

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No O.A 89/2007
R.A/C.P No.....
E.P/M.A No.....

1. Orders Sheet..... O.A Pg..... 1 to X
2. Judgment/Order dtd 3. 11.2.007 Pg. 1 to 4 AD
3. Judgment & Order dtd Received from H.C/Supreme Court
4. O.A O.A 89 Pg. 1 to 28
5. E.P/M.P. Pg..... to
6. R.A/C.P. Pg..... to
7. W.S. Pg..... to
8. Rejoinder Pg..... to
9. Reply Pg..... to
10. Any other Papers Pg..... to
11. Memo of Appearance
12. Additional Affidavit
13. Written Arguments
14. Amendement Reply by Respondents
15. Amendement Reply filed by the Applicant
16. Counter Reply

SECTION OFFICER (Judl.)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORDER SHEET

1. Original Application No. 89/2007
2. Misc Petition No. /
3. Contempt Petition No. /
4. Review Application No. /

Applicant(s) P. Das VS Union of India & Ors

Advocate for the Applicant(s) Mr. Adil Ahmed
Ms. S. Bhattacharjee

Advocate for the Respondent(s) CASE

Notes of the Registry	Date	Order of the Tribunal
	3.4.07.	Judgment delivered in open Court.
For application is a form is filed/C. F. Form No. 10/- deposited vide DR. / SD No. 34 G... 6.5.2638	1m	Kept in separate sheets. Application is disposed. No costs.
Dated 19.3.07.....		
<i>Alam</i> Dy. Registrat		
<i>ND 21/4/07</i>		

Vice-Chairman

Received by -
Kumar Ch. Sena
15/5/07
for Mrs M. Das, Addressee

Received copy
of judgement dt. 3/4/07
for applicant no. 4.

~~25/5/07~~
(C. K. Das) pleader
DSSM P. N. C. Gurkha

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI

O.A. No. 89 of 2007

DATE OF DECISION: 03.04.2007

Purushottom Das

..... Applicant/s

Mr. A. Ahmed

..... Advocate for the
Applicant/s.

- Versus -

U.O.I & Others

..... Respondent/s

Mrs. M. Das Addl.C.G.S.C

..... Advocate for the
Respondents

CORAM

HON'BLE MR K.V. SACHIDANANDAN, VICE-CHAIRMAN

1. Whether reporters of local newspapers may be allowed to see the Judgment ? Yes/No
2. Whether to be referred to the Reporter or not ? Yes/No
3. Whether to be forwarded for including in the Digest Being complied at Jodhpur Bench & Other Benches ? Yes/No
4. Whether their Lordships wish to see the fair copy of the Judgment ? Yes/No

Vice-Chairman/Admn. Member

15(2)

4

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original Application No.89 of 2007

Date of Order: This the 3rd Day of April, 2007.

HON'BLE MR.K. V. SACHIDANANDAN, VICE-CHAIRMAN

Shri Purushotam Das
Son of Shri Sunkaram
Administrative Officer
Regional Metrological Centre
India Metrological Department
Government of India
N.E.Region, Head Quarter
Borjhar, Pin-781015

Applicant

By Advocate Mr. A. Ahmed

-Versus-

1. The union of India represented by the Secretary to the Government of India, Ministry of Science and Technology and Ocean Development, New Mehuruli Road, New Delhi-1
2. The Secretary, Department of Personnel and Training, Ministry of Public Grievances & Pensions Government of India, North Block, New Delhi-110001.
3. The Director General of Metrology India Metrological Department, Mausam Bhawan, Lodhi Road, New Delhi-110003.
4. The Deputy Director General of Metrology, Regional Metrological Centre, India Metrological Department, Guwahati-781015.

Respondents

Mrs. M. Das, Addl.C.G.S.C.

ORDER(ORAL)K.V.SACHIDANANDAN, V.C:

The applicant is working as Administrative Officer in the India Metrological Department, Government of India, N.E.Region, Borjhar. According to the applicant as per recommendation of 3rd Central Pay Commission Administrative and Technical Cadre in India Metrological Department was separated. One Smti Shalini Makhija, Administrative Officer, India Metrological Department, New Delhi has filed an O.A. No.573 of 2004 before the Central Administrative Tribunal, Principal Bench, New Delhi. Vide Order dated 30.9.2004 the Principal Bench has disposed of the said O.A. The operative portion of the said order is reproduced as follows:

"2. After the matter has been argued, it was pointed that the respondents had constituted an Internal Review Committee to go into the Administrative structure of IMD under the Chairmanship of the then Additional Director General (M) Pune. The report has already been submitted sometime on 29.3.2000, but the final decision in this regard has not been taken by the Government.

