

Registered

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
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Commercial Complex(BDA),
Indiranagar,
Bangalore - 560 038

Dated : 16-6-87

APPLICATION NO 190/87(F) 17
/86x)

W.P. NO _____

Applicant

T.S. SESHADRI

Respondents

The Secretary, D/o. Mines & Ors

To

1. T.S. Seshadri,
No.749, 133rd Cross,
9th Main, 4th Block,
Jayanagar, Bangalore-1.
2. Dr. M.S. Nagaraja, Advocate
No.35, 11nd floor,
(Above Hotel Swagath)
1st Main Road, Gandhinagar,
Bangalore-560 009.
3. The Secretary,
Department of Mines,
Shastri Bhavan, New Delhi-1.
4. The Director General,
Geological Survey of India,
27, J.L.N. Road, Calcutta-16.
5. Arvind Pant, Director.
Economic Geology Division--I North,
B-41, Mahanagar Extension, Lucknow.
6. V.K. Raina, Director International
Wing, Geological Survey of India,
No.27, J.L.N. Road, Calcutta-16.

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/XXXXX

~~XXXXXXXXXXXX~~ passed by this Tribunal in the above said

application on 10-06-1987.

Encl : as above

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Please see to all
entire O/C
18/6/87
9
18/6/87
SECTION OFFICER
(JUDICIAL)

7. T.K. Guhasarkar, Director,
Central Zone, AMSE Wing,
Geological Survey of India,
~~XXXXXXXXXXXX~~
310, Laxmi Nagar, Nagpur-22.
8. N.D. Mitra, Director, P&C Division,
Coal Wing, Geological Survey of India
27, H.L.N. Road, Calcutta -16.
9. Shri M. Vasudeva Rao, C.G.S.C.
Bangalore-1.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

DATED THIS THE 10th JUNE 1987

Present : Hon'ble Justice Sri K.S.PUTTASWAMY - Vice-Chairman
Hon'ble Sri P.SRINIVASAN - Member

APPLICATION No. 190/1987(F)

T.S.Seshadri,
1/a No.749,
33rd Cross, 9th Main,
4th Block, Jayanagar,
Bangalore - 1.

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Applicant

(Shri M.S.Nagaraj ... Advocate)

Vs.

The Union of India,
by its Secretary to the
Government of India,
Department of Mines,
Ministry of Steel and Mines,
Shastri Bhavan,
New Delhi.

The Director General,
Geological Survey of India,
No.27, J.L.N. Road,
Calcutta - 16.

Arvind Pant, Director,
Economic Geology Division - I,
North, B 41, Mahanagar Extension,
Lucknow.

V.P.Raina,
Director International Wing,
Geological Survey of India,
No.27, J.L.N.Road,
Calcutta - 16.

T.K.Guhasarkar, Director,
Central Zone, AMSE Wing,
Geological Survey of India,
No.310, Laxmi Nagar,
Nagpur - 22.

N.D.Mitra, Director,
P & C Division, Coal Wing,
Geological Survey of India,
No.27, H.L.N.Road,
Calcutta - 16.

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RESPONDENTS

(Shri M.VASUDEVA RAO ... Advocate)

This application came up before the court today. Justice

Sri K.S.Puttawamy, Hon'ble Vice-Chairman made the following :

O R D E R

In this application made under Section 19 of the Administrative Tribunals Act of 1985 (Act), the applicant has sought for a direction to respondent Nos. 1 & 2 to extend him the benefit of Selection Grade Director (Geology)(SGD), w.e.f. 1.9.86.

2. Prior to 31.8.86, the applicant was working as Director (Geology) in the pay/scale of Rs.1500-2000(pre-revised).

3. On 6.11.86, a Departmental Promotion Committee(DPC) constituted for the purpose considered the case of the applicant and 17 others and recommended for grant of SGD carrying the time scale of Rs.2000-2250(Pre-revised) from 1.9.86 to all of them. But Government taking the view that the applicant should earn one more confidential Report (CR) had not granted the same to him. Hence this application.

4. The applicant has urged that the denial of SGD by Government ignoring the recommendations of the DPC was illegal and improper.

5. In justification of the action of Government, respondents 1 and 2 have filed their reply.

6. Dr M.S.Nagaraja, learned counsel for the applicant contends that the denial of SGD carrying the pay scale of Rs.2000-2250 (pre-revised) to his client from 1.9.1986 though rightly recommended by the DPC was illegal and improper.

7. Sri M.Vasudeva Rao, learned Additional Central Government Standing Counsel appearing for respondents 1 and 2 sought to support the action of Government.

8. As on 1.9.1986, there were 39 posts of Selection Grade Directors in the department. The DPC in its meeting held on 6.11.86 on a careful evaluation of the service records of the appli-



cant, recommended for grant of SGD to him from 1.9.1986 with due regard to the guidelines issued by Government on 7.2.1981(Annexure A) and thereafter also.

9. We have carefully examined the proceedings of the DPC and the service records of the applicant. We find that the recommendations made by the DPC was in conformity with every one of the guidelines issued by Government on 7.2.1981 and was fully justified. But Government denied the same or did not accept the recommendations / of the DPC on the ground that the applicant should earn one more good CR. We are of the view that this reason on which Government denied SGD to the applicant, was a queer reason and is clearly illegal. Every one of the CRs on which the DPC had made its recommendation, disclose that ~~the~~ applicant had an excellent record and he fully merited the grant of SGD from 1.9.86. When the previous records were excellent, it is odd to hold that the applicant should earn one more good CR. From this it follows that the order of the Government denying SGD to the applicant from 1.9.86 cannot be upheld.

10. In the light of our above discussion, we allow this application and issue a direction to respondents 1 and 2 to extend the benefit of SGD in the time scale of Rs.2000-2250(pre-revised) from 1.9.86 with all consequential benefits thereto.

11. Application allowed. But in the circumstances of the case, we direct the parties to bear their own costs.



Sd - - -
(K.S.PUTTASWAMY)
VICE-CHAIRMAN

Sd - - -
(P.SRINIVASAN)
MEMBER

an.
17/6/87
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

'True copy'