

**Central Administrative Tribunal
Madras Bench**

OA 310/01588/2018 & MA 310/00659/2018

Dated Monday the 3rd day of December Two Thousand Eighteen

P R E S E N T

Hon'ble Mr. R.Ramanujam, Member(A)

1. All India Association of Postal Supervisors (GL),
having offie at SRT Nagar PO Building,
4th Floor, Opp. To Meghdoot Bhawan,
New Delhi 110055.
Camp at Gopalapuram S.O.,
Chennai 600086, Tamil Nadu,
rep by its General Secretary,
K.Kalimuthu,

2. M.Muthukrishnan,
S/o. P. Marikannu,
115/6, Five Star Apartments,
Padikuppam Road, Annanagar,
Chennai 600040.
(Postmaster Grade III)

... Applicants

By Advocate **M/s. R. Malaichamy**

Vs.

1. Union of India,
rep by the Director General of Posts,
Ministry of Communications & IT,
Department of Posts,
Dak Bhawan, Sansad Marg,
New Delhi 110001.

2. The Deputy Director General (Estt),
Ministry of Communications & IT,
Department of Posts,
Dak Bhawan, Sansad Marg,
New Delhi 110001.

3. The Director (Staff),
Ministry of Communications & IT,
Department of Posts,
Dak Bhavan, Sansad Marg,
New Delhi.

4. The Chief Postmaster General,
Tamil Nadu Circle,
Anna Salai, Chennai 600002. .. Respondents

By Advocate Mr. M. Kishore Kumar

ORAL ORDER

Pronounced by Hon'ble Mr. R. Ramanujam, Member(A)

MA 659/2018 for joining the applicants together and filing single OA is allowed.

2. The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

“i. To direct the 1st respondent to instruct the competent authorities not to promote the officials under one time relaxation of service conditions to HSG-II, HSG-I further HSG-I (NFG) cadres till the report submitted by the Postmaster cadre committee appointed dated 12.10.2018 by the 1st respondent and its implementations for which the 1st applicant Association made a representation dated 14.11.2018 to the 1st respondent; further'

ii. direct the 1st respondent to review the promotion if any, given to the general line cadre officials to the said HSG II, HSG I and further HSG I (NFG) cadres vide Group C cadre restructure order dated 27.05.2016 before Postmaster cadre committee report and promote the eligible Postmaster cadre officials in the place of juniors in the General line cadre, and;

iii. To pass such further or other orders”

3. It is submitted that the Members of the first applicant Association and the second applicant were keen that the proposal to restructure the Postmaster cadre be expedited in terms of an alleged bilateral agreement. The authorities had already agreed to make all possible efforts to settle the applicants' grievance at the earliest.

The second respondent had constituted a seven member Committee to consider the proposals by Annexure A2 order dated 12.10.2018. The terms of reference of the Committee includes a review of the efficacy of a separate cadre for Postmasters, to examine the proposal of cadre restructuring for Postmasters and to examine other administrative and operational aspects/issues relating to the cadre. The Committee was directed to submit its recommendations by 30.11.2018.

4. It is further submitted that while the Committee is still considering the issue and has not submitted its report by the deadline, Annexure A6 letter dated 27.11.2018 has been issued to certain officials seeking their option for posting in the event of their promotion to HSG-I. The persons to whom these letters have been issued would eventually be juniors to the applicants once cadre restructuring proposal materialises. As such the interest of the applicants would be irreversibly prejudiced in the event of their promotion before cadre restructuring is effected.

5. Mr. M. Kishore Kumar takes notice for the respondents.

6. A perusal of the pleadings indicates that the applicants apprehend the possibility of promotion orders being issued in favour of certain persons who would allegedly be their juniors as and when the cadre restructuring is effected. It is seen that the Committee to go into the issues had been directed to submit its recommendations by 30.11.2018 by Annexure A2 order dated 12.10.2018. As such, even if its term is extended by a month or two, it appears that the committee would submit its recommendations, not in the too distant future.

7. In the above circumstances, I am of the view that the respondents could wait

till the recommendations of the Committee are available unless it would be their contention that the applicant's interest would not be prejudiced in any manner while implementing the Committee's recommendations even if promotions are granted to the persons from whom option have been called by Annexure A6 letter dated 27.11.2018. It is also seen that the first applicant has made Annexure A7 representation dated 28.11.2018 in this regard. I, therefore, deem it appropriate at this stage to direct the respondents to consider the representation of the first applicant and pass a reasoned and speaking order within a period of four weeks from the date of receipt of copy of this order. No order prejudicial to the interests of the applicants shall be passed in the mean time.

8. OA is disposed of in the above terms at the admission stage.

(R. Ramanujam)
Member(A)

AS