u>in the following</u> <u>grades</u>		<u>Circle</u> <u>where</u> <u>working</u> <u>at present</u>	<u>Remarks</u>
			<u>OS</u>	<u>Dy.OS</u>		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Bodu Ram Meena (ST)	06.07.42	9.3.92	3.8.91	Raj.	
2.	Santi Ram Saikia	01.06.42	3.12.92	--	Assam	
3.	M.Nachimuthu (ST)	06.01.56	24.12.93	5.11.92	T.N.	
4.	Smt. A.Vasugi (SC)	05.10.42	29.09.94	--	KTK	
5.	M.Sanaulah	13.05.47	1.9.96		J& K	
6.	Harbans Singh Bhatia	01.05.43	11.10.96	--	Punjab	
7.	M.S.Parmar (SC)	01.03.44	6.3.97	--	Guj	
8.	G.K.Parmar (SC)	07.03.43	6.3.97	--	Guj	
9.	Gayadhar Kisan (ST)	20.01.46	11.4.97	3.3.93	Orissa	
10.	S.D.Lonkar	13.12.43	29.4.97	26.6.93	Mah.	
11.	M.J.Ninama (ST)	08.06.43	1.5.97	--	Guj	
12.	Arjun Prasad (ST)	23.09.47	23.9.97	9.5.94	Bihar	
13.	R.N.M.Tripathi	01.07.43	1.11.97	--	U.P.	
14.	Radhanath Soren (ST)	02.06.46	1.8.2000	1.11.93	W.B.	
15.	Laxmi Chand Saini	14.12.50	1.9.2000	--	Har	
16.	Narendra Singh	25.09.41	--	10.8.94	U.P.	
17.	Sambhu Ch. Debnath	21.09.42	--	13.3.95	W.B.	
18.	T.K.Dutta Roy	6.3.45	--	1.9.95	N.E.	

To

The Chief Postmaster General,
North Eastern Circle,
Shillong - 793 001.
(Staff Section).

Sub : Filling up the post of Asstt. Director (Rectt) GCS Group-B in the
Circle Offices/Administrative Offices - preparation of seniority
list of eligible officials therefore.

Ref : C.O. letter No. Staff/9-2/2000(L) dated 24 Sept, 2001.

Sir,

In continuation of my earlier representation dated 26 Sept/01, I beg to point out here that in the seniority list of OS-I and OS-II so indicated on the reverse side of Directorate's letter No. 12-3/2001-SPG dated 13-9-2001 there appears to be great anomalies in the said seniority list. The particulars of irregularities are appended below for favour of your kind perusal and ready reference which may kindly be brought to the notice of the Directorate to remove the anomalies.

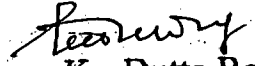
(a) At serial No. (7) Shri M.S. Parmar (SC) and at serial No. (8) Shri G.K. Parmar (SC) were shown to have been appointed as Office Supdt., on regular basis with effect from 6-3-97 in Gujrat Circle, while again at serial No. 11, Shri M.J. Ninama (ST) was shown to have been appointed as Office Supdt., on regular basis with effect from 1-5-97 in Gujrat Circle. It is, therefore, not clear as to how both Shri M.S. Parmar and Shri G.K. Parmar were holding the lone post of Office Supdt., from the same date 6-3-97 in the same Gujrat Circle ?

(b) At serial No. 11, Shri M.J. Ninama (ST) was shown to have been appointed as Office Supdt., on regular basis with effect from 1-5-97 in the Gujrat Circle. It is therefore not clear that as on 1-5-97 as to how the three officials viz., Sl. No. (7), (8) and (11) can hold the lone post of Office Supdt., at a time in the same Gujrat Circle ? I do hope and believe that your honour will agree me that unless the first incumbent Office Supdt., retires from service, the question of holding the said post by the other staff on regular basis may perhaps does not arise.

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(c) At serial No. (15) Shri L.C. Saini of Haryana Circle was shown to have been appointed as Office Supdt. HSG-I on regular basis with effect from 1-9-2000. In this respect your kind attention is invited to the para-(iv) of the Directorate's letter No. 22-1/89-PE-I (Vol.II) dated 30-3-2001, wherein it has been ordered to upgrade the post of Office Supdt., of Haryana, H.P. and N.E. Circle to HSG-I level, then it is not clear as to how Shri L.C. Saini was appointed as Office Supdt. HSG-I on regular basis with effect from 1-9-2000.

It is, therefore, requested that the above facts may kindly be brought to the notice of the Directorate to remove the anomalies and obliged.

Yours faithfully,


(Tapan Kr. Dutta Roy)
Office Superintendent
Circle Office, Shillong.

Date : 26-9-2001

241
FOR OFFICIAL USE ONLY

**MANUAL
OF
OFFICE PROCEDURE
FOR
POSTAL CIRCLE OFFICE**

Attested.

hous
ufy 2002

**Deputy Divisional Manager (PLD)
O/O the Chief Postmaster General
N.E. Circle, Shillong-793001**

JUNE, 1984

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Attested

*Heads
up/200*

**Deputy Divisional Manager (PLI)
O/O the Chief Postmaster General**

793001

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62. Miscellaneous

Level Jumping—In order to prevent delays and repeatative noting, the system of level jumping should be adopted and the number of intermediate stages should be reduced by as many levels as possible in the handling of cases. Dealing Assistants with more than 6 years of experience in P & T Department may be permitted to send the files direct to the Sectional Officer instead of through the S/S. The Sectional Supervisor should go through the files on their return from the Officers so that he may be aware of the case and attend to it in the absence of the Dealing Assistant in case of urgency without pleading ignorance of the case.

Each Sectional Supervisor will maintain a register showing the particulars of volume and publications actually required by and supplied to the section with the particulars of the latest correction slips available and pasted to each volume. The volume supplied should be kept corrected up to date.

Normally union office bearers will be given interviews only by the Directors and the Head of the Circle/Office and not by the Sectional Officers.

63. Duties of O. S./Sectional Supervisor

a) O/S—

- i) General Supervision and direct responsibility for Central Registry, Issue and Despatch, movements of files and papers through Peons, Old Record Section and reception office, Office stock and stationery will also be under the control of the O/S.
- ii) He is required to scrutinise the disputed papers of Dak and make them over to the proper sections.
- iii) Posting of Stenographers to Sections/Officers.
- iv) He is responsible for all house keeping functions of the Circle Office.
- v) Maintenance of C. Rs of the Class IV officials.
- vi) Receipt, Despatch and Distribution of Telex Messages.
- vii) Joint custody of cash of Circle Office with ADPS/A.O. in-charge of its accounts and pension section.
- viii) Joint custody of keys of safes and cash of Post Offices with A.D./A.O. in-charge of the Technical Section.
- ix) Receipt and circulation of DG's Dak and Newspaper cuttings.

Attested?

Deputy Divisional Manager (PLI)
O/O the Chief Postmaster General
N.E. Circle, Shillong-793001

- x) Receipt and distribution of communications from the Unions.
- xi) Arrangements for holding of meetings (D & M Meetings, Union Meetings, Advisory Committee Meetings etc.)
- xii) Grant of C. L. to Class-IV officials.
- xiii) Maintenance of Office Library.
- xiv) Maintenance of corrected sets of P & T Manuals.
- xv) Control over supply of stationery to Officers/Sections.
- xvi) Kit Inspection of the liveried staff of the Circle Office.

31 JUL 2002
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH :: GUWAHATI.

Filed by

26/7/02 116

(A. DEB ROY)

Sr. C. S. C.

C. A. T. Guwahati Bench

O.A. NO. 152/2002.

Shri T.K. Dutta Roy.

- vs -

Union of India & Ors.

- And -

IN THE MATTER OF :

Written statement submitted by
the Respondents.

The respondents beg to submit written statement
as follows :-

Contd...P/2

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BRIEF HISTORY OF THE CASE.
O.A.NO.152/2002. T.K. Dutta Roy.