3. Keeping in view that the report has been submitted and final decision has not been taken, it will be unnecessary to this Tribunal to go into any other controversy. It is directed that respondents No.1 would consider the said report and pass an appropriate order in accordance with law



6

preferably within six months from the date of the receipt of the certified copy of the present order and communicate it to the applicant."

In compliance of the order of the Hon'ble Tribunal, Principal Bench, New Delhi, India Metrological Department, Government of India, vide their Office Memorandum dated 23.3.2005 informed the applicant that the restructuring of India Metrological Department is under active consideration of Department of Science and Technology and once this is finalised the issue relating to the implementation of recommendations of the Internal Review Committee will be taken up thereafter. The contention of the applicant in the instant application is that the respondents have not taken any final decision on the recommendation of the Review Committee till date. Being aggrieved the applicant has filed this O.A. seeking the following reliefs:

"8.1. That the Hon'ble Tribunal may be pleased to direct the Respondents to fully implement the Scheme of separation of Administrative and Technical Cadre of India Metrological Department as per recommendation of the Internal Review Committee.

8.2 To pass any other relief or relieves to which the applicant may be entitled and as may be deem fit and proper by the Hon'ble Tribunal."

2 I have heard Mr.A.Ahmed learned counsel for the applicant and Mrs. M. Das learned Addl.C.G.S.C. for the Respondents. When the matter came up for hearing the learned counsel for the applicant has submitted that he will be satisfied if, direction is given to the applicant to make a comprehensive representation before the Respondent No.2 and the respondent may be directed to dispose of

the same with a speaking order. Learned counsel for the Respondents has submitted that she has no objection if such direction is given.

3. For the ends of justice Court directs the applicant to make a comprehensive representation before the Respondent No.2 with all reliefs within the time frame of four weeks from the date of receipt of this order and on receipt of such representation the 2nd respondents or any other competent authority shall consider and dispose of the same within the time frame of 3 months thereafter.

O.A. is disposed of accordingly. There will be no order as to costs.



(K.V.SACHIDANANDAN)
VICE-CHAIRMAN

LM

Guwahati Bench

8

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATIORIGINAL APPLICATION NO. 89 OF 2007.

Shri Purushottam Das

...Applicant

- Versus -

The Union of India & Others

...Respondents

INDEX

Sl. No.	Annexure	Particulars	Page No.
1	...	Application	1-12
2	...	Verification	13
3	A	Photocopy of the letter No. E (2) 146/ 27/41 dated 12.01.1972 enlisting the names of the successful candidates on merit for recruitment in the post of Lower Division Clerk in India Metrological Department.	14
4	B & C	Photocopies of Certificate and Training result of the Applicant issued by the Director Training & Deputy Director General of Observation (Forecasting), India Metrological Department.	158 16
5	D	Photocopy of the notification dated 19.09.2005.	17-18
6	E	A photocopy of the extract of 3 rd Central Pay Commission 1973 Report.	19 - 21
7	F	Photocopy of the Office Order No. E (2) 107/03/79 dated 18.05.1979 issued by India Metrological Department, Government of India.	22 - 24
8	G	Photocopy of the letter dated 17.02.1999.	25
9	H	Photocopy of the order dated 30.09.20004 passed by the Principal Bench of the Central Administrative Tribunal in O.A. No. 573/2004.	26 - 27
10	I	Photocopy of the Office Memorandum No. (I) 94/14/2003-E.I dated 23.03.2005.	28

Date : 02 - 04 - 2007

Filed By:

Smita Bhattacharjee
Advocate

26/IV

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI

(An Application Under Section 19 of the Administrative
Tribunals Act 1985)

ORIGINAL APPLICATION NO. 89 OF 2007.

