

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 1033/96

Date of Order : 25.11.98

BETWEEN :

M.M.Rehman

.. Applicant.

AND

1. Union of India, rep. by its Secretary to Govt. of India, Ministry of Mines, Shastri Bhavan, New Delhi.
2. The Director General, Geological Survey of India, 27 Jawahar Lal Nehru Road, Calcutta.
3. Sr.Dy.Director General, Southern Region, Geological Survey of India, Bandlaguda Complex, Hyderabad.

.. Respondents.



Counsel for the Applicant

.. Mr.V.Venkateswara Rao

Counsel for the Respondents

.. Mr.N.R.Devraj

CORAM :

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

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

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8. This OA is filed for a declaration that the applicant is entitled to be treated on par with Draughtsman and hence for a consequential direction to grant him the pay scale of Rs.1400-2300 with effect from the date on which he was promoted as Senior Map Mounter and also for consideration to higher post of JTA, etc. with all consequential benefits.

9. The similar scale of pay in our opinion cannot be considered equivalent to the post. Though the scale of pay of Map Mounter (Senior) and Draughtsman are same it does not mean that the Senior Map Mounter can be deemed to have been posted as a Draughtsman. As it stands today the post of Senior Map Mounter has got no further channel of promotion. Considering that only the direction in O.A. 514/92 was given.

10. Unfortunately the respondent organisation failed to take any action so far. It is not understood why it should take so much of time to comply with the direction. As stated earlier the non-compliance of direction given in the OA.514/92 resulted in filing this OA. In our opinion the litigation could have been avoided. We are very unhappy with the respondents organisation in not paying due attention to the direction given by this Tribunal.

11. It is stated in the reply that a proposal for consideration of Senior Map Mounter for promotion to the post of Draughtsman has already been sent to the Ministry

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4. In the meanwhile, some of his juniors were promoted to the post of Draftsman.

5. Then the applicant had filed OA.514/92 claiming promotion on par with the Draftsman as Map Mounter (Senior) was not in the feeder category. This Tribunal while deciding the said OA gave direction as follows :-

"So, it is just and proper to direct the respondents to consider whether it is not a fit case for amending the recruitment rule with regard to the post of Draughtsman with reference to promotion quota, by providing that the Senior Map Mounter is also eligible for promotion to the post of Draughtsman. It is needless to say that if it is going to be amended it has to be amended with effect from 5.5.98 and then the case of the applicant has to be considered accordingly. Of course, if no decision is taken by 1.8.95 or if the decision to be taken thereon is adverse to the applicant, he is free to move this Tribunal if so advised, by way of an application under Section 19 of the Administrative Tribunals Act, 1985".

6. Non-compliance of the said direction given in the OA.514/92 has led the applicant to approach this Tribunal again.

7. The applicant now submits that the scale of pay of Map Mounter (Senior) is same as that of the Draughtsman. Hence he should also be posted as Draughtsman as the scale of pay is same and further to the post of STA and JTA respectively.

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should be finalised on or before 28.2.99.

15. No further contention of time will be given even if it is asked for.

16. The applicant should be informed of the final result on or before 1.3.99.

17. The OA is ordered accordingly. No costs.

प्रमाणित प्राप्त
CERTIFIED TO BE TRUE COPY

Dushyant
प्राधान्य विभागी
COURT OFFICER
केंद्रीय प्रशासनिक विधिकरण
Central Administrative Tribunal
हैदराबाद नीमु
HYDERABAD BENCH

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| केस संख्या | OA/033/96 |
| CASE NUMBER | |
| निर्णय का तारीख | 25.11.98 |
| Date of Judgement | |
| प्रति तथ्यार दिया गया दिन | 14.12.98 |
| Copy Made Recc'd by | |

[Signature]
मन्त्री/प्रशासनिक विधिकरण
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