The North Eastern composite postal circle was bifurcated during June, 1988 into two postal circles viz North Eastern postal circle and Assam postal circle. Prior to bifurcation there were two posts one in HSG - I and the other in HSG - II. During bifurcation HSG - I post was transferred to Assam circle retaining HSG-II post in N.E. Circle. The HSG - II post was termed as Dy. Office Supdt. During bifurcation the Dy Office Supdt post was redesignated as Office Supdt in HSG-II. As such there was no existence of Office Supdt in HSG-I grade after bifurcation. The Office Supdt in HSG -II grade in N.E. Postal Circle was upgraded to HSG-I grade from May, 2001 under the orders of competent authority (Director General Posts).

The applicant was posted as Office Supdt from 1.9.95 in HSG-II post and was working as Office Supdt in the HSG-II grade until the post was upgraded to HSG-I post in May, 2001.

Under Director General Posts letter No-12-3/2001-SPG dtd 25.9.2001 it was proposed for holding DPC for promotion of Office Supdt to the grade of Asstt. Director (Rec'tt) GCS Group - B considering the seniority list appended thereto, according to which the applicant was the junior post.

The applicant represented for modification of the seniority list treating him in HSG - I grade from 1-9-95 with HSG-I grade pay, date from which he was working in HSG-II grade which could not be acceded to. Thus being aggrieved the applicant filed a case before the Hon'ble CAT registered under

contd....P/3

under O.A. No - 152 / 2002.

- a. The posts of HSG - I and HSG-II in the Circle Office, Shillong are under the control of the Head of Circle and the circle is well aware about the position of the posts of HSG- I and HSG-II. Besides this applicant cannot question the rationality of the decision regarding creation and abolition of post which is a purely administrative matter.
- b. The circle may ascertain the position of the availability of Office Supdt. in the post of HSG-I from the respective Circles i.e. Chhattisgarh, ~~Haryana~~ Uttaranchal and Jharkhand. Besides creation of posts is purely an administrative matter on which the applicant cannot make a demand as per his own convenience. Establishment branch of his directorate may also be consulted on paras (a) and (b) above.
- c. The presumed seniority in HSG-I is only hypothetical as there is no such post in the circle. The Office cannot claim eligibility on the basis of presumed seniority which is not as per rule.

PARA WISE COMMENTS OF O.A.NO-152/2002 FILED BY
SHRI T.K.DUTTA ROY.

1. Para - I It was proposed for holding DPC for promotion of Office Supdt to the grade of Asstt. Director (Rect) GCS Group - B in the DTE letter No- 12-3/2001-SPG dtd. 25.9.01 considering the seniority list appended thereto. The prayer for modification of seniority list seniority to the applicant treating him as office supdt in HSG-I grade from 1.9.1995

extending all benefits of HSG - I to him is not sustainable. The post in HSG-I was non-existent in North Eastern Postal Circle, due to transfer of the post of HSG - I to Assam Circle after bifurcation of the composite North Eastern Circle into two separate circles viz Assam circle and North eastern circle on 22.6.1988 (Annexure - A). As such HSG-I post of Office Supdt was not existing in North Eastern Postal Circle on 1.9.95 and also the applicant was posted in HSG-II post from 1.9.95 to 21.5.2001 and for these reasons his prayer is not admissible. The post of Office Supdt was upgraded to HSH - I only from May 2001 under orders of the competent authority vide Director General letter No- 22-1/89-PE-I (Vol - II) dtd. 30.03.01 (Annexure - B) and the official given the benefits accordingly.

2. Para - 2 No Comment. Regarding Para 3 the respondents state that the cause of action is stated to be seniority in the grade of HSG - I wef 1-9-1995 on the basis of which the applicant claims that he is eligible for promotion to AD (Rec'tt) Grade. This is hit by laches of delay and is time barred.

3. Para - 4.1 No comment.

4. Para - 4.2 Admitted that the Applicant was posted as Office Supdt circle office Shillong from 1.9.95 on regular basis but the post of Office Supdt borne on the establishment

contd...P/5

of Chief Post Master General N.E. Circle was in HSG - II grade after bifurcation of the composite circle in 1988 and the applicant was posted and was holding only the post of Office Supdt in HSG-II grade upto its up gradation and during the mentioned period. The fact that the applicant was drawing the same scale of pay of HSG -II before his posting as Office Supdt.(HSG-II) is due to the Biennial Cadre review and placement of LSG officials into higher scale of pay which is personal to the applicant but not linked to the post in which he was working.

5. Para - 4.3. The arrangement under which the applicant was officiating as Office Supdt. (HSG-II) was purely adhoc and was in a vacancy due to proceeding on leave of the regular incumbent

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6. Para-4.4 Agreed that the post of Office Supdt in Circle Office Shillong was upgraded to HSG-1 grade during 1981, abolishing the post of Dy office supdt consequent on creation of the post of Head Assistant in grade-11 in the same scale of pay as that of the grade and pay scale of Dy office supdt having similar responsibility. This HSG-11 post along with HSG-1 grade post continued till bifurcation of the Composite North Eastern Circle in 1988 and on bifurcation this HSG-1 post was transferred to Assam Circle retaining HSG-11 post in this Circle. The applicant was working in the HSG-11 post from 1.9.95 continuously as Office Supdt (HSG-II) until up gradation of the post to HSG-1 from 22-5-2001 and applicant was awarded the benefit of HSG-1 from the date of his joining the post in HSG-I. The averment that he was "most arbitrarily extended the pay scale of HSG-II" is baseless and patently wrong since he was working in the HSG-11 post of Office Supdt.

7. Para-4.5 It is true that the applicant was posted to work as Office Supdt (HSG-II) from 1.9.95 and he officiated in three different spells as office supdt (HSG-II) between 23.12.94 to 31-8-95 but the post of Office Supdt was in HSG-II grade after bifurcation in 1988. Hence he was allowed the pay scale of HSG-11 grade from 1.9.95. As there was no HSG-1 grade post in the Circle Office Shillong between 22.6.1988 and 22.5.2001, his argument in this para is totally baseless and the question of extension of HSG-1 benefit does not arise since the applicant worked against a HSG-II post only and he was given pay scales as per rules in that grade.

8. Para-4.6 The applicant in this para admitted that HSG-1 post of the combined circle was transferred to Assam circle retaining HSG-11 post in this circle but again in the same para he contradicted himself saying that there was no sanction for HSG-11 post in N.E circle. Factually it is stated that HSG-II post of Office Supdt was upgraded under this office Memo NoEST/34-19/77 dated 19-05-1981 to create the post of Head Assistant HSG-11 (Annexure- C) and this HSG-II post was re-designated as Dy-Office Supdt vide para-8 of this office Memo No.EST/34-37/81 dated Shillong the 22-6-88 (Annexure- A). This HSG-II post after bifurcation of Assam circle in June 1988 was retained with the North Eastern Circle as Office Supdt in the same grade of HSG-II. The applicant's argument in this para is baseless. Further, creation, transfer and up gradation of any post is entirely within the jurisdiction of the competent authority viz D.G.(Posts) according to the norms prescribed by the Govt. but not as to serve the interest of any individual.

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9. Para-4.7 Creation of Circle by bifurcation or other means, as per rules is well within the jurisdiction of the competent authority viz. Director General, posts and is in the Public interest. Individual officials cannot question such action taken in the Public interest for their personal benefit. Before bifurcation there were two posts, one in HSG-I and the other in HSG-II grade. Transfer of any post is entirely within the jurisdiction of the competent authority and is done, according to the norms prescribed by the Govt. Further, the post of HSG-I grade was transferred to Assam Circle on bifurcation on 22-6-88 and the applicant joined in the post of Office Supdt in HSG-II grade on 1.9.95 and he was given the pay scale of the HSG-II post he was holding since that date. Hence his claim is baseless and not admissible.

