

CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

No.O.A.1249 of 1999.

DATE OF ORDER : 30.1.2001.

BETWEEN :

A.Sudhakar S/o A.Balakrishna,
Aged 47 years,
Working as Photo-Type Setter,
Map Printing Division,
Geological Survey of India,
Bandlaguda,
R.R.District.

...Applicant

Vs.

1. Union of India through the
Secretary, Ministry of Steel & Mines,
New Delhi-1.
2. The Director General,
Geological Survey of India,
27, J.N.Road, Calcutta-700 016.
3. Dy.Director General,
Geological Survey of India,
Southern Region, G.S.I. Complex,
Bandlaguda, Hyderabad.

...Respondents

Counsel for the applicant : ~~Mr.~~ Mr.M.Surender Rao.

Counsel for the Respondents : Mr.B.N.Sharma.

C O R A M :

Hon'ble Mr.Justice V.Raja Gopala Reddy, Vice-Chairman.

Hon'ble Mr.M.V.Natarajan, Member (A).



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O R D E R

Justice V.Raja Gopala Reddy, V.C.

The only grievance of the applicant in this O.A. is that there is no promotional channel from the post of Photo-Type Setter (Group-C) and hence a promotional channel should be created and persons stagnating in the post of Photo-Type Setter for a very long time should be given promotion as Assistant Manager (Camera) with all consequential benefits.

2. The applicant joined Group-C service in September, 1975, when he was designated as Photo-Type Setter in the scale of pay Rs.425-640/- (Rs.4500-7000/- RP). The applicant earned his degree in the year 1974 and his Post-Graduation in 1976. Before joining service, the applicant completed 2 years Certificate Course in Printing Technology. It is submitted by the applicant that since 4.12.1992, he is discharging the functions of assistant Manager (Camera), which is a Group-A post. It is also the grievance of the applicant that for the functions he was discharging as Assistant Manager (Camera), he should have been paid the salary attached to the said post.

3. No reply has been filed by the respondents though sufficient time had been granted. However, the 1d.counsel for the respondents made his submissions today on the basis of instructions received by him.

4. None appears on behalf of the applicant. Mr.M.C.Jacob on behalf of Mr.B.N.Sharma, has made his submissions for the respondents.

5. It is submitted by the 1d.counsel for the respondents that pursuant to the Vth Pay Commission in accordance with Assured Progression Scheme (ACP Scheme), the instant applicant was given two financial up-gradations, one on 9.8.1999 and another on 20.9.1999. Through the first up-gradation, the pay of the applicant was revised in the scale of Rs.5000-8000/- and by the second up-gradation his pay was revised in the scale of Rs.5500-9000/-. The averment of the applicant that he has

worked as Assistant Manager (Camera) has been denied by the respondents. It is stated that the said post is a Group-A post and the applicant ~~never~~ worked in the said post and he is not entitled to any salary for the post.

6. After hearing the 1d.counsel for the respondents and perusing the pleadings, we find that the ACP Scheme was applied in the case of the applicant and he was given two up-gradations while working in the post of Photo-Type Setter. It is, however, seen that though the applicant has been appointed in the year 1975 as Photo-Type setter, he still continues in the same post till date though his pay has been revised from time to time. Thus the applicant has not been promoted to any higher post in the absence of promotional channel in the Recruitment Rules.

7. It has been held by the Hon'ble Supreme Court in a catena of cases that at least one promotion should be given to a Govt Servant during his service career. It is, therefore, necessary that the respondents consider this aspect of the matter and amend the Recruitment Rules suitably, creating at least one promotional post ~~from~~ to the post of Photo-Type Setter

8. We order accordingly. The respondents are directed to complete the above exercise within a period of six months from the date of receipt of a copy of this order.

9. As the plea of the applicant that he has worked in the post of Assistant Manager (Camera) since 4.12.1992 ~~and hence~~ should be paid the salary for the said post, has been denied by the respondents and also no material has been placed before us to show that the applicant had worked in the post of Assistant Manager (Camera), it is not possible for this Tribunal to grant him relief in this regard.

10. The O.A. is disposed of accordingly. No costs.


(M.V. Natarajan)
Member (A)


(V.Raja Gopala Reddy)
Vice-Chairman

DATED THE 30TH JANUARY, 2001.

DICTATED IN OPEN COURT

r.s.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH: HYDERABAD

COPY TO

1ST AND 2ND COURT

1. HVRGRO

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

2. H3SJPWMMBMR (JUDL)

3. HMVN : MEMBER : (ADMIN)

THE HON'BLE MR JUSTICE V.RAJA GUPAL REDDY
VICE-CH IRMAN

4. D.T. (ADMIN)

THE HON'BLE MR B.G.DAI PARAMESHWAR
MEMBER (JUDL)

5. SPARE

THE HON'BLE MR M.V.NATARAJAN

MEMBER : (ADMIN)

6. ADV CATE

7. STANDING COUNSEL

DATE OF ORDER: 30/1/2001

MA/PA/C.P.MT:

IN

CASE : 1249128

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

C.P. CL. SED

I.A. CL. SED

DISP S.D. OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDER/REJECTED

NO ORDER AS TO COSTS

8. Copied

