

No. Q-09/2/2023-PE-I-DOP
Government of India
Ministry of Communications
Department of Posts
(PE-I Section)

Dak Bhawan, Sansad Marg,
New Delhi – 110001

Dated: 21 November, 2023

To,

The General Secretary,
All India Postal SBCO Employees Association,
(Kind Attention: Mr. K. R. Jeevan – Treasurer)
HQ: Park Town HPO, Chennai – 600003 (Tamilnadu)

Subject: Regarding the issues and demands of SBCO officials – disposal of reference in view of directions of Hon'ble CAT, Madras Bench passed on 12.07.2023 in OA No. 501/2023.

Madam,

Reference is invited to O.A. No. 501/2023, filed by the All India Postal SBCO Employees Association, Tamilnadu Circle represented by its Treasurer & another, before the Hon'ble CAT, Madras Bench, seeking to quash the Order No. Q-25/11/2022-PE-I-DOP dated 16.11.2022 and all orders issued subsequently related to merger of PA (SBCO) with PA (PO) and direct the respondent to retain the establishment of SBCO as it is or to attach with the Postal Audit and Accounts.

2. The Hon'ble CAT, Madras Bench decided the O.A. vide its Order dated 12.07.2023 with directions to consider the Representation dated 08.06.2023 of the applicant Association.

3. The decision to merge PA (SBCO) with PA (PO) has been taken by the Competent Authority after consulting all the stakeholders i.e. Postal Circles/Federations of Staff Unions / Associations in larger interest of the Department (Govt. of India) for effective and efficient management of the cadres. The concerned Staff Federations / Associations / Unions had also favoured/agreed for the merger. However, the merger of PA (SBCO) with PA (PO) was based on the choice of the existing incumbents and no where it was made mandatory. In case, a PA (SBCO) decides to remain in SBCO cadre, he/she was free to do so. Around 69 % officials of PA (SBCO) cadre opted to switch over to PA (PO) in the first opportunity. Another opportunity was also given w.e.f. 01.06.2023 to 30.06.2023 to the left – out PA (SBCO) officials to switch over to PA (SBCO).

4. The representation no. AIPSBCEA/CHQ/DEMANDS OF SBCO OFFICIALS/2023 dated 08.06.2023 of All India Postal SBCO Employees Association has been considered with following comments/reply:

- (i) As per the instructions contained in point no. 1(j) of Annexure-A of Directorate letter no. Q-25/11/2022-PE-I-DOP dated 16.11.2022, consequent upon merger of PA (SBCO) officials on their option and establishment of PA (SBCO) with PA (PO), posting in SBCO branch shall be done in following manner:
 - (a) Officials in the cadre of PA (SBCO) shall be rotated on completion of tenure to the posts that are still in the cadre of PA (SBCO) and has not been merged to PA (PO) cadre, by Regional Transfer and Posting Committee (TPC).
 - (b) Division level TPC will provide staff to the posts in SBCO Branch which have been merged with PA (PO) cadre, from PA (PO) cadre officials under control of concerned Postal Division.
 - (c) In order to provide sufficient staff in SBCO Branch, Divisions may post additional officials of PA (PO) cadre against PA (SBCO) posts, if any, which remains vacant due to non-availability of PA (SBCO) cadre officials.
 - (d) Detailed guidelines for rotational transfer of PA (SBCO) employees will be issued shortly.
- (ii) It was decided to merge all vacant posts of PA (SBCO) to PA (PO) cadre and also post alongwith incumbents who are willing to switch over to PA (PO) cadre. This has been done to enable recruitment against such posts to provide sufficient manpower to SBCO Branch for its day to day function. In case of non-filling of vacant posts and keeping it idle in the cadre of PA (SBCO) will on one hand carry risk of falling under 'Deemed Abolished' category and on other hand will create pressure of shortage in SBCO Branch hampering its day to day function.
- (iii) Earlier SBCO Branch, Circle Office and Postal Accounts had similar cadres of LDC and UDC. However, later on LDC/UDCs in CO/RO and SBCO were re-designated as Postal Assistant (CO/RO) and Postal Assistant (SBCO) respectively. After re-designation, any instructions related to transfer of such employees (erstwhile LDCs/UDCs) to Postal Accounts Wing cease to exist. Prevailing instructions restricts inter-cadre transfer in Department of Posts.
- (iv) The order issued vide this office letter no. Q-25/11/2022-PE-I-DOP dated 16.11.2022, is only for merger of staff of SBCO with Postal Operative Side, i.e. PA (SBCO) with PA (PO), not for merger of SBCO unit with Postal Operative Side. The SBCO unit shall still function

as an independent internal check unit doing all the work it was doing prior to issue of this order, while observing all the rules and regulations prescribed for SBCO, i.e. maintaining check over POSB Schemes/transactions. Thus, the merger of PA (SBCO) with PA (PO) will not affect the functioning of SBCO as an independent internal check unit.

- (v) In the order dated 16.11.2022, in para 11 of Annexure-A, it is instructed that *"Such Postal Assistants, who are working in Savings Bank / Savings Certificate Branch of MDG / HOs, and other bigger offices (LSG and above before cadre review), and also working in 'A', 'B' and 'C' class Sub-Post Offices should not be posted in SBCO branch immediately on completion of such tenure. Posting of an official in SBCO branch shall be on tenure basis and no extension of post tenure shall be allowed. Further, no official shall be re-posted in SBCO branch before giving a break of post tenure (three years) outside SBCO branch"*. Guidelines related to posting of officials in SBCO Branch will be issued in due course of time to curb any risk of compromising Saving Bank operations.
- (vi) In view of the above, the request of the Association either to repatriate the whole SBCO setup OR to bring the SBCO units under the control of GM (PA &F) OR to absorb the willing SBCO officials into the Postal Accounts Office is unjustified and not agreeable.

5. Thus, the representation of the Association is disposed of accordingly being devoid of any merit.

6. This issues with the approval of the Secretary (Posts).


21/11/2023

(R. N. Bharti)

Director (Estt.)

Tele: 011-2309 6235

Copy to:

- (i) The CPMG, Tamilnadu Circle, w.r.t. letter no. ESB/15-498/2023 dated 11.09.2023.
- (ii) Deputy Registrar, Central Administrative Tribunal, Madras Bench, 1st and 2nd Floor, High Court Campus, Chennai – 600104 – w.r.t. Order dated 12.07.2023 passed in the O.A. No. 501/2023.