Agreed that three new postal circles Viz (1) Jharkhand (11) Uttaranchal and (111) Chattisgarh came into being 12.1.2001 vide DTE Letter No.38-10/2000-PE-II dtd 12-01-01 with direction that the new circles will be comprising with the staff etc that were presently with the respective Regions concerned, in fact the post of Office Supdt in the Circle office Chattisgarh Circle, Raipur is in HSG-II only (Annexure-D.1) Hence his argument of blessing with the post of Office Supdt in HSG-I grade in the new circle from the date of creation is incorrect and untenable. The post of Office Supdt HSG-1 in North Eastern circle was available upto 22.6.88 when the post was transferred to Assam circle. Transfer of any post is entirely within the jurisdiction of the administration not to serve the interest of any individual. So the allegation brought by the applicant is totally baseless and uncalled for. The fact that the transfer of HSG-1 post in 1988 to Assam circle and down gradation of Office Supdt post to HSG-II status was not questioned by the applicant in the material period 1988 nor was this point raised in 1995 when he was placed in the post of Office Supdt (HSG-II). The claim of the applicant for up gradation of the post HSG-1 is purely for personal reasons and due to the long delay from 1988, the claim of the applicant suffers from laches.

10. L Para-4.8 North Eastern Postal Circle is not the only case of Office Supdt being in grade-II. The same was the status is in the case of Haryana and Himachal Pradesh also. DTE in their Memo. 22-1/89-PE-1(Vol-II) dtd 30.3.01 have upgraded 1622 posts in HSG-I grade with direction (Annexure- D) to up grade the post of Office Supdt to grade-I where having no HSG-I post of Office Supdt and accordingly the post of Office Supdt of

Circle office Shillong was also up graded to grade-I under this office letter No. EST/20-20/RLG/91-92 dtd 19.4.01(Annexure- E).

11. Para-4.9 The argument of the applicant is baseless. Since there was no HSG-1 post in existence in this circle office shillong after bifurcation in 1988 .Extension of HSG-1 benefit from 1.9.95 does not at all arise. He was allowed the benefit of HSG-1 post when the post was upgraded from 22-5-2001 on his joining the upgraded post. In the case of pay of officiating periods the official was allowed the pay of HSG-11 grade in which he was officiating.

Further, representation of the official preferred to this office by the applicant dtd 20th july/2001 was examined by the competent authority taking into consideration of all the facts, and due application of mind. The decision of the competent authority was communicated to the applicant.

The representations of the applicant dtd 12-12-2001 and 27th Feb,2002 addressed to Sri B.N.Som Secretary and Director general, Department of Posts, and Sri S.C.Datta Secretary and Director General, Department of Posts, respectively were also disposed of under DTE letter No. 4-1/2002-SPB-!! Dtd 2-5-2002 after due examination and after finding that the claim was not sustainable.

12. Para-4.10 The applicant was holding the post of Office Supdt(HSG-II) with effect from 1.9.95 and he has been drawing grade pay from the said date. The seniority list circulated, is purely for the officials holding posts of Office Supdt/Dy Office Supdt in the HSG-1 cadre. For this reason the applicant was not eligible to be included in the seniority list of Office Supdt/Dy Office Supdt (HSG-1) and accordingly he was not considered by the competent authority for promotion to AD (Rectt) GCS Gr.B posts. The claim of the applicant to include his name in the All India seniority list of HSG-1 officials to consider him for promotion to AD (Rectt) is not tenable and his claim for promotion to the post of AD(Rectt) is not on facts. In fact for promotion to the post of AD(Rectt) has been finalized based on the correct seniority list of HSG-1 officials and orders have been issued by the competent authority D.G.Posts vide memo no. 12-3/2001-SPG dated 31 December 2001.

13. Para-4.11 The representation of the applicant addressed to Chief postmaster General, N.E Circle, Shillong consisted of items relating to the seniority of officials working in other circles like Gujrat circle and hence decision on the same could not be given by the Chief postmaster General, N.E.Circle.

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has not based in facts. After the post had been transferred to Assam Circle after bifurcation in June 1988 the post of Office Supdt N.E. Postal Circle has existed only in the HSG-II grade. The applicant was holding only this post with effect from 1.9.1995 and he was paid the scale of HSG-II grade correctly as per rules. The claim of the applicant for up gradation of the Office Supdt HSG-II post in North Eastern Circle to HSG-1 and for his placement in the HSG-1 scale and other benefits are all based on his presumption and not on facts. Since the applicant was holding the post of HSG-II only with effect from 1.9.1995 he cannot be placed in a higher scale in which has not physically worked. Thus the claim is untenable and presumptuous.

14. Para-4.13 The claim of the applicant that the post of Office Supdt in all the Circles should be treated alike is not based on facts since the posts of Office Supdt HSG-II existed in not only N.E. Postal Circle but also in Himachal Pradesh and Haryana Circles, throughout the material period and upto the date when they were upgraded to HSG-1 by the competent authority orders.

15. Para-4.14 The facts submitted in the above paras clearly bring out the facts that the applicant is not entitled to higher scale of pay since he had not physically worked in HSG-1 post but he also worked as Office Supdt only in HSG-II grade from 1.9.95. His claim for consequential benefit for All India Seniority with retrospective effect is not tenable since he has not physically worked in a HSG-1 post.

16. Para-5.1 The post of Office Supdt in HSG-1 was transferred to Assam Circle after bifurcation in June 1988 and the post was not available in the Circle office, Shillong from June, 1988.

17. Para-5.2 The applicant has worked for the broken periods mentioned in the application under reference and on regular basis from 1.9.95, only on posting to HSG-II grade.

18. Para-5.3 The claim of the applicant for the benefit of similarly situated persons is not tenable since the posts of Office Supdt in Haryana and Himachal Pradesh Circles were only in HSG-II grade during the material period. Since the benefits of the post he was holding (HSG-II Office Supdt) were extended to him, there is no discrimination or violation of Articles 14 and 16 of the Constitution of India as averred.

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19. Para-5.4 The claim of the Office Supdt in N.E Postal Circle to be in HSG-1 does not have any basis nor does he have any claim for HSG-1 placement since he was holding a post in HSG-II grade only.
20. Para-5.5 The claim of the applicant that the respondents have categorically admitted that there was justification for HSG-1 post in each Circle is not admitted and this can not be a ground for the applicant to claim benefit for HSG-1 since he was holding the post of HSG-II only.
21. Para-5.6 The representations have been disposed off by the Director General in an appropriate manner and one of his representations is under consideration of the competent authority.
22. Para-6, 7,8 No comments.
23. Para-8.1 According to the statements of above paras no relief is admissible to the applicant.
24. Para-8.2 Seniority list was prepared by the DTE, further the applicant was given HSG-1 grade after 30-03-01, his seniority was fixed accordingly. As there was no post in HSG-1 grade from 1988 the relief sought for treating him as HSG-1 official is not admissible.
25. Para-8.3 Since this office has no fault, no cost is admissible.
26. Para-8.4 According to the above statement no relief is admissible.
27. Para- 9.1 Interim relief prayed for by the applicant may not be granted since the case of promotion of HSG-1 Office Supdt/Dy Office Supdt has already been finalized by the competent authority and the order of promotion issued D.G Post Memo No.
28. Para-10 No comment
29. Para-11 & 12 No comment

34-
GOVERNMENT OF INDIA
MINISTRY OF COMMUNICATIONS
DEPARTMENT OF POSTS

ANNEXURE - A (8)

b

OFFICE OF THE POSTMASTER GENERAL: N.E. CIRCLE: SHILLONG-793 001.

Memo.No.EST/34-37/81

Dated, Shillong, the 22nd June, 1988.

