

3

and additional post of Transport Supervisor. This Tribunal cannot issue any direction to the Govt. to create new categories of posts. The applicants have stressed on the point that a Committee on restructuring of Geological Survey of India and the Empowered Committee who examined the recommendation had recommended creation of the post. The recommendation of the Committees are only recommendatory and are not binding on the Government and the Govt. cannot be compelled to accept the recommendations of these Committees. Since the post has not been created, the question of promotion to the post obviously does not arise. No valid argument has also been advanced in the O.A. for restoring the selection grade which had been earlier granted, particularly since in situ promotions have now been provided vide Annx.A-1. The last prayer is for direction to provide Channels of promotion to all Drivers of GSI as indicated in sub-paras (a) & (d) of para 7. As discussed above, the Govt. cannot be directed to create new posts of Transport supervisor merely for creating the avenues of promotion particularly when an avenue of promotion has now been created by order dated 22.12.92 (Annx.A-1). The fact that it is in situ promotion does not take away from its character of promotion.

3. In the circumstances, there is no force in the O.A. The same is dismissed in limine.

G.Krishna
(Gopal Krishna)
Member(J)

B.B.Mahajan
(B.B.Mahajan)
Member(A).