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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 24.6.1999

OA 142/99

C.P.Dusad, Director (Drilling), Geological Survey of India, Jaipur.

... Applicant

Versus

1. Union of India through Secretary, Ministry of Mines, Department of Geological Survey of India, New Delhi.
2. Director General, Geological Survey of India, 27, J.L.Nehru Road, Calcutta.

... Respondents

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR.N.P.NAWANI, ADMINISTRATIVE MEMBER

For the Applicant

... Mr.Surendra Singh

For the Respondents

...

O R D E R

PER HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

Applicant, C.P.Dusad, has filed this application under Section 19 of the Administrative Tribunals Act, 1985 (for short, the Act), praying for the following reliefs :-

- "(a) That the non-applicants be directed to accord benefit of fixation of pay in pay scale 14300-18300 to humble applicant w.e.f. 1.1.1996.
- (b) That the non-applicants be directed to make payment of arrears alongwith interest @ 18% p.a. on arrear amount as the humble applicant was denied benefit of fixation w.e.f. 1.1.1996 in arbitrary, capricious, mala fide and crucial manner.
- (c) Any other relief which the Hon'ble Tribnal thinks just and proper in the circumstances of the case in favour of the humble applicant may also be allowed."

2. We have heard the learned counsel for the applicant.

3. Applicant's case is that he was initially recruited as Assistant Drilling Engineer on being selected by the Union Public Service Commission on the basis of Combined Engineering Service Examination, 1971. Presently, the applicant is working as Director (Drilling) having been promoted to the said post w.e.f. 28.8.91 in the pay scale of Rs.3700-5000. The grievance of the applicant is that the Superintending Engineers working in the pay scale of

C.Krishna

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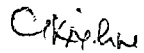
Rs.3700-5000 have already been allowed the pay scale of Rs.14300-18300. His further grievance is that when the Central Government has accepted the Fifth Central Pay Commission report and other Engineering departments of the Central Government have implemented para 50.45 of the recommendations of the Fifth Central Pay Commission report, the Geological Survey of India was never intended to be an exception in not extending the same benefits to its engineering staff which are at par with the engineering staff of other departments of the Central Government. The learned counsel for the applicant has drawn our attention to the notice for demand of justice dated 3.9.98, at Annexure A-8, and has stated that the same is still pending consideration.

4. In the circumstances, we dispose of the present application, at the stage of admission, with a direction to the respondents to treat the notice for demand of justice dated 3.9.98, at Annexure A-8, as a representation within the meaning of Section-20 of the Act and decide the same through a detailed speaking order on merits within a period of three months from the date of receipt of a copy of this order. Let a copy of the OA and the annexures thereto be sent to the respondents alongwith a copy of this order.



(N.P.NAWANI)

ADM.MEMBER



(GOPAL KRISHNA)

VICE CHAIRMAN

VK