In pursuance of department of posts, New Delhi O.M. No.38-1/82-PE.II dtd.25th.May,1988 regarding reorganisation of the erstwhile N.E.Circle into two separate circles namely N.E.*with Headquarters at Shillong and Assam with Headquarters at Guwahati, the following distribution of the staff of erstwhile N.E.Circle Office including the staff of the O/O Addl.Postmaster General, Guwahati has been approved on 9th June'88 and 10th June'88 by the postmaster General, N.E.Circle and postmaster General, (designate) Assam Circle after actual discussions and generally keeping in view the functional and administrative needs of the respective Circles and the original proposal made earlier by the postmaster General, Shillong in P.O.letter No.EST/34-37/81 dtd.10-3-87 and the same approved by the Directorate.

2. POSTMASTER GENERAL

As per the said letter, the present PMG, N.E.Circle, Shillong will be the Head of N.E.Circle and he will be assisted by an Addl.PMG and a Director(Vig). Assam Circle will be headed by a PMG redesignating the existing post of Addl.PMG, Guwahati and he will be assisted by a Director.

3. DIRECTOR(VIG)/AE(MCW)/HINDI OFFICER

The present Director(Vig)/AE(MCW)/Hindi officer, N.E.Circle, Shillong will be common for both the circles. The Headquarters of Director(Vig) and AE(MCW) will be at Shillong and Headquarters of Hindi officer will be at Guwahati.

4. ASSTT.POSTMASTER GENERAL

Out of 4 posts of APMG, 3 will be for Assam and 1 will be for N.E.Circle.

5. ASSTT.DIRECTOR OF POSTAL SERVICES

There are 5 posts of Asstt.Directors excluding one GCS Gr.'B'. The GCS Gr.'B' and 2 other ADS will remain with N.E.Circle while the other 3 ADS will go to Assam Circle.

6. CHIEF ACCOUNTS OFFICER/ACCOUNTS OFFICER(ICO SB)

The Chief Accounts Officer/Accounts Officer(ICO SB) N.E.Circle will continue to remain with N.E.Circle. The post CMO created vide the above P.O.'s letter will be for Assam Circle till such time as the posting against this post is made, the CAO, N.E.Circle will continue to look after Assam Circle too. Present Accounts Officer of the O/O Addl.PMG will be redesignated as AO(ICO SB) as per the said P.O.'s letter and will continue to remain attached to the Assam Circle.

Contd...2...

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- 2 -
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MILITARY OFFICER

7. Present post of Military Officer (G.S. 11) will be transferred to Assam Circle.

8. OFFICE SUPERINTENDENT

There is one post of Office Superintendent, P.G.I. and another post of Dy. Supdt. in HSG. II. As per Directorate's orders, the HSG. I, Post of the Office Supdt. will go to Assam Circle and the HSG. II post will remain with the N.E. Circle after redesignating it as Office Supdt. in HSG. II. The respective Circles will however examine the justification of the post or its upgradation where necessary.

9. ASSTT. SUPDT. OF POS/IPOS:

There are 9 posts of ASPOS out of which Assam Circle will get 6 and N.E. Circle will get 3. Out of 3 posts of IPOS viz IPOS (Planning), INV. Inspector and IPOS (Phil) the post of IPOS (Phil) will remain with the N.E. Circle and the other 2 posts will be for Assam Circle.

10. SAS/S.I.RMS/Std. Compilers:

As all the RMS divisions fall in the jurisdiction of Assam Circle, both the posts of SAS and S.I. will be for Assam Circle. However, for attending to miscellaneous RMS work in N.E. Circle, one post of Sorting Compiler, out of the 2 present, will remain with the N.E. Circle, while the second post of Compiler will be transferred to Assam Circle.

11. L.S.G. POSTS:

There are in all 14 LSG posts including 5 posts of LSG 20%. Out of 9 regular LSG posts 6 will be for Assam Circle and 3 for N.E. Circle. Out of 5 LSG 20% 2 will remain with N.E. Circle and other 3 will be for Assam Circle.

12. S.B.D.Os:

Out of 7 posts of SBDOS in the Circle, 4 posts will go to Assam Circle and the rest 3 will remain for N.E. Circle.

13. IPOS (PMI):

There are 6 posts, of IPOS (PMI) in the Circle out of which 4 posts will be for Assam Circle and 2 will be for N.E. Circle.

14. D.O. (PLI):

The 4 posts of D.O. (PLI) will be equally shared by the two Circles.

15. HINDI TRANSLATOR/HINDI TYPIST:

While the lone post of Hindi Typist (LDC) will go to the share of Assam Circle. The other lone post of Hindi Translator will remain with the N.E. Circle.

16. J.Es:

There are 6 posts of JEs including 4 posts sanctioned vide PMG/Shillong memo No. EST/34-4/76 dtd. 14-6-80. Out of these 4 posts, only one post was entertained on 9-12-87, and action for recruitment to the remaining three posts is still in process by the Civil wing. Out of these 6 posts, 4 will be for Assam and 2 will be for N.E.

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17. J.A.Os:

Out of 4 posts of JAOs, 3 posts namely 2 JAOs (ICO SB) and 1 HAO (PUI) will go to Assam Circle, and the post of JAO (Bgt) will remain with N.E. Circle.

18. Sr. PA/Sr. PA/STENOGRAPHERS:

(a) SENIOR PA (GRADE II):

Out of three sanctioned post of Sr. PAs, one post ordered to be created by upgradation of one post of PA (Grade II) is yet to be filled up for want of eligible candidate, and as such two posts of Sr. PAs are available for the present. Out of these two posts, one will go to Assam Circle and the other will remain with N.E. Circle.

PA (GRADE II):

There are two posts of PA grade II including one ordered to be upgraded to Sr. PA (grade I) as mentioned above. One of these two posts is kept attached to the RDPs, Assam Region and this post is transferred to the Assam Circle while the other post of PA grade II is retained to the Addl. DMG, N.E. Circle temporarily pending upgradation of the same post to the sanctioned Sr. PA by an eligible official. X in N.E. Circle To be kept attached

(c) STENOGRAPHERS:

There are (8) eight posts of stenographers including one temporarily diverted to Kohima from C.O., Shillong. Out of these posts, one each is earmarked for IFA/CAO, N.E. Circle and Director (Vig), N.E. Circle and the proposed VO/Director (Vig), Assam Circle and these remaining 5 posts of stenographers are to be distributed between the N.E. Circle and Assam Circle. Out of these 5 posts of stenographers 3 will go to Assam Circle and 2 will remain with N.E. Circle. Thus the total share of stenographers will be 4 for N.E. Circle and 4 for Assam Circle.

19. U.J.Cs:

Out of total sanctioned strength of 69 UDCs, 44 will be for Assam Circle and rest 25 will be for N.E. Circle. The above strength of 69 UDCs includes 8 such identified posts with special pay of Rs. 70/- p.m. and one post of cashier. Out of these, 3 such identified posts and the post of cashier will be for N.E. Circle, and other 5 identified posts carrying special pay will be for Assam Circle.

20. L.D.Cs:

Out of total sanctioned strength of 52 LDCs (including 13 LR + 1 Hindi typist LDC), 33 LDCs (including 8 LR + 1 Hindi typist LDC) will be for Assam Circle and rest 19 LDCs (including 5 LR) will be for N.E. Circle.

21. UDC & LDC, ICO/ST & STENOGRAPHERS:

Out of 3 UDCs of ICO/ST and ICO/SB, 2 UDCs viz 1 UDC, ICO/SB and 1 UDC, ICO/ST will go to Assam Circle and the remaining 1 UDC/ST and 1 LR LDC, ICO/SB will remain with N.E. Circle.

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There is one post of staff car driver now attached to Addl. PMG, Shillong and another post of driver attached to Addl. PMG, Guwahati. The posts will remain as is now.

23. L.G. DRAFTSMEN:

The lone post of L.G. draftsman will remain with the N.E. Circle.