Shri Purushottam Das

...Applicant

- Versus -

The Union of India & Others

...Respondents

LIST OF DATES / SYNOPSIS:

1971 Applicant was appointed as Observatory Attendant in the India Metrological Department (in short IMD)

22.01.1972 Applicant was appointed as Lower Division Clerk (in IMD) through Examination and secured 1st position

1973 The 3rd Central Pay Commission Report was published and made certain recommendation regarding functioning of India Metrological Department

07.09.1973 He has successfully completed the Elementary Course in Metrology with 68%.

1976 He passed his BA Examination.

18.05.1979 As per recommendation of 3rd Central Pay Commission Administrative and Technical Cadre in India Metrological Department was separated.

1982 Applicant has passed the Departmental Examination for the post of Upper Division Clerk.

17.02.1999 The India Metrological Department has stated that case of complete bifurcation will be adopted on a similar pattern adopted with other Scientific Department like I.S.R.O., D.O.E., S.O.I.,

30.09.2004 The Hon'ble Principal Bench, CAT, New Delhi observed that the Respondents has constituted an



Internal Review Committee to in to the Administrative Structure of IMD and the Report has already submitted on 29.03.2000 but final decision has not taken by the Government. As such the Hon'ble Tribunal, Principal Bench, New Delhi directed the Respondents the said Report and pass appropriate order within a time frame.

23.03.2005

The Respondents have state that restructuring of India Metrological Department was under active consideration. As such they have not taken final decision on the recommendation of the Internal Review Committee dated 29.03.2002.

However, till date the Respondents have not taken any decision on the recommendation of the Internal Review Committee. As such the applicant is approaching this Hon'ble Tribunal for seeking justice in this matter.

23.03.05

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI

(An Application Under Section 19 of the Administrative
Tribunals Act 1985)

ORIGINAL APPLICATION NO. 89 OF 2007.

FILED BY

Shri Purushottam Das
... Applicant
Through. Smika Bhattacharjee
(Advocate) 11

BETWEEN

Shri Purushottam Das
Son of Shri Sunkaram
Administrative Officer
Regional Metrological Centre
India Metrological Department
Government of India
N. E. Region, Head Quarter
Borjhar, Pin-781 015.

...Applicant

- AND -

- 1) The Union of India represented by the Secretary to the Government of India, Ministry of Science And Technology and Ocean Development, New Mehuruli Road, New Delhi-1.
- 2) The Secretary, Department of Personnel and Training, Ministry of Public Grievances & Pensions Government of India, North Block, New Delhi - 110001.
- 3) The Director General of Metrology India Metrological Department, Mausam Bhawan, Lodhi Road, New Delhi-110 003.
- 4) The Deputy Director General of Metrology, Regional Metrological Centre, India Metrological Department, Guwahati-781 015.

...Respondents

DG/M

DETAILS OF THE APPLICATION

1) PARTICULARS OF THE ORDER AGAINST WHICH THE APPLICATION IS MADE:

This instant application is not made against any particular order or orders, but made for seeking a direction from this Hon'ble Tribunal to the Respondents for full implementation of the scheme for separation of Administrative and Technical cadre of India Metrological Department.

2) JURISDICTION OF THE TRIBUNAL:

The Applicant declares that the subject matter of the instant application is within the jurisdiction of the Hon'ble Tribunal.

3) LIMITATION:

The Applicant further declares that the subject matter of the instant application is within the limitation prescribed under Section 21 of the Administrative Tribunal Act 1985.

4) FACTS OF THE CASE:

Facts of the case, in brief, are given below:

4.1) That your humble Applicant is a citizen of India and as such, he is entitled to all the rights, protections and privileges guaranteed under the Constitution of India and the laws framed thereunder.

4.2) That your Applicant begs to state that he is presently working as Administrative Officer in the Regional Metrological Centre, India Metrological Department, N. E. Region Head Quarter-Borjhar Guwahati-781 015.

DR. IN

4.3) That your Applicant begs to state that he had joined in the India Metrological Department in the year 1971 as Observatory Attendant. Thereafter, he appeared in the examination for the post of Lower Division Clerk (in short L.D.C.) in the India Metrological Department along with other candidates through Employment Exchange, He secured 1st position in the Selected Merit List of Lower Division Clerk. Thereafter he was appointed as L.D.C. in the above said Department w.e.f. 22.01.1972. He had passed English & Hindi Type Writing by securing 89% of marks in Hindi Type Writing. He obtained his B.A. Degree in the year 1976. Moreover, he had passed the Elementary Course of Metrological Training in a single attempt by securing 68% of marks. He was promoted to the post of Upper Division Clerk (in short U.D.C.) on the basis of his seniority in the Department. Now, he has promoted to the post of Administrative Officer in the India Metrological Department with effect from 06.09.2005 vide notification No. A.32014/AO/2/03-EI dated 19.09.2005.

