

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
CIRCUIT SITTING
AT NAINITAL

Original Application No. 1222 of 1995

Nainital this the 22nd day of October, 2002

Hon'ble Mr.Justice R.R.K. Trivedi, V.C.
Hon'ble Maj Gen K.K. Srivastava, A.M.

1. Smt.Neeta Sunil Goswamy, aged about 35 years,
Wife of Shri Sunil Goswamy, R/o 1/6 Vijay Park
Extension , Chakrata Road, Dehradun.
2. Smt.Ragini Sharma, aged about 35 years, D/o
Shri Krishna Kumar, R/o 24, Arhat Bazar,
Dehradun.
3. Rajesh Kumar Sinhal, aged about 35 years, Son
of Late Shri S.R. Singhal, R/o 2-A, Basant Vihar
Enclave,Dehradun.
4. B.C. Joshi, aged about 40 years, Son of Late
Shri G.D. Joshi, R/o 251, West Canal Road, Sewla
Kala, P.O. Mazra, Dehradun.
5. Devi Singh, aged about 26 years, Son of Shri Mehar
Chand, R/o Vanasthali, Ballu Pur, Dehradun.

Applicants

By Advocate Shri K.C. Sinha

Versus

1. Union of India through Secretary, Ministry of
Environment & Forest, Paryavaran Bhawan, C.G.O.
Complex, Phase II, Lodhi Road, New Delhi-110003.
2. Director, Forest Survey of India, Kalagarh Road,
Dehradun-248006.
3. Joint Director, National Forest Data Management
Centre, Forest Survey of India, Kalagarh Road,
Dehradun-248006.

By Advocate Km.S. Srivastava



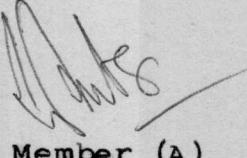
O R D E R (Oral)

By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

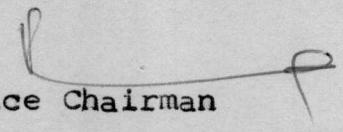
Five applicants before us are serving as Junior Technical Assistant, Cartography, Forest Survey of India, Kalagarh Road, Dehradun. They have approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 and have prayed for a direction to the respondents to make provision to the extent that ^{✓ only a} Junior Technical Assistant(Cartography) may be promoted to the post of Senior Technical Assistant in NFDMC Organisation and not others. They have also challenged the seniority list circulated by the order dated 20.06.95, and have challenged the orders dated 12.7.95, 8.9.95, 5.10.95 and 12.10.95. They have also claimed direction to the respondents to issue fresh seniority list of Junior Technical Assistants of NFDMC Organisation and maintain ^{✓ this} as ~~it~~ was being done prior to issuance of letter dated 20.06.95. The Senior Technical Assistants of this Organisation filed O.A.No.691/95 and O.A.No.692/95 before this Tribunal raising similar challenges. The O.As were disposed of finally by order dated 17.04.01 on the basis of Judgment of Principal Bench in O.A.No.441 of 1994. In view of the aforesaid orders, we do not find any justification for interference with the orders impugned in this O.A. The grievance of the applicants appears to be that by subsequent policy of merger, their chances of promotion have been diminished. For Junior Technical Assistant(Cartography)

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the next post for promotion is Senior Technical Assistant, which is a selection post. Thus, the position of the applicants in the seniority list will not affect as selection will be on the basis of performance of the individuals. In any view of the matter, the request of the applicants to make provision for their career progression excluding the others cannot be granted by this Tribunal, if others are also entitled to compete with the applicants in accordance with rules. For such relief, they may approach the Government and convince the competent authority to make provision considering their higher qualification and manner of recruitment. Subject to the aforesaid observations, this O.A. stands disposed of. No order as to costs.



Member (A)



Vice Chairman

/M.M./