24. CARETAKER/GESTETNER OPERATOR:

There is one post of care-taker and one post of Jr. Gestetner operator in the Circle. Both posts will remain with N.E. Circle.

25. DUFTRIES:

There are 6 posts of duftries including one post of S.G. duftry. 4 posts of duftries will go to Assam Circle and other 2 posts will remain with N.E. Circle.

26. JAMADARS:

Out of 3 sanctioned posts of Jamadars, 2 will be for Assam Circle and one will be for N.E. Circle.

27. OFFICE PEONS:

Sanctioned strength of office peons (including 3 LR) is 27. Out of these, 17 (including 2 LR) will go to Assam Circle and 10 (including 1 LR) will be for N.E. Circle.

28. OTHER GROUP 'D' (NON TEST):

There are 9 sanctioned posts of Group 'D' (non test) viz 2 farash, 4 chowkidars, 2 safaiwalas and 1 mali. Out of these 4 posts namely, 1 farash, 1 safaiwala and 2 chowkidars will go to Assam Circle and 5 posts namely, 1 farash, 1 safaiwala, 2 chowkidars and 1 mali will remain with N.E. Circle.

A copy of the bifurcation agreement dtd. 10-6-88 signed by the PMGs of N.E. Circle and PMG (designate) Assam Circle along with an ANNEXURE 'A' showing sanctioned strength of the erstwhile N.E. Circle, and share of post between the two circles, etc., is enclosed herewith.

BMK

(S.S. SEN)
A.D.P.S. (EST & ISB)
for Postmaster General,
N.E. Circle, Shillong.

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Copy to...

1. The Director General (posts), New Delhi with reference to Memo No. 38-1/82-PS.II dt. 25-5-83.

2. All Group Officers in N.E. Circle and o/o the Addl. PMG, Guwahati.

3. All Section Supervisors in N.E. Circle office and o/o Addl. PMG, Guwahati.

4. The Addl. postmaster General, Guwahati.

5. The Sr. postmaster, Shillong, Silchar and Guwahati.

6. The director of accounts (postal), Calcutta.

7. All Sr. Supdt./Supdt. of POS in N.E. Circle.

8. Supdt. of PSD, Silchar, Guwahati.

9. Supdt. N.E.S.D., Guwahati.

10. Manager, MMS, Guwahati.

11. Sr. Supdt. RMS/Guwahati, SRM, Silchar.

12. The C.A.O./IFA, N.E. Circle, Assam Circle.

13. All director postal services in N.E. Circle.

14. All postmasters in N.E. Circle.

15. Spare.

(S.S. SINGH)
A.D.P.S. (EST & EB)
for postmaster General,
N.E. Circle, Shillong.

Order for the bifurcation of North Eastern postal Circle to create another postal Circle with Headquarters at Guwahati were issued by the postal Directorate in their O.M. No. 58-1/32-PE.II dated 25th May, 1982. In accordance with para 3 thereof the distribution of Staff, Assets & Records has to be done by mutual agreement of the two PMGs on functional and administrative needs and in accordance with the proposals made earlier by the PMG, Shillong in DO letter No. EST/34-37/81 dated 10-3-1987.

To facilitate the bifurcation at an early date with distribution of staff/assets/records, meetings were held on 9th June '88 and 10th June '88 in the chamber of PMG, N.E. Circle, Shillong which were attended to by the following:-

1. Shri V.S. Saksena, PMG, Shillong.
2. Shri B.K. Mohanty, PMG, Guwahati.
3. Shri S.P. Singh, Director (Vig), C.O., Shillong.
4. Shri S.S. Sen AD (ESTT), C.O., Shillong.
5. Shri M.L. Verma, CAO/IFA.

2.(a) DISTRIBUTION OF STAFF:

In the proposals earlier sent by the PMG, Shillong in March '87, to the postal Directorate, the staff for the Assam Circle and the N.E. Circle was to be distributed in the ratio of 65:35. This ratio had been suggested taking into account the fact that the PSD, Guwahati was to remain with the Assam Circle. However, as per orders issued by the postal Directorate, PSD, Guwahati has to be a part of N.E. Circle. This necessitated slight revision in ratio which on the basis of staff strength of the units to go to Assam Circle and to remain with the N.E. Circle now calculates as 64:36-Assam: N.E. Circle. The question of distribution of staff in this ratio was discussed at length and as a result of mutual agreement arrived at between the PMG, Shillong and the PMG designate, Guwahati, Assam, the distribution of staff in various cadres has been shown in Annexure 'A'. Out of the share going to the Assam Circle as shown in the column 5 of the annexure, the persons to be physically transferred have been indicated in column 6-A and the posts to be transferred to Assam Circle in 6-B. During discussions it was pointed out by the Addl. PMG, Assam, Guwahati (PMG designate) that he is taking up the matter with the Postal Directorate for revising their earlier orders to attach the PSD, Guwahati to Assam Circle. In case this is done then ratio of 64:36-Assam:N.E. Circle on the basis of which staff has been distributed as shown in the Annexure 'A' will have to be revised to make it 65:35-Assam: N.E. Circle, excluding officers and if any additional post goes to the share of Assam Circle on account of this revision the PMG, N.E. Circle, Shillong will take action to transfer that post. It also came under discussion that the O/O of PMG, Shillong has sent a proposal to the postal Directorate for creation of a few additional posts for the Circle Office, Shillong. In case a few additional posts in certain cadres are created by the postal Directorate, these posts will also be distributed between the Assam Circle and N.E. Circle in the ratio of 64:36 or 65:35 as the case may be.

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It was also agreed that Addl. PMG, Assam, Guwahati will send one or two officers of his office to Circle Office, Shillong, to examine and verify the correctness of the sanctioned strength in various cadres noted in annexure 'A' in consultation with AD (Estt) of the C.O., Shillong. In case during such examination any variation is noticed, the calculation about distribution of staff would be modified accordingly if necessary.

For the PSDs, at Guwahati and Silchar, the feeder units at present are Guwahati Postal Division and Silchar Postal Division. Both the PSDs have their own justified and sanctioned strength but the men are placed in position by the two postal divisions mentioned above. This arrangement will continue as it is not going to effect the justified sanctioned strength of either at Guwahati postal division nor the Silchar postal division.

2. (b) RECORDS

The O/o the PMG, Shillong has already issued instructions to various branches of the office to segregate the files which have to be transferred to Assam Circle. It was agreed that this process should be accelerated and all the branches of Circle Office, Shillong should prepare lists and keep the files to be transferred to Assam Circle ready by the 24th of June, 1988.

2. (c) ASSETS

Various items of furniture, typewriters etc. which are at present used by the staff, coming to the share of Assam Circle will also be sent to that Circle. For this purpose the O/o the Addl. PMG, Guwahati and the AD (Tech), in the C.O., Shillong will call for tenders about the rate of transportation and the items of furniture would be given to the party for transportation to Guwahati whose rate happens to be favourable on the basis of enquiries made by AD (Tech) and O/o the Addl. PMG, Guwahati.

2. (d) ALLOTMENT OF FUNDS:

The budget allotment received from postal Directorate for the year 1988-89 under various heads of accounts will be distributed on the basis of demands placed by the units in the Circle taking into account, of course, the additional requirement of the O/o the PMG, Assam to be created. However, in case of allotment under the head House Building Advance which is determined by the Circle Office only, the funds will be distributed in the ratio 64:36-Assam: N.E. Circle.

3. CIRCLE SPORTS CONTROL BOARD AND WELFARE FUND:

The Assm Circle will have its separate Circle Sports Control Board from 1st July, 1988. Regarding the Welfare Fund, apart from cash which is kept in the Savings Bank Account, this fund has got a TD A/C for Rs. 1.50 lakhs which will mature on 22-11-88. It was decided that after the cash book of Welfare Fund is closed on 30th June, 1988, the cash in the Savings Bank Account will be apportioned to Assam and N.E. Circle in the ratio of 65:35. Similarly the amount lying in TD account along with the interest on maturity will also be apportioned at the appropriate time in the same ratio.