Photocopy of the letter No. E (2) 146/ 27/41 dated 12.01.1972 enlisting the names of the successful candidates on merit for recruitment in the post of Lower Division Clerk in India Metrological Department is annexed herewith and marked as **ANNEXURE-A.**

Photocopies of Certificate and Training result of the Applicant issued by the Director Training & Deputy Director General of Observation (Forecasting), India Metrological Department is annexed herewith and marked as **ANNEXURE B & C.**



Photocopy of the notification dated 19.09.2005 is annexed herewith and marked as **ANNEXURE - D.**

4.4) That your Applicant begs to state that the 3rd Central Pay Commission 1973 vide its report had made certain recommendations regarding the functioning of India Metrological Department. Some of the recommendations made by the 3rd Central pay Commission regarding cadre structure of the India Metrological Department are quoted below for kind perusal of this Hon'ble Tribunal :

"In the course of our examination of the cadre structure of the Department, we noticed that out of a total strength of 1100 posts of Observer, Senior Observer and Scientific Assistant in the headquarters office, about 14 % were engaged on purely administrative and accounting duties. On the other hand the recruitment rules for the posts of Senior Observer and Scientific Assistant provide for promotion of non-scientific staff like Upper Division Clerks, Stores Keepers, Lower Division Clerks, Telephone Operators, etc. to these posts. It appears to us that the employment of scientific personnel on purely administrative duties in such large numbers and the promotion of non-scientific staff to scientific posts is not a satisfactory arrangement and should be looked into".

On the aforesaid observations and recommendations made by the 3rd Central Pay Commission in 1973, the Government of India had separated the Administrative and Technical Cadre of India Metrological Department vide Office Order No. E (2) 107/03/79 dated 18.05.1979 issued by the India Metrological Department. In the Administrative side separation was made upto Assistant Metrologist and 21 posts of Administrative Officer was created. The separation was envisaged only upto level of Assistant Metrologists. In the aforesaid Order it was mentioned that the post of Metrologist now utilized for administration may continue to be available

29/11/05

for promotion of Administrative Officer till the higher post are also converted. It was also mentioned in the Office Order that new recruitment rules are to be framed to regulate the mode of appointment after bifurcation. It was further mentioned that the technical staff who are being utilized for administrative work will be given an option as to whether they want to continue in administrative stream or would go to technical staff. The choice must be made within 31.08.1979. It was also provided that those staff has opted to remain in technical side would have their interest in technical side safeguarded, but would not be eligible for promotion in the administrative wing within the transition period of three years i.e., 31.08.1982. As the scheme envisages replacement of scientific/technical staff from administrative wing, staff working in technical side will not be eligible for consideration for administrative posts at the commencement of the scheme. If as a result of option exercised by the scientific/technical staff in administrative wing need arises to induct staff from technical side, volunteers from technical would be considered. Such persons would be transferred to Administrative Side under the appropriate administrative designation. For this purpose staff of in technical section as well as operational/field stations can volunteer for posting to administrative section. Their names would be considered if and to the extent necessary.

A photocopy of the extract of 3rd Central Pay Commission 1973 Report is annexed herewith and marked as ANNEXURE - E.

Photocopy of the Office Order No. E (2) 107/03/79 dated 18.05.1979 issued by India Metrological Department, Government of India is annexed herewith and marked as ANNEXURE- F.

4.5) That your Applicant begs to state that the India Metrological Department vide its memorandum dated 17.02.1999 issued by the Deputy Director General of Metrology (Administration and Stores) has stated that the case of the complete bifurcation of the department was discussed with the Director (Pay), Ministry of Finance, (Department of Expenditure) on 16.02.1999. Further, it was stated in the said memorandum that the Department desires to have a complete vertical bifurcation of the Administration and Technical Scientific wing on a similar pattern adopted with others Scientific Department, like ISRO, DOD, DOE, SOI etc. It was stated therein that a review committee was being set up to assess the requirement of Administrative staff in different cadres including the Administrative Officer's post. The 21 post of Assistant Metrologist Grade II proposed to be redesignated as Administrative Officer was said to be only a part of actual requirement and the creation of 21 Administrative Officer may be considered as an interim arrangement so as to create promotion opportunities for Superintendent who have been in that grade for more than 8 years.

