

CENTRAL ADMINISTRATIVE TRIBUNAL,  
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 291/00019/2014

DATE OF ORDER: 08.07.2015

**CORAM****HON'BLE MR. JUSTICE HARUN-UL-RASHID, JUDICIAL MEMBER  
HON'BLE MRS. RANJANA CHOWDHARY, ADMINISTRATIVE MEMBER**

1. Manoj Kumawat S/o Shri Shankar Lal Kumawat, aged about 24 years, R/o Plot No. 934, Uniyaro Ka Rasta, Chandpole Bazar Jaipur and aspirant for appointment to the post of Surveyor in Geological Surveyor of India, WR Region, Jaipur.
2. Surjit Singh Naruka S/o Shri R.S. Singh, aged about 27 years, R/o Plot No. 10-11, Hardev Vihar, Vaishali Marg, Panchyawala, Sirsi Road, Jaipur and aspirant for appointment to the post of Surveyor in Geological Surveyor of India, WR Region, Jaipur.
3. Bhainru Singh Choudhary S/o Shri Jagdish Prasad Choudhary, aged about 23 years, R/o 23, Purani Dhani, Sherawatpura, Post Moundota Via Kalwar, Tehsil Amber, Jaipur and aspirant for appointment to the post of Surveyor in Geological Surveyor of India, WR Region, Jaipur.
4. Chheetar Mal Mehara S/o Shri Chothu Ram Mehara, aged about 29 years, R/o VPO Pachar, Tehsil Dantaramgarh, District Sikar, Rajasthan and aspirant for appointment to the post of Surveyor in Geological Surveyor of India, WR Region, Jaipur.
5. Sandeep Bhardwaj S/o Shri Hari Narayan Sharma, aged about 27 years, R/o VPO Kotkhawda Tehsil Kotkhawda District, Jaipur, Rajasthan and aspirant for appointment to the post of Surveyor in Geological Surveyor of India, WR Region, Jaipur.
6. Jitendra Kumar Mehawar S/o Shri Pooran Mal Koli, aged about 32 years, R/o A-387, Ramnagariya, JDA Scheme, Jagatpura, Jaipur and aspirant for appointment to the post of Surveyor in Geological Surveyor of India, WR Region, Jaipur.
7. Madan Lal Beniwal S/o Shri Devi Sahai Beniwal, aged about 28 years, R/o Plot No. 2, Ashish Nagar, Murlipura, Jaipur and aspirant for appointment to the post of Surveyor in Geological Surveyor of India, WR Region, Jaipur.
8. Vijay Pal Samota S/o Shri Narayan Lal Samota, aged about 26 years, R/o VPO Surmalikpur, Via Renwal, Tehsil Fulera District Jaipur, Rajasthan and aspirant for appointment to the post of Surveyor in Geological Surveyor of India, WR Region, Jaipur.
9. Sikander Singh S/o Shri Mahender Singh, aged about 26 years at present R/o C/o Shri Shnkar Lal Kumawat, Plot No. 934, Uniyaro Ka Rasta, Chandpole Bazar Jaipur and aspirant for appointment to the post of Surveyor in Geological Surveyor of India, WR Region, Jaipur.

Mr. C.B. Sharma, counsel for applicants.

...Applicants

## VERSUS

1. Union of India through its Secretary, Ministry of Mines, Government of India, Department of Geological Survey of India, Shastri Bhawan, New Delhi – 110001.
2. Director General, Geological Survey of India, 27, Jawahar Lal Nehru Road, Kolkata – 700016.
3. Director (P), Geological Survey of India, Central Head Quarter, 27, Jawahar Lal Nehru Road, Kolkata – 700016.
4. Staff Selection Commission through its Secretary (Eastern Region), Government of India, Department of Personnel & Training, 234/4, A.J.C. Boass Road, Nizam Palace, First MSO Building, Eighth Floor, Kolkata – 700020.

...Respondents

Mr. V.K. Pareek, counsel for respondents.

## ORDER (MR. JUSTICE HARUN-UL-RASHID, JUDICIAL MEMBER)

The Original Application is filed seeking a direction directing the respondents to give appointment to the applicants to the post of Surveyor in pay band Rs. 5200-20200 with grade pay Rs. 2400 without any further delay against the post advertised by the SSC on the indent of user department i.e. Geological Survey of India by quashing letter dated 09.10.2013 (Annexure A/1) with all consequential benefits and other ancillary reliefs.

