

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH  
AT HYDERABAD

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C.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. Sri SP Sankaram .. Applicants  
and

1. The Secretary to Government of India  
Dept. 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)

....2

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 Gazettee of India No.34 dated 25.8.1973. In pursuance of the recommendations of the Review Committee, the following Board of Management was ~~xxx~~ 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 (Dept. of Expenditure)	- Member
4. Two senior representative from	
5. Organisations engaged in similar activities like NGRI/ONGC/SAIL/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 <del>and</del> 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 ~~xxxx~~ 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  
*✓*

(4b)

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 units in the projects effectively during implementation. The field deployment, movement control and achieving progress as targetted will be his responsibilities 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 new 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 new projects. Hence, the Geophysicists are opposing the new scheme.

8. The mere challenge in the ~~is~~ 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 ~~is~~ 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 <sup>introduce</sup> necessary minor alterations as per the order dated 18.6.1992.

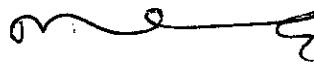
10. The Geological Survey of India is constituted ~~for~~ for collection of Data-cum-techniques and their interpretation of the investigation will be helpful for the development of the nation. It is for the concerned authorities to suggest the nature of organisation that is required for effective implementation 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.

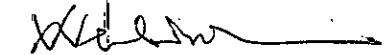
11. It is not the case of the applicants that it is not open to any authority to introduce alterations in the organisation, but their plea is <sup>that</sup> it is only the Board of Management and not R2, which is authorised to make necessary changes if necessary. So, in the circumstances, we feel that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

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.

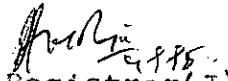
13. OA is ordered accordingly. No costs. //

  
(R. RANGARAJAN)  
Member (Admn)

  
(V. NEELADRI RAO)  
Vice-Chairman

Dated: The 24th August, 1995

Dictated in the Open Court

  
Deputy Registrar (J) CC

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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.

pvm