Photocopy of the letter dated 17.02.1999 is annexed herewith and marked as
ANNEXURE-G.

4.6) That your applicant begs to state that although the India Metrological Department had assured that it would fully complete the total bifurcation of Administrative and Technical/Scientific wing in the department but in practical they have only bifurcated the Administrative Wing upto Assistant Metrologist Grade, i.e. equivalent to Administrative Officer. Being aggrieved by this, one Srimati Shalini Makhija, Administrative Officer under India Metrological Department filed an Original Application No. 573/2004 before the Central

29/10

19

Administrative Tribunal, Principal Bench, New Delhi. The Hon'ble Principal Bench vide its order dated 30.09.2004 observed that that the respondents had constituted an Internal Review Committee to go into the Administrative structure of IMD under the Chairmanship of the then Additional Director General (M) Pune. The report had already been submitted sometimes on 29.03.2000, but final decision in this regard has not been taken by the Government. Hon'ble Principal Bench keeping in view of the said observation directed the Respondent No. 1 to consider the said report and pass an appropriate order in accordance with law preferably within six months from the date of the receipt of the certified copy of the order.

Photocopy of the order dated 30.09.2004 passed by the Principal Bench of the Central Administrative Tribunal in O.A. No. 573/2004 is annexed herewith and marked as **ANNEXURE - H.**

4.7) That your Applicant begs to state that the in compliance of the order of the Hon'ble Tribunal Principal Bench, New Delhi, India Metrological Department, Government of India, vide their Office Memorandum No. E(I)894/14/2003-E.I dated 23rd March 2005 informed the Applicant of the O.A. No. 573/2004 that the restructuring of India Meteorological Department is under active consideration of Department of Science and Technology and once this is finalized the issue relating to the implementation of recommendations of the Internal Review Committee will be taken up thereafter.

Photocopy of the Office Memorandum No. (I) 94/14/2003-E.I dated 23.03.2005 is annexed herewith and marked as **ANNEXURE-I.**

DRM

4.8) That the Applicant begs to state that though the Respondents in compliance of the order of the Hon'ble CAT, Principal Bench in order dated 23.03.2005 stated that the restructuring of India Meteorological Department was under active consideration, they have not taken any final decision on the recommendation of the Internal Review Committee dated 29.03.2000 till date. As a result non-completion of cadre separation of Administration and Technical wing, the Applicant and other similarly situated persons working in the Administrative side are suffering immensely as they are not getting due promotional avenues. As such, finding no other alternative the present Applicant has approached this Hon'ble Tribunal by way of Original Application seeking justice in this matter.

4.9) That your applicant submits that due to non-implementation of bifurcation scheme of Administrative & Technical wing the Applicant is suffering from irreparable loss and injury in his service career. As such the action of the Respondents are arbitrary, unjust, unfair, illegal, discriminatory and violative of the principle of natural justice and doctrine of equality.

4.10) That your applicant submits that the Respondents have acted with a mala-fide intention only to deprive the applicant and similarly situated persons in the Administrative side from their legitimate right.

4.11) That your applicant submits that the action of the Respondents in not fully implementing the scheme for separation of Administrative and Technical cadre is highly illegal, improper, and whimsical and also against the fair play of Administrative justice.

4.12) That in view of the facts and circumstances narrated herein above, it is a fit case for immediate interference by this

3/6/10

Hon'ble Tribunal and may be pleased to pass necessary direction to the Respondents to implement the Cadre Separation Scheme on the basis of recommendation of the Internal Review Committee.

4.13) That your application submits that the Respondents have violated the fundamental rights of the applicant.

4.14) That the applicant demands justice and same has been denied to him.

4.15) That this application is filed bonafide and for the interest of justice.

5. GROUNDS FOR RELIEF WITH LEGAL PROVISIONS:

5.1) For that, due to the above reasons narrated in detail the action of the Respondents is in *prima facie* illegal, malafide, arbitrary and without jurisdiction.

5.2) For that on the basis of recommendation of the third Central Pay Commission, the Government of India on 18.05.1979 decided to separate the Administrative and Technical Cadre of India Metrological Department. Option was given to the Technical Staff whether they want to continue in Administrative Stream or in Technical stream and the India Metrological Department has assured complete bifurcation of the Department on a similar pattern adopted with other Scientific Department like I.S.R.O., D.O.D., D.O.E., S.O.I. etc. However, till date the Respondents have not completed the bifurcation of the Department as decided by them.

