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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH

AT JAIPUR.

O.A. No. 743/89

Date of Decision: 19.5.1992.

Geological Survey of India
Employees Association & Ors. - Applicants

Mr. P.K. Sharma - Counsel for the Applicants

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Union of India & Ors - Respondents

Mr. U.D. Sharma - Counsel for the Respondents

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HON'BLE MR. B.B. MAHAJAN, MEMBER (ADMINISTRATIVE)

HON'BLE MR. GOPAL KRISHNA, MEMBER (JUDICIAL)

MR. GOPAL KRISHNA, MEMBER (JUDICIAL)

In this application U/S 19 of the Administrative Tribunals Act, 1985, the applicants, who are employees of Geological Survey of India, have prayed for a direction to the respondents to implement the instructions of the Ministry of Steel and Mines, Department of Mines, as communicated to the Director General, Geological Survey of India vide letter No. A-11013/1/80-M-2 dated 14.5.80 (Annexure A-2), to restore the selection grade posts for drivers in order to provide channel of promotion to them and to frame and notify rules for the said purposes.

Briefly stated, the case of the applicants is that the drivers working in the Geological Survey of India are in the pay scale of Rs. 950-20-1150-EB-25-1500. These drivers are required to drive vehicles in rough terrains as well as in crowded cities and by virtue of their onerous duties they have to live isolated from their families for a considerable time. The responsibility involved in driving vehicles is generally greater than that involved in any other trade. But on the recommendations of the Fourth Pay Commission, certain selection grade posts for drivers created earlier were discontinued although certain

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incumbents in these posts have been allowed to continue in the appropriate scale of pay of Rs. 1200-1800 as their personal scale vide Annexure A-4.

The respondents resisting the applicants have averred that the Fourth Pay Commission, which was an expert body, after considering the entire matter, had recommended for the abolition of the selection grade and did not make any recommendation for providing any promotional avenues to the drivers and that the reasons advanced on behalf of the applicants in support of their case do not merit consideration. The respondents have also averred that since the matter of affording promotional avenues to the drivers shall affect the entire country and it does not concern only the Geological Survey of India, it is under consideration of the Government of India and a decision is yet to be taken thereon. It is also stated in the reply of the respondents that a proposal for promotion of drivers to the post of Transport Supervisor in the pay scale of Rs. 1400-2300 and the draft recruitment rules for the said post have already been made and its approval is awaited.

We have heard the learned counsel for the parties and perused the records.

The matter revolves around the short question of providing a channel of promotion to the applicants-drivers in the Geological Survey of India. It is true that there are no such avenues and the drivers remain stagnated at the maximum of the pay scale which the post of driver in the organisation carries. The deprivation of drivers from any channel of promotion is unreasonable. However, this matter is admittedly under the consideration of the Government of India. The Tribunal cannot direct the respondents to adopt a particular mode for giving promotions to the drivers in

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this case. But their prayer deserves sympathetic consideration in the light of observations made by the Hon'ble Supreme Court in the case of Council of Scientific and Industrial Research and another Vs K.G.S. Bhatt and another reported in AIR 1989 SC 1972. The relevant observations are extracted below:-

" It is often said and indeed, adroitly, an organisation public or private does not 'hire a hand' but engages or employs a whole man. The person is recruited by an organisation not just for a job, but for a whole career. One must, therefore, be given an opportunity to advance. This is the oldest and most important feature of the free enterprise system. The opportunity for advancement is a requirement for progress of any organisation. It is an incentive for personnel development as well".

Orders regarding abolition of the selection grade were issued in May, 1987. No decision on providing any promotional avenues to drivers has been taken since then although more than 5 years have passed. In the circumstances, we direct the respondents to consider the prayer of the applicants expeditiously. The feasibility and manner of giving promotion to the drivers in this case and other modalities may be worked out by the respondents after due deliberations within a period of six months from the date of receipt of this order. This application is, therefore, disposed of with this direction, with no order as to costs.

GK 19-5-92.
(GOPAL KRISHNA)
MEMBER (JUDICIAL)


(B.B. MAHAJAN)
MEMBER (ADMINISTRATIVE)