2. The respondent no. 4 issued employment notice dated 18.10.2010 (Annexure A/2) for filling up certain posts as recommended by user department in which in Para 1.8 under the category ER-08, 57 posts of Surveyor was notified, from which OC-39, OBC-12, SC-4 & ST-2 with one vacancy reserved for OC (HH) with certain conditions and requirements. The applicants applied for the posts and underwent selection process. The result of the selection process was declared on 19.08.2011 (Annexure A/3) and also nominated / recommended the names of 55 candidates for appointment in which the names of the

applicants find place at Sl. No. 2, 24, 54, 8, 13, 20, 12, 4 & 1 in the merit list prepared by the SSC. It is submitted that though the selection process was completed and the result was declared on 19.08.2011 and also nominated / recommended the names of 55 candidates for appointments, no further steps were taken in the matter.

3. The Geological Survey of India is also in process for restructuring of cadres but the same is not finalized and approved by the Government of India till date and recruitment rules of 2001 is still in force. The present recruitment is in lowest grade of Surveyor and proposed restructuring provides additional posts in higher grade and nowhere provide abolition of posts of Surveyor and recruitment rules published in 2011 also shows existence of posts of Surveyor in the pay band Rs. 5200-20200 with grade pay Rs. 2400 and posts in question notified are in force in the year 2011.

4. The respondent No. 2 informed some of the selected candidates vide letter dated 08.10.2012 (Annexure A/8) that matter is being pursued with the Ministry and approval / decision of the Ministry is still awaited. It is pointed out that some of the candidates those selected; pursued the matter before the respondents and some of them also approached the Hon'ble C.A.T., Calcutta Bench in the case of Santu Sur & Others vs. UOI & Ors.

5. It is also pointed out that the applicants pursued the matter with the respondents and also served notice for demand of

justice through their counsel on 22.01.2013 but no action has been taken by the respondents till date.

6. When the O.A. was taken up for consideration, the learned counsels for both the sides brought to our notice the order dated 12.02.2015 passed by the Central Administrative Tribunal, Calcutta Bench, Kolkata in OA No. 1585/2013 (Sri Santu Sur & Ors. vs. Union of India & Ors.). They submitted that said O.A. relating to the same issue has been disposed of by the CAT, Calcutta Bench vide said order dated 12.02.2015 and also requested that this O.A. may also be disposed of in terms of the decision of CAT, Calcutta Bench passed in OA No. 1585/2013. Para 7 of the said order dated 12.02.2015 passed by CAT, Calcutta Bench, Kolkata is extracted as follows: -

"7. We have heard the learned counsels for the parties and perused the materials on record. As the suggestion is a happy one and acceptable to the applicants as well as official respondents, we direct the respondents to send a reminder of the proposal to the Ministry for its approval, within a period of one month from the date of communication of this order. Upon receipt of the same the concerned Ministry i.e. Ministry of Mines shall dispose it of considering the recommendation already made by the GSI and observation made hereinabove and shall pass appropriate orders within further two months thereafter."

7. From bare perusal of the above, it is clear that Kolkata Bench of the Tribunal directed the respondents to send a reminder of the proposal to the Ministry for its approval within a period of one month from the date of communication of that order. It was also directed that the Ministry of Mines shall dispose of it considering the recommendation already made by the GSI and observation made hereinabove and shall pass appropriate orders within further two months thereafter.

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8. In view of the specific direction issued by Central Administrative Tribunal, Calcutta Bench, Kolkata in OA No. 1585/2013 - Sri Santu Sur & Ors. vs. Union of India & Ors. (supra) no further direction is necessary in this matter as the direction issued by the Kolkata Bench of the Tribunal in OA No. 1585/2013 is in respect of the same selection process, which is also beneficial to the applicants herein.

9. Therefore, the present Original Application is disposed of in terms of the directions issued by the Central Administrative Tribunal, Calcutta Bench, Kolkata in OA No. 1585/2013 - Sri Santu Sur & Ors. vs. Union of India & Ors. (supra), as above.

(MRS. RANJANA CHOWDHARY)  
ADMINISTRATIVE MEMBER

(JUSTICE HARUN-UL-RASHID)  
JUDICIAL MEMBER

Kumawat