Contd...3...

the new circle at Guwahati will meet once a month or as and when necessary.

Sd/-
V.S. Saksena
PMG, Shillong

Sd/-
B.K. Mohanty,
PMG, Assam,
Guwahati.

ANNEXURE 'A'

DISTRIBUTION OF STAFF/POSTS BETWEEN N.E. CIRCLE & ASSAM CIRCLE

Sl. No.	Cadre	Sanc- tioned strength	Share of NE Circle	Share of Assam Circle	Out of Col. 5 post & persons to be trans- ferred to Assam Circle	Only posts to be trans- ferred to Assam Circle	Remarks
1	2	3	4	5	6(a)	6(b)	7
1.	APMGs	4	11	3	3	Nil	(one post & person already trans-ferred).
2.	CAO/IFA	1	1	-	-	-	-
3.	Asstt. Directors	6	3	3	3	1	-
4.	Welfare Officer	1	-	-	1	Nil	-
5.	A.O.	2	1	-	1	1	-
6.	O.S. (HSG.I)	1	-	-	1	1	-
7.	Dy.OS (HSG.II)	1	1	-	-	-	-
8.	ASPOS	9	3	-	6	4	-
9.	IPOS	2	1	-	2	1	-
10.	Stg. Inspector	1	-	-	1	1	-
11.	S.E. (LSG)	9	3	-	6	3	(one post & person already trans-ferred).
12.	S.A.Ss	1	-	-	1	1	-
13.	J.Es	6	2	-	4	2	(3 posts not yet anten-tained).

Contd....4....

	1	2	3	4	5	6(a)	6(b)
14. J.A.O.			4	1	3	3	
15. Steno Gr. I			2	1	1	1	
Steno Gr. II			2	1	1	1	
Steno Gr. III			8	4 (including d.i.m. IFA)	4 (excluding d.i.m. IFA)	3	
16. Stg. Compiler	2		1	1	1	1	
17. UDC (20% LSG)	5		2	3	12	18	
18. UDCs	69		25	44			
19. LDCs	38		14	24			
20. LDCs (LR)	13		5	8	16	15	
21. Hindi Typist	1		-	1			
22. UDCs (ICO/CPU)	3		1	2	2	Nil	
23. LR LDC (ICO/SB)	1		1	-	-	-	
24. SBDOS	7		3	4	1	Nil	
25. IPOS (PMI)	6		2	4	1	Nil	
26. D.O. (PLI)	4		2	2	1	-	
27. Staff Car. Driver	2		1	1	-	-	(scale Rs. 974)
28. L.A. Draftman	1		1	-	-	-	1540
29. Caretaker	1		1	-	-	-	(scale Rs. 800)
30. Jr. Gestetner Operator	1		1	-	-	-	1150/
31. S.G. Drafty Dufferies	1	1	2	4	4	-	(scale Rs. 800)
	5	1					1150/
							(scale Rs. 177)
							1025
32. Jamadar	3		1	2	1	1	(scale Rs. 80)
							1150
33. Gr. 'D' (Test)	24		9	15	10	Nil	
Gr. 'D' (LR)	3		1	2	2	Nil	
34. Gr. 'D' (non-test)							
a) Farash	2		1	1	1	Nil	
b) Chowkidar	4		2	2	1	Nil	
c) Safaiwala	2		1	1	-	1	
d) Mali	1		1	-	-	Nil	
35. Hindi translator	1		1	-	-	Nil	

Out of 69 UDC posts 8 posts are identified for special pay Rs. 70/- p.m. The distribution of these posts is as follows: 1 for N.E. and 3 for N.E. one post is available for Addl. postmaster General, Guwahati.

NOTE:

- 1) All vacant posts shown in Col. (b) do not attract pay order.
- 2) Col. 6(a) does not include the posts already in position at Guwahati.
- 3) The Director (Vig)/AE(MCW)/Hindi officer will be common for both the Circles. The headquarters of the Director (V) and AE(MCW) will be at Shillong and that of Hindi Officer will be at Guwahati.

Sd/-
(M.L.Verma)
Chief Accounts Officer
O/o PMG, N.E. Circle,
Shillong.

Sd/-
(V.S.Saksena)
PMG, Shillong.

Sd/-
(Gurudas Ram)
SSPOs, Guwahati.
Guwahati.

Sd/-
(B.K.Mohanty)
Addl. PMG, Guwahati.

No. 22-1/89-PE.I (Vol I)
Government of India
Ministry of Communication
Department of Posts

Dak Bhavan, Sansad Marg,
New Delhi-110001

Dated: 30-03-2001

To

All Heads of Postal Circles.

Subject: - Upgradation of 1622 posts of HSG.II to HSG.I grade.

The President is pleased to accord sanction for creation of 1622 posts in the HSG.I grade in the pay scale of Rs. 6500-10,000/- by suitably upgrading the same number of existing HSG.II posts in the pay scale of Rs. 5000-8000/- with immediate effect as per the details Circle wise in Annex-A. As a result of this upgradation and alongwith 208 posts upgraded earlier to HSG.I grade vide this office letter of even number, dated 6-11-95, 10% of HSG.II posts stand upgraded to HSG-I grade.

These posts of HSG-II shall be upgraded to HSG-I by simultaneously abolishing 690 existing live posts of PAs/SAs in the scale of pay Rs. 4000-6000/- proportionally as indicated Circle wise in Annex-A (Col.4). The order to be issued by the Circles for upgradation of posts should include a clause mentioning the fact of abolition of posts in the cadre of P.A. with reference to its original sanction order.

Heads of Circles are requested to identify the number of HSG.II posts as indicated against their Circle in the Annex-A and upgrade them to HSG.I under intimation to this office. It may be ensured that these HSG-II posts are upgraded on functional basis, identification being done on the basis of following guidelines.

- 1) Posts of HSG-II Head Postmasters at district Headquarters where no HSG-I post exists at present and identification of HSG-II posts in SB Branches in major Head Offices. The CPMG should identify the district based on its importance/workload in the Regions, Postal and R.M.S. offices.

Contd...2/-

108/100
2/2/11
2/2/11

Kindly acknowledge the receipt of this letter.

Hindi version will follow.

(Rakesh Kumar)
Asstt. Director General (Estt.)

Copy to:

1. Secretary (F).
2. Member (O)/Member (P)/Member (D).
3. All Chief Postmasters General.
4. Senior DDG(CP)/All DDsC/Secretary (PSB)/JS&FA.
5. Chief General Manager, P.L.I., Chanakya Puri, New Delhi.
6. Chief General Manager, B.D. Directorate, Malcha Marg, New Delhi.
7. All Regional Postmasters General.
8. The Principal Director of Audit (Postal), Delhi-54.
9. Director of Accounts (Postal), Delhi-54.
10. All Directors and Dy. Directors of Accounts (Postal).
11. Director, Postal Staff College, Ghazabad.
12. Addl. Director General, Army Postal Services Corps, R.K. Puram, New Delhi-110066.
13. Chief Engineer (Headquarters), Civil Wing.
14. Postal Accounts Wing.
15. All Directors, Postal Training Centres.
16. Officer In Charge, APS Record Office, Kamptee.
17. All Sections of the Directorate.
18. All recognised Unions/Associations/Federations.
19. Guard files.
20. Spare copies.

(S.D. Thapliyal)
Section Officer (PE-I)

INDIAN POSTS AND TELEGRAPHS
Office of the Postmaster-General, N.E. Circle, Shillong - 791001

Memo. No. Ent/34-19/77 Dated Shillong, the 19th May, 81.

Approval of the Postmaster-General, North Eastern Circle, Shillong is hereby accorded to the creation of a temporary post of Head Assistant (General) in the Circle office, Shillong in the scale of Rs. 550/- to Rs. 750/- with immediate effect.

