(Open Court)

Central Administrative Tribunal

Allahabad Bench, Allahabad.

Dated: Allahabad, This The 01st Day of June, 2000.

Coram:

Hon'ble Mr. S. Dayal, A.M.

Hon'ble Mr. Rafiq Uddin, J.M.

Original Application No. 1750 of 1992.

alongwith

Original Application No. 1751 of 1992.

along with

Original application No. 1752 of 1992.

1. O.A. in 1750 of 1992.

S. P. Hatwal S/O Late Sri S. D. Hatwal
aged about 55 years, Presently posted as
Driller, G.S.I. Complex Aliganj, Sector-E,
R/O Falt No.47, Type IV, Sector-K,
Aliganj, Lucknow.

2. O.A. in 1751 of 1992.

Raveshwar Bahadur
S/O Late Dr. K. R.Bahadur,
aged about 57 years, Presently working as
Driller in Geological Servey of India,
Lucknow, R/O 12 Kaisar Bag,
Dr. R.K. Tandon Road, Lucknow.

3. O.A. in 1752 of 1992.

A.M. Mathur S/o Late Sri B.N. Lal Mathur
aged about 52 years, Presently Posted as
Driller, in the office of Geological Servey
of India, Lucknow, R/O 46/4, Kendranchal,
Sector-K, Aliganj, Lucknow.

. . . Applicants.

Counsel for the applicants: Sri A.V.Srivastava, Adv

Versus

1. Union of India through its Secretary,
   Department of Mines,
   Ministry of Steel and Mines Steel,
   New Delhi.

2. Chairman, Union Public Service Commission,
   New Delhi.

3. Director General,
   Geological Servey of India,
   27, Jawahar Lal Nehru Road,
   Calcutta-700 016.

4. Senior Deputy Director General,
   Northern Region Geological Servey of India,
   G.S.I. Complex, Sector-E, Aliganj, Lucknow.

5. Mr. B. Kumar
   Presently posted as Deputy Director of General,
   Drilling, Southern Region, Hyderabad.

. . . Respondents in All O.As.

Counsel for the respondents: Sri Ashok Mohiley,Adv.

ORDER

(By Hon'ble Mr. S. Dayal, Member-A)

These applications have been filed for seeking directions to the respondents to re-consider the case of the applicant for promotion to the post of Drilling Engineer (Junior) and grant of all consequential benefits. A direction has also sought to the respondents for declaring the recruitment rules should be deemed to have been relaxed for treating the services rendered by the applicant

on the post of Drilling Engineer(Junior) on regular basis with all consequential benefits.

2. The applicants have mentioned that they worked on the post of Driller in Group'B' and the next promotional post was Drilling Engineer(Junior) which is a Group'A' post. The said post is a selection post to be filled up equally by direct recruitment and promotion. The eligibility condition for promotion is five years service as Driller rendered after appointment on regular basis. The applicants claim that they had joined the post of Driller on 02.04.1963, 17.08.1963 and 02.04.1966 respectively and had completed five years service required for eligibility. Thereafter the applicants have been stagnating. The vacancies of Drilling Engineer(Junior) remained unfilled for years altogether due to non-joining of selected directly recruited candidates. They made representation and were assured at the time of cadre review that one time relaxation would be granted in an effort to relieve the situation of stagnation but no remedial action was taken by the respondents. On 19.08.1992, the D.P.C. was convenced to fillup a promotional quota. Fifteen vacancies were to be filled up through promotion out of which three were for reserved candidates. The D.P.C. recommended twelve candidates and the applicants have claimed that the officers who were recommended from serial No.5 to serial No.9 were junior to the applicants.

3. The arguments of learned counsel Sri A.V. Srivastava for the applicant and Sri Ashok Mohiley for the respondents have been heard.

4. The learned counsel for the respondents has drawn attention to the counter reply in which it has been stated that it was true that juniors to the applicants were selected, the post of Drilling Engineer(Junior) was a selection post and the D.P.C. considered, the applicants but did not find them fit for promotion. The respondents have also contended that the D.P.C. had properly assessed the performance of the applicants had thereafter made its recommendations.

5. We find that the averment of the respondents have not been controverted by the applicants. Since the applicant had been considered and not found fit for inclusion in the select list, we do not find any merit in the application and the same is dismissed.

6. There shall be no order as to costs.

Member-J Member-A

/Raza/