5.3) For that the India Metrological Department have bifurcated the Administrative wing only up to the Assistant Metrologist Grade i.e. equivalent to Administrative Officer. Further full up gradation of the Administrative Wing have not been done by the Respondents, reason best known to them.



20

5.4) For that the Hon'ble Central Administrative Tribunal, Principal Bench, New Delhi in O.A.No.573/2004 dated 30.09.2004 directed the Respondents to consider the Report of the Internal Review Committee on the Administrative Structure of India Metrological Department and pass appropriate order with law within six months from the date of receipt of the Order. However, till date the Respondents have not passed any appropriate order for restructuring of Administrative Wing of the India Metrological Department.

5.5) For that the India Metrological Department in pursuance of the Hon'ble Tribunal, Principal Bench, New Delhi order, the Respondents have stated on 23.03.2005 that the re-structuring of the India Metrological Department is under active consideration of Department of Science & Technology. However, already two years has passed of the said order the Respondents have not taken any action in this matter.

5.6) For that non-completion of Cadre Separation of Administrative and Technical Wing the applicant and other similarly situated persons working in the Administrative side are suffering immensely as they are not getting due promotional avenue.

5.7) For that applicant is suffering from irreparable loss and injury in his service career. As such the action of the Respondents are arbitrary, unjust, unfair, illegal, discriminatory and violative of the principle of natural justice and doctrine of equality.

5.8) For that since 1979 the Respondents have taken time for implementation of Cadre Separation Scheme. However, the Respondents have not implemented the Scheme fully till date



only to deprive the applicant and other similarly situated persons.

5.9) For that in any view of the matter the action of the Respondents is not sustainable in law as well in fact of the case.

The applicant craves leave of this Hon'ble Tribunal advance further grounds the time of hearing of this instant application.

6) DETAILS OF REMEDIES EXHAUSTED:

That there is no other alternative and efficacious and remedy available to the applicant except the invoking the jurisdiction of this Hon'ble Tribunal under Section 19 of the Administrative Tribunal Act, 1985.

7) MATTERS NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT:

That the Applicant further declares that he has not filed any application, writ petition or suit in respect of the subject matter of the instant application before any other court, authority, nor any such application, writ petition or suit is pending before any of them.

8) RELIEF SOUGHT :

Under the facts and circumstances stated above, the applicant most respectfully prayed that Your Lordship may be pleased to admit this application, call for the records of the case, issue notices to the Respondents as to why the relief and relieves sought by the applicant may not be granted and after hearing the parties may be pleased to direct

26/10/

the Respondents to give the following relieves.

8.1 That the Hon'ble Tribunal may be pleased to direct the Respondents to fully implement the Scheme of separation of Administrative and Technical Cadre of India Metrological Department as per recommendation of the Internal Review Committee.

8.2 To Pass any other relief or relieves to which the applicant may be entitled and as may be deem fit and proper by the Hon'ble Tribunal.

8.3 To pay the cost of the application.

9) INTERIM ORDER IF ANY PRAYED FOR:

At this stage the applicant does not seek any interim relief but if the Tribunal may deem fit and proper may pass any order / orders.

10) Application is filed through Advocate.

11) Particulars of I.P.O.:

I.P.O. No.	: 34 G 652638
Date of Issue	: 28- 03 - 2007
Issued from	: Guwahati GPO
Payable at	: Guwahati GPO.

12) LIST OF ENCLOSURES:

As stated above.

Verification...

3/104

VERIFICATION

I, Shri Purushottam Dass, son of Shri Sunkhram, Administrative Officer, Regional Metrological Centre, N. E. Region Head Quarter-Borjhar, Pin-781 015, do hereby solemnly verify that the statements made in paragraph Nos. 4.1, 4.2, and 4.8 are true to my knowledge, those made in paragraph Nos. 4.3 to 4.7 are being matters of record are true to my information derived therefrom which I believe to be true and those made in paragraph 5 Are true to my legal advice and rests are my humble submissions before this Hon'ble Tribunal. I have not suppressed any material facts.

And I sign this verification on this 2nd day of April 2005 at Guwahati.



