

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 107 of 2002

Jabalpur, this the 11<sup>th</sup> day of August, 2004

Hon'ble Mr. M.P. Singh, Vice Chairman  
Hon'ble Mr. Madan Mohan, Judicial Member

T.R. Samtani  
Assistant Head Record Officer  
O/o Head Record Office Railway  
Mail Service Jabalpur Division,  
Jabalpur.

APPLICANT

(By Advocate - None)

VERSUS

1. Union of India and others  
through the Secretary  
Ministry of Communication  
Department of Posts, Dak  
Bhawan, Sandad Marg,  
New Delhi.
2. The Chief Post Master General  
Madhya Pradesh Circle  
Bhopal.
3. The Chief Post Master General  
Chhattisgarh Circle  
Raipur.
4. The Director  
Postal Services  
Raipur Region (Chhattisgarh Circle)  
Raipur

RESPONDENTS


(By Advocate - Shri B.Da.silva on behalf of  
Shri Om Namdeo)

O R D E R


By Madan Mohan, Judicial Member -

By filing this OA, the applicant has sought the  
following main relief :-

"1) to direct the respondents to convene a  
Review DPC so as to rectify the defects discussed  
in above paras. So that the name of the applicant  
legitimately be brought in to the zone of consideration  
of DPC for promotion".



2. The brief facts of the OA are that the applicant was working in the capacity of Assistant Head Record Officer under Head Record Office, RMS, JB Division with Head Quarters at Jabalpur, within the jurisdiction of Chief Postmaster General, Chhattisgarh Circle, Raipur. The post held by the applicant belongs to HSG II cadre in the pay scale of 5000-8000. The incumbency of the applicant is determined by virtue of RMS Accounts qualification and at the time of next promotion the seniority fixed in the accounts line is to be taken into consideration. A list vide Chief PMG Bhopal (Respondent No.2) memo dated 29.1.2002 was issued under which 17 HSG II officials had been selected by the concerned DPC for promotion to HSG I cadre. In the list, the name of the applicant had been excluded, though being an Accounts Line HSG II official and by virtue of reservation the applicant deserves to be selected for promotion to HSG I. Vide D.G. Post, New Delhi circular dated 12.1.2001 (Annexure A4) four new postal circles have been ordered to be created. Consequently Madhya Pradesh Postal Circle has been bifurcated into M.P. Postal Circle and Chhattisgarh Postal Circle. Both the postal circles should have maintained a separate gradation list on the basis of circle seniority so that the existing seniority of officials at the time of their promotion may correctly assessed. Before issuance of list dated 29.1.2002 of selected candidates, no separate DPC has been constituted for M.P. Circle and Chhattisgarh Circle, which is technically wrong. If separate DPC has been constituted for Chhattisgarh Postal Circle for selecting eligible RMS officials, from within the circle itself, the applicant would have been selected by virtue of his place of existing seniority in the



Circle Gradation List of Chhattisgarh Postal Circle.  
The applicant's claim has not been considered. Hence  
this OA is filed.

3. None is present for the applicant. Hence the OA is disposed of by invoking the provisions of Rule 15 of the CAT (Procedure) Rules, 1987. It is argued on behalf of the respondents that as per the norms, DPC considered all those officials of HSG.II posts who were in the zone of consideration to fill up 17 posts of HSG.I for RMS (General Line). The DPC recommended 17 officials for promotion to HSG.I. Copy of DPC minutes is annexed as Annexure R-3. The applicant's name was at Sl.No.32 and there were only 17 posts of HSG.I RMS (General Line) and hence the DPC recommended 17 officials from the gradation list. Therefore the question of selection of the applicant for HSG I RMS (General Line) does not arise. Though M.P.Postal Circles have been bifurcated into two circles, the cadres for both the circles are common and promotions have been made from common seniority lists as maintained by erstwhile M.P. Postal Circle. The DPC was convened at Bhopal on 4.1.2002 as per orders of the Principal Chief Postmaster General, M.P.Circle, Bhopal who was holding the charge of Chhattisgarh Circle. Hence the applicant is not entitled for the reliefs claimed.

4. Heard the learned counsel for the respondents and carefully perused the records.

5. We find that the name of the applicant was considered by the DPC. His name was at Sl.No.32 while the DPC



recommended only 17 officials for promotion to HSG.I Grade (RMS)(General Line), hence the applicant's name could not be considered. The respondents have made it clear that though M.P.Postal Circles have been bifurcated into two circles, namely, M.P.Postal Circle and Chhattisgarh Postal Circle but the cadre of both the circles is common and not bifurcated and seniority list is maintained by the M.P.Postal Circle. The DPC which was convened on 4.1.2002 at Bhopal was also holding the charge of Chhattisgarh Circle as per the orders of the Principal Chief Postmaster General, M.P.Circle.

6. Considering all the facts and circumstances, we are of the opinion that the applicant is not entitled to the reliefs claimed. Hence the OA is dismissed.

(Madan Mohan)  
Judicial Member

(M.P.Singh)  
Vice Chairman

aa.

पूछांकन से ओ/रवा.....जबलपुर, दि.....  
पत्तिरिक्ति अचो थित--

- (1) सचिव, उच्च न्यायालय बार एसोसिएशन, जबलपुर
- (2) आवेदन श्री/श्रीमती/शु.....के काउंसल
- (3) प्रत्यक्ष श्री/श्रीमती/बु.....के काउंसल
- (4) न्यायालय, को.प्र.अ., जबलपुर न्यायाधीश सूचना एवं आवश्यक कार्यवाही हेतु

applicant  
B. das  
16-8-04  
उप रजिस्ट्रार

Issued  
on 16-8-04  
BS