

**Central Administrative Tribunal
Principal Bench**

**TA No.12/2015
MA No.3020/2018**

New Delhi, this the 25th day of July, 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

All India Association of Postal
Supervisors (General Line)
C.H.Q.
168, Mandawali, Fazalpur,
Near M.C.D. Primary School,
Delhi-110092

Through Its

General Secretary,
K. Kanniappan,
Son of Late P. Krishnan,
Public Relations Inspector (Postal),
Vepery, Chennai-600 0007.

...Applicant

(By Advocate : Shri Prashant Chandra with Shri Amit
Yadav)

Versus

1. Union of India, through
Secretary,
Ministry of Communication,
(Department of Posts)
Dak Bhavan, Parliament Street,
New Delhi-110001.
2. The Secretary,
Government of Personnel and Training,
New Delhi.
3. The Director (S.R.),
Government of India,
Ministry of Communication,
Department of Posts

(S.R. Section) Dak Bhawan,
New Delhi-110001.

...Respondents

(By Advocate : Shri Ravinder Kumar Sharma)

ORDER (ORAL)

Justice L. Narasimha Reddy, Chairman :-

The applicant is the All India Association of Postal Supervisors (General Line). In the context of recognition of service Association and their eligibility to participate in the re-verification process through check off system, the Department of Posts issued a circular dated 19.12.1996, stipulating the guidelines to be followed for the purpose of recognizing the service Associations. Item 8 thereof, is in respect of supervisors of the department. This included the categories of employees of Lower Skill Grade (LSG) (including IBOP), HSG-II (including BCR) & HSG-I officials (General Line) of Post Offices, RMS and Administrative offices. The applicant as well as Indian Postal Service Association are recognised for this purpose.

2. The applicant filed WP(C) No.1827/1997 before the Hon'ble Delhi High Court, challenging the said circular, insofar as, it has included various categories of

employees under the heading of 'supervisors'. Similar relief is claimed in respect of Sl. No.1 of the circular dated 19.12.1996, which relates to Group 'C' employees and Sl. No.8, which relates to Supervisors. The WP was transferred to this Tribunal and re-numbered as the TA No.12/2015.

3. The applicant contends that on account of the inclusion of the employees whose duties are not similar, the very nature of the category has been changed. It is also stated that on account of the inclusion of Group 'C', the negotiating power of the applicant is adversely affected.

4. The respondents filed counter affidavit opposing the OA. According to them, the grouping was done duly taking into account, the nature of duties and it is only the employees who are discharging the duties of supervisors, that are included in item No.8 and that the applicant cannot have any grievance about the same.

5. We heard Shri Prashant Chandra and Shri Amit Yadav, learned counsel for applicant and Shri Ravinder Kumar Sharma, learned counsel for respondents.

6. This case is pending for the past 22 years. The issue is about the grouping of the certain categories of employees, in the limited context of the recognition of Unions for the purpose of negotiation. The Department of Posts published a list dated 19.12.1996 in this behalf. Categories 1 and 8 read as under :-

| Sl. No. | Category | Employees eligible for being including in this category | Name of the applicant Associations | Remarks |
|---------|------------------|--|--|---------|
| 1. | 2. | 3. | 4. | 5. |
| 1. | Group C (Postal) | All Group C Postal Staff excluding Postmen | 1)All India Postal Employees Union Cl.III 2)National Union of Postal Employees Class-III 3)Bharatiya Postal Employees Union Clss-III 4)Indian Postal Employees Association Group C (Postal) | |
| xx | Xx | xx | xx | Xx |
| 8. | Supervisors | LSG (including IBOP), HSG-II (including BCR) & HSG-I officials (General line) of Post Offices, RMS and Administra tive offices | 1)All India Association of Postal Supervisors (General line) 2)Indian Postal Supervisors Association. | |

7. The applicant is an Association of Supervisors. Their immediate concern is about the category 8. From a perusal of the category 8, extracted above, it becomes clear that employees at different levels are included therein. The apprehension of the applicant is about the presence of supervisors in RMS. Here itself, it is essential to mention that the Group 'C' staff in RMS and MMS are included in category-2 and Group 'C' of Circle Office Administrative Staff are included in category-5. After exclusion of those categories what remains in category 8 is only the supervisors of various descriptions. When all of the supervisors are working in different establishments, there is no reason to apprehend that the negotiating power of the applicant would be adversely affected.

8. In the context of the formation of Unions or recognition thereof, it is not necessary that the duties of the Members thereof must be identical in all respects. When major issues are dealt with by the Association of employees, which takes in its fold all categories, there is no reason to believe that the ability of an Association, pertaining to specific categories is diminished. Further division of the same category of employees, simply based

upon the place of working and other similar aspects, would only lead to unnecessary multiplication of the same area of activity.

9. Further, it is not as if, an employee enters the service as Supervisor and remains as such, till the date of retirement. He occupies that position at an intermediary stage. He gets the position by promotion and on further promotion he leaves that post. When such is the temporary nature, much attention need not be paid to the same. At any rate, what happened over the past 22 years, is not immediately before us.

10. We do not find any merit in the OA and the same is accordingly, dismissed.

Pending MAs, if any, stand disposed of.

There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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