

42

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH
AT HYDERABAD

O.A.902/92

Dt.of order:24.8.1995

Between

1. Association of Geophysicists
represented by its President
Sri N.C.Murali,Geophysicist(Sr)
Geological Survey of India, Hyderabad

2. SriSP Sankaram .. Applicants
and

1. The Secretary to Government of India
Deptt. of Mines, New Delhi

2. The Director General, Geological Survey
of India, Calcutta .. Respondents

Counsel for the Applicant : Mr. V.Venkateshwara Rao
Counsel for the Respondents : Mr N.R.Devraj, Sr.CGSC

CORAM:

HON'BLE SHRI JUSTICE V. NEELADIR RAO, VICE-CHAIRMAN

HON'BLE SHRI R. RANGARAJAN, MEMBER(ADMN)

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ORDER

As per Hon'ble Shri Justice V. Neeladri Rao, Vice-Chairman

Heard Shri V. Venkateshwara Rao, learned counsel for the applicant and Shri N. R. Devraj, Standing Counsel for the respondents.

2. This OA was filed praying for a declaration that the office order No. 2(27)/AMPT/92/20 dated 18.6.1992 issued by ~~R2~~ is illegal, arbitrary and unconstitutional and without jurisdiction and to quash the same.

3. The activities of Geological Survey of India are ~~xxx~~ essentially aimed at Nation's resources evaluation and for this purpose, Geological, Geophysical, Geochemical, Data-cum-techniques are made and their interpretations are investigated. The total strength of the Geological Survey of India is about 20,000. The three main streams of Scientists in this organisation are Geologists, Geophysicists and Geo-chemists. There are about 250 to 300 Geophysicists employed in various posts viz., Senior Technical Assistant (Geophysics), Assistant Geophysicist, Geophysicist (Junior), Geophysicist (Senior), Director (Geophysics) and Deputy Director General (Geophysics).

4. The charter relating to the functions and responsibilities of Geological Survey of India (GSI for short) was published in the Gazette of India No. 34 dated 25.8.1973. In pursuance of the recommendations of the Review Committee, the following Board of Management was ~~xxxxxxxxxx~~ constituted.

- | | |
|---|-----------------------|
| 1. Secretary, Min. of Steel & Mines | - Chairman |
| Addl. Secretary, Deptt. of Mines | - Alternate Chairman |
| 2. Director General
Geological Survey of India | - Member |
| 3. A senior representative of the
Min. of Finance (Deptt. of Expenditure) | - Member |
| 4. Two senior representative from | |
| 5. Organisations engaged in similar
activities like NGRI/ONGC/SOIL/AMB, etc | - Member |
| 6. An eminent Executive | - Member |
| 7. An eminent Geoscientist | - Member |
| 8. Dy. Director General or Sr. Dy. Director
General (Finance) (as may be appointed) | - Member |
| 9. An officer of the Geological Survey
of India in the rank of Director xxx
or above | - Full time Secretary |

One of the functions of the Board of Management is "to consider and approve major policy matters concerning the Geological Survey of India and to lay down priorities for the Geological Survey and to plan the organisational changes necessary and to meet the long term requirements of the economy".

5. It is stated for the respondents that at the time of implementation of first cadre review in 1985, some changes in the organisational structure were made and there was no complaint from the members of staff.

6. It is further stated for the respondents that 'Projectisation' scheme was ~~xxxxx~~ introduced vide order dated 18.6.92 at the time of implementation of second cadre review in respect of Group 'A' (Scientific and Technical Posts) for better planning, execution, monitoring, mid-term correction and achievement of

(45)

of the objectives within a specified time frame.
Para 2(d) of the office order dated 18.6.92 (the
impugned order) states that-

"Director of Project is responsible for formulation
and execution of the Project(s) under him and for
co-ordinating various in uts in the projects effectively
during implementation. The filed deployment, movement
control and achieving progress as targetted will be
his respōnisibilities primarily. Project Director
will report to Dy.Director General Operational Unit
in all matters."

7. It is the case of the applicants (1st applicant
is the President of the Association of Geophysicists
and the 2nd applicant is a Member in the Association)
that ~~even~~ before the introduction of the ○ scheme
as per impugned order dated 18.6.92, the Geophysicists
were under the direct ○ supervision and control of
the Directors of Geophysical stream and as the Director
of the Project will invariably ^{be} a ○ person from the
Geological stream, the members of the staff of
Geophysicists have to work under the control of Geologists
and thus, they have lost even functional
autonomy as per the new scheme introduced. The further
grievance of the applicants is that the order dated
18.6.92 does not define the functions of Geologists
and as the Geological stream officers do not have the
expertise in Geophysical techniques, they will not be
in a position to write the ACRs of Geophysicists
 working in projects. Hence, the Geophysicists
 are opposing the new scheme.

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8. The mere challenge in the ~~x~~ impugned order dated 18.6.1992 is on the ground that it is only the Board of Management that has got powers to make an organisational change and ~~R2~~ ^{who} is not competent to do so and as the impugned order dated 18.6.92 was passed by R2, the same is liable to be quashed.

9. It was stated in the reply statement that Director of Projects will be from Geological/ Geophysical or Geochemical stream depending upon the nature of Project and R2 is competent to make necessary minor alterations ^{introduce} as per the order dated 18.6.1992.

10. The Geological Survey of India is constituted ~~for~~ for collection of Data-cum-techniques and their interpretation of the investigation will be helpful for the development of the nation. It is for the concerned authorities to suggest the nature of organisation that is required for effective implementation of the objects for which Geological Survey of India was ~~constituted~~ constituted. The scheme as per order dated 18.6.1992 has already come into effect and it is in operation.

11. It is not the case of the applicants that it is not open to any authority to introduce alterations in the organisation, but their plea is ^{that} it is only the Board of Management and not R2, which is authorised to make necessary changes if necessary. So, in the circumstances, we feel that it is just and proper to

47

-6-

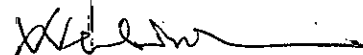
require the Board of Management to consider the alterations made as per order dated 18.6.1992 and whether the same have to be continued with or without modifications and also to consider the grievance of staff mainly in regard to writing of ACRs.

12. In the result, the respondents have to place the impugned order dated 18.6.1992 at the next meeting of the Board of Management for consideration.

13. OA is ordered accordingly. No costs.//



(R. RANGARAJAN)
Member (Admn)



(V. NEELADRI RAO)
Vice-Chairman

Dated: The 24th August, 1995

Dictated in the Open Court

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Deputy Registrar (J) CC

To

1. The Secretary to Government of India,
Dept. of Mines, New Delhi.
2. The Director General, Geological Survey of India,
Calcutta.
3. One copy to Mr. V. Venkateswar Rao, Advocate, CAT. Hyd.
4. One copy to Mr. N. R. Devraj, Sr. CGSC, CAT. Hyd.
5. One copy to Library, CAT. Hyd.
6. One spare copy.

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