Consequent on the creation of the post of Head Assistant (General) in the scale of Rs. 550/- to Rs. 750/- the Postmaster-General, N.E. Circle, Shillong is further pleased to upgrade the post of the Office Supt. Circle Office, Shillong to HSO-I in the scale of Rs. 700/- to Rs. 900/- with immediate effect.

The Postmaster-General, N.E. Circle, Shillong is also pleased to decide that from the date of filling up of the post of Office Supt. in the scale of Rs. 700/- to Rs. 900/- the post of Office Supt. in the scale of Rs. 550/- to Rs. 750/- may be treated as abolished.

The expenditure involved in this sanction is debitable to the Head of A/c-A2(1) Circle Office, salaries and should be met from the sanctioned grant.

Sd/- I. Dewri
Director Postal Services (HQ)
for Postmaster-General,
N. E. Circle, Shillong.

Copy to :-

- 1) The Asstt. Director (Staff) C.O., Shillong for information. He will kindly intimate the date of filling up of the above posts to this section early. He will also kindly refer to this section Memo. no. Ent/34-4/76 dated 29.4.81 and intimate the date of entertainment of the two posts of UDCs to this section early for issuing formal retention order.
- 2) The Director of Accounts (Postal), Calcutta
- 3) The Asstt. Director (Accounts), C.O., Shillong.
- 4) The Office Supt., C.O., Shillong.
- 5) The Guard file (S.B. Entt. section).
- 6) The Cell Share, Entt. section, C.O., Shillong.
- 7) The S.B. Staff and A&P section, C.O., Shillong.
- 8) The C.O. file No. Ent/34-4/76.
- 9) Spare.

[Signature]
for Postmaster-General,
N. E. Circle, Shillong.

DEPARTMENT OF POSTS: INDIA
OFFICE OF THE CHIEF POSTMASTER GENERAL N.E. CIRCLE::
SHILLONG-793 001.

Memo No.Staff/9-4/OS(CO)/2001 Dated Shillong, the 22nd May'2001

Approval of the competent authority is hereby conveyed to the promotion of Sri Tapan Kumar Dutta Roy, OS, (HSG-II) C.O., Shillong to O.S.(HSG-I) cadre in the Scale of 6500-10,500/= with immediate effect.

2. The post of O.S.(HSG-II) C.O., Shillong will be treated as upgraded to (HSG-I) from the date of joining of Sri T.K. Dutta Roy, in pursuance of Dte's letter No.22-1/89-PE-I (Vol-II) dtd.30-3-2001 and C.O., Shillong memo No.Est/20-20/Rlg.91-92 dtd.19-4-2001.

3. Sri T.K. Dutta Roy, will be on probation for a period of two years from the date of assuming charge of O.S.(HSG-I), C.O., Shillong.

4. He is requested to exchange necessary charge reports with copy to all concerned.

5. He may exercise option for fixation of pay under FR-22 within one month from the date of taking over charge.

edl
(Niranjana Das)
Asstt. Director(Staff)
For Chief Postmaster General,
N.E.Circle, Shillong.

Copy to:-

- we*
1. The APMG(A/Cs), C.O., Shillong.
 2. All Group Officer, C.O., Shillong.
 3. The JAO(BGT), C.O., Shillong.
 4. Sri T.K. Dutta Roy, C.O., Shillong.
 5. P.F. of Sri T.K. Dutta Roy.
 6. Service Book of Sri T.K. Dutta Roy.
 7. The D.D.A.(P) Shillong.

[Signature]
or Chief Postmaster General,
N. E. Circle, Shillong.

Luo

DEPARTMENT OF POSTS, INDIA
O/O The Chief Postmaster General
Chhattisgarh Circle Raipur 492001

To,

The Assitt. Director (Staff)
O/O The Chief P.M.G.
N.E. Circle - SHILLONG -793021

No. EST-10-10/Ch. II/405

Ryp. Dtd. 17-6-2002

Sub: -O/S Post is HSG-II/ HSG.II.

Ref: -Yr.Lr.No.Staff/158-8/ 2001

Dtd. 17-6-2002

Sir,

Kindly refer to your letter cited above on the subject. In this regard it is intimated that the post of O/S is designated as Office Supdt. in circle office as per SIU norm either in HSG-II or HSG-I capacity subject to approval of the competent authority. In this office the post of Dy. Supdt. in HSG.II capacity was came on transfer from C.O. Bhopal and designated as "Office Supdt." in HSG.II capacity. At present this post has been upgraded in HSG.I w.e.f. 30-3-2001 but could not be created for want of approved candidate.

This is for your information please.



Assitt. Director (Staff)
O/O The Chief P.M.G. Raipur 492001

For x. N. 0364 - 226430

DEPARTMENT OF POSTS : INDIA
OFFICE OF THE CHIEF POSTMASTER GENERAL: N.E. CIRCLE: SHILLONG-1

MEMO NO: EST/20-20/RLG-91-92,

Dated at Shillong the 19.04.2001.

In pursuance of the Postal Dte New Delhi-1, letter No.22-1/89-PE.I(Vol.II), dated 30.03.2001 approval of the Chief Postmaster General, N.E.Circle, Shillong for upgradation of the following HSG-II posts in the scale of Rs.5000-8000/- to the status of HSG-I in the scale of Rs.6500-10500/- is issued to have an immediate effect.

<u>SL NO.</u>	<u>Name of posts upgraded.</u>
(a)	Office Supdt. Circle Office, Shillong.
(b)	Postmaster, Dharmanagar H.O.
(c)	Postmaster, Itanagar H.O.
(d)	Postmaster, Kohima H.O.
(e)	Postmaster, Aizawl H.O.

2. Before upgradation of the posts the Supdt. of Post Offices, Dharmanagar and the Director of Postal Services, Mizoram will ensure that one (1) regular post of Postal Asstt. in the scale of pay Rs.4000-6000/- each from their respective Divisions is abolished with reference to it's original sanction order as the upgradation is ordered under matching saving. Particulars of posts abolished should be communicated to this Office for onward submission of report to the Dte. A separate information should also be given to the Asstt. Director (Staff) of the Circle Office, Shillong for issuing posting order of HSG-I Official.

3. The expenditure involved in this sanction is debitable to head of A/C as follows :-
(a) above 01.101.01 salary of Circle Office.
(b) to (c) 01.101.02 salary of Postal Divisions.

(J. M. Dutta)
Asstt. Director (Establishment)

(contd. to page 2)

(Page-2)

Copy to : 1-3. The Director Postal Services, Mizoram/ Itanagar/ Nagaland for doing the needful as stated above and submission of information regarding date of abolition/upgradation of posts.

4-5. The APMG(A/Cs)/ AD(Staff), C.O. Shillong for similar action please. The AD(Staff) will kindly note that the work of identification of posts, holding of DPC and placement of the Officials against the posts should be completed as early as possible. The mode of recruitment for the upgraded posts will be by the method of selection as prescribed in the Recruitment Rules for the HSG-1 posts for the concerned Unit. He will also ensure this Estt. Section the particulars of posts abolished by Dharmanagar and Mizoram Divn. before upgradation of Dharmanagar and Aizawl H.Os respectively.

6-7. The DPS, Manipur/ Agartala for information.

8. The SSPOs, Meghalaya, Shillong for information.

9. The Supdt. PSD, Silchar for information.

10. Sr. Postmaster, Shillong GPO.

11-19. The Postmaster, Agartala/ Dharmanagar/ R.K.Pur/ Imphal/ Aizawl/ Kohima/ Itanagar/ Tura H.O.

20. The Director of Accounts (Postal), Calcutta.

21. The Dy. DA(P), Shillong.

22-25. Est. file of Circle Office/ Dharmanagar HO/ Aizawl HO/ Itanagar HO/ Kohima HO.

26-30. Spare copies.

J. M. Sult
For Chief Postmaster General
N. E. Circle, Shillong-793 001.

(24)
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VERIFICATION.

I, shri Jyoti May Datta presently
working as APMG (vrf) am duly authorised and
competent to sign this verification, do hereby solemnly
affirm and state that the statements made in para 4 to 7, 11 to 21 and
24 are true to my knowledge and belief, these made in
para 1, 8, 9 and 10 being matter of record,
are true to my information derived therefrom and the rest
are my humble submission before this Hon'ble Tribunal, I have
not suppressed any material facts.

I sign this verification on this 25th day of July
2002.

Jyoti May Datta
Declarant.

16 11 2002
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

In the matter of :

O.A. No. 152 of 2002

Shri T.K.Dutta Roy

-VS-

Union of India & Ors.

And

In the matter of :

Rejoinder submitted by the applicant in reply to the
written statement submitted by the Respondents.

The applicant above named most humbly and respectfully begs to state as under :

1. That with regard to the Brief history of the case stated by the Respondents in their written statement, the applicant begs to state that the applicant was promoted as Office Superintendent with effect from 1.9.1995 on regular basis vide memo dated 7.2.1995 (Annexure-I of the O.A.) and placed in the pay scale of Rs. 1600-2660, a scale of HSG-II which he had been drawing in his earlier post also. It is worth mentioning that while the applicant was given the scale of HSG-II, he was assigned with all the duties and responsibilities of Superintendent (HSG-I) like the Superintendent Grade-I of other Circle Offices. Eventually the applicant was promoted from Office

Filed by the applicant
through Advocate Shri
G. N. Chalerang on
16-8-2002.
hgr

Superintendent (HSG-II) to Office Superintendent (HSG-I) in the pay scale of Rs. 6500-10,500/- vide memo dated 22.5.2001 (Annexure-II to the O.A.) and he assumed charges as HSG-I with effect from 22.5.2001, where he is still continuing.

At the time of bifurcation of the North Eastern Composite Postal Circle during June, 1988, the senior posts in the different upper cadres were retained with N.E. Circle and transferring the junior posts of those cadres to the newly created Assam Circle. Surprisingly in the case of Office Superintendent the senior post i.e. the HSG-I level post was transferred to Assam Circle and the HSG-II level post was retained with the N.E. Circle which is the parent circle. However, in the relevant order of bifurcation/distribution of posts issued on 22.6.88 (Annexure-X to the OA) it was specified in para-8 that for the post of Office Superintendent the respective circles will examine the justification of the post or its up gradation where necessary. Unfortunately such exercise was not done in case of the post of Superintendent in N.E. Circle whereas the N.E. Circle was not only senior to Assam circle in point of creation and headed by the erstwhile top post of Post Master General, but all the duties and responsibilities of HSG-I was existing with the N.E. Circle like other circles and those duties of HSG-I were entrusted to the applicant on regular basis with effect from 1.9.1995 in the name and grade of HSG-

II. Thus while the applicant was entrusted with higher responsibilities of HSG-I, he was given the scale of HSG-II and reckoning his seniority as HSG-II only in a wrong and unjust manner. It is relevant to mention here that prior to June, 1988, the post of O.S. (HSG-I) was existing in N.E. Circle and again from April, 2001, the same HSG-I post was created in N.E. Circle but only during the intervening period the said post was abolished from N.E. circle depriving the applicant of the benefit of HSG-I.

2. That the applicant categorically denies the statements made in paragraphs 1,4,5,6,7 and 8 of the written statement and begs to state that the post of Office Superintendent in the circle office, Shillong was upgraded from HSG-II to HSG-I in 1981 vide Memo dated 19.5.1981 (Annexure-VII to the O.A.) and under the said memo the post of Office Superintendent in the HSG-II grade in the circle office, Shillong was abolished, meaning thereby that the post of Office Superintendent in the circle office, Shillong is in the grade of HSG-I only with effect from 10.5.1981. The said post of Office Superintendent (HSG-I) in the circle office, Shillong was thereafter made permanent vide Memo dated 29.3.1985 (Annexure-VIII of the O.A.) with effect from 1.3.1985 and the same was reflected in the gradation list corrected up to 1.7.1986, showing therein one permanent post of Office Superintendent in the scale of HSG-I.

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It is relevant to mention here that although the applicant was placed in HSG-II grade on regular basis from 1.9.1995 but he was placed in the same position earlier also in three different spells and in all the cases he has been shouldering the duties and responsibilities of O.A. (HSG-I) similar to that of HSG-I incumbents in all other circles. Hence the applicant, in all prudence ought to have been treated as HSG-I at least from 1.9.1995, if not earlier and his seniority ought to have been considered as HSG-I and not as HSG-II as shown in the impugned seniority list.

3. That the applicant categorically denies the statements made in paragraphs 9,10,11 and 12 and further states that due to irrational transfer of the Office Superintendent (HSG-I) post to the newly created Assam Circle and retention of the Office Superintendent (HSG-II) post in the original N.E. circle a clear discrimination was made in as much as that the person joining as Office Superintendent in newly created Assam Circle at a later point of time could enjoy the superior scale of HSG-I while his counterpart having worked in the older N.E. circle even prior to the creation of Assam circle was given the lower scale of HSG-II. Similarly, the Office Superintendent working in other newly created circles like Jharkhand, Uttaranchal, Chattisgarh who could enjoy the HSG-I

scale even in spite of creation of those circles much later than N.E. Circle while the Office Superintendent of N.E. circle having worked even prior to the creation of those circles has been deprived of HSG-I scale and placed in HSG-II scale only in the name of bifurcation even though the nature and quantum of works of the Office Superintendent in the N.E Circle is same as that of other circles. Further, the representations of the applicant were rejected by the respondents without considering the discriminatory treatment meted out to the applicant and without any application. While the applicant was designated as Office Superintendent and while the same quantum of works which were being performed by the Office Superintendent (HSG-I) in other circles since their very creation were also being performed by the Office Superintendent (HSG-I) in other Circles since their very creation were also being performed by the Office Superintendent of N.E. Circle, as in the case of the applicant, there is no earthly reason to treat the applicant as HSG-II with effect from the date he assumed charges as Office Superintendent i.e. From 1.9.1995 and the applicant ought to have been placed in the seniority list of HSG-I instead of that of HSG-II and subsequently considered for promotion to the post of Asstt. Director (Rectt.) although those promoted as Asstt. Director vide order dated 31.12.01 as sated by the respondents.

4. That as regards the statements made in paragraphs 13,14,15,16,17,18,19,20 and 21 of the written statement, the applicant humbly submits, that the placement of the applicant in HSG-II in spite of his discharging the duties and responsibilities of Office Superintendent (HSG-I) with effect from 1.9.1995 is unjust and unfair and as such his requests and pray for treating him as HSG-I is based on facts and fully tenable in the eye of law. Further the anomalies of seniority in case of Gujrat and Haryana Circle and denial of proper seniority to the applicant as pointed out by the applicant has been avoided by the respondents in a casual manner as stated in paragraph 13 of the Written Statement.
5. That the applicant categorically denies the statements made in paragraph 23,24, 25,26 and 27 and begs to submit that the discrepancies and anomalies as stated above and consequential denial of legitimate claim of the applicant are all attributable to the respondents and as such the relief(s)/ interim relief sought for by the applicant are admissible and the applicant is fully entitled for the same.
6. That in the facts and circumstances stated above, the application deserves to be allowed with costs.

VERIFICATION

I, Shri Tapan Kumar Dutta Roy, Son of Late Dr. Subodh Chandra Dutta Roy, aged about 57 years, working as Office Superintendent, Office of the Chief Postmaster General, N.E.Circle, Shillong, do hereby verify that the statements made in Paragraph 1 to 6 of the rejoinder are true to my knowledge and I have not suppressed any material fact.

And I sign this verification on this ^{16/5} the _____ day of August, 2002.

Tapan Kumar Dutta Roy.