INDIAN METEOROLOGICAL DEPARTMENT
(BHARAT MAHSAM VIGYAN VIHAR)
OFFICE OF THE DIRECTOR GENERAL OF OBSERVATORIES
L.D.D. (O.B.) - 102, DELHI-2.

ANNEXURE A

NO. E(2)146/27/71

Dated New Delhi-3;

the 12/1/72.

The following candidates have been declared successful in the competitive examination conducted in November 1971 for drawing up a panel of names for recruitment to posts of Lower Division Clerk, Storekeeper etc. The names have been arranged in order of merit.

S.No.	Name	Roll No.
1.	Shri Purushottam Dass	102
2.	" Gurcharan Jit	216
3.	" Raj Kumar	200
4.	" Devinder Kumar Lamba	212
5.	" Harminder Singh	211
6.	" Gurbani Lal	207
7.	" Ershad Bakhshyan	104
8.	" Lekh Raj Singh (Scheduled Caste)	103

Appointment to posts of Lower Division Clerk etc. will be made subject to availability of vacancies and Govt. orders relating to reservation of vacancies for Scheduled Caste/Scheduled Tribe candidates.

1/2/72

(P.K. GEORGE)
Meteorologist Gr-I (Establishment)
(Ghusar Visveshawar Shreni-I (Sibbandi)
for Director General of Observatories
(Kritika Vedhikarion Ka Mahavidhik)

NO. E(2)146/27/71

Dated New Delhi-3;

the 12/1/72.

Copy to:- Shri Gurcharan Singh, I.A.S., Secretary, M.A.O.D.,
for information and guidance.

(P.K. GEORGE)
Assistant Meteorologist,
(Ghusar Visveshawar)
for Director General of Observatories
(Kritika Vedhikarion Ka Mahavidhik)

ATTESTED

Bhatia
ADVOCATE

भारत घोराम विभाग
INDIA METEOROLOGICAL DEPARTMENT

योग्यताप्राप्ति के उपरान्त नियोजक (पूर्वानुमान) का कार्यालय, पु.पा.5.
Office of the Deputy Director General of Observatories(Forecasting), Poona-5.

प्रशिक्षण परिणाम
TRAINING RESULTS

नाम
Name : Shri Purushottam Dass

बच्चा शम्पार्क
Batch No. : 129

पद संज्ञा
Designation : L.D.C.

कार्यालय
Office : DDGI New Delhi

शैक्षणिक स्तरावाला
Educational
Qualifications : Matric

Training

प्रारंभिक तिथि
Commenced on: 14-5-1973

प्राप्ति तिथि
Completed on: 7-9-1973

पार्स विद्या प्राप्ति
Course Undergone : ELEMENTARY COURSE

प्रियक्ष Subject	मानक अंक Max. Marks	पार्स अंक Pass Marks	प्राप्ति अंक Marks obtained	टिप्पणी Remarks
सूत्र विद्या Met. Theory	150	60	96	Passed.
प्रैक्टिक Practical	300	100	226	Good.
वावा-वोक Viva-Voce	100	40	60	
गोपनीय Total	550		372	प्रतिशत Percentage: 68

K.K. RAMAMURTHI
(K.K. RAMAMURTHI)
Director of Training

दूसरे विद्यालय के उपरान्त नियोजक (पूर्वानुमान)
For Deputy Director General of Observatories
पु.पा.5, पुणे (Forecasting)
Poona-5, Dated the 3rd November
October, 1973.

No. T0854/

ATTESTED

Bhote
ADVOCATE



India Meteorological Department

Certificate of Training

This is to certify that
Shri Purushottam Dass
has successfully completed the
Elementary course of training in
Meteorology at the Departmental
Training School at Poona and
has passed the prescribed tests
held in the month of September 1973.

N. H. Dass

Meteorological Office
Poona 5

Deputy Director General of
Observatories Forecasting

Dated the 24th Dec. '73.

for Director General of Observatories



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TO BE PUBLISHED IN PART III SECTION I OF THE NEXT ISSUE OF THE GAZETTE OF INDIA.)

Government of India
India Meteorological Department
O/o the Director General of Meteorology
Lodi Road, New Delhi - 110003

Dated, the 25th Sept. 2005

NOTIFICATION

No. A32014/AO/2/03-E.I. The Director General of Meteorology has appointed the undermentioned Superintendents in India Meteorological Department as Administrative Officers (scale Rs.6500-200-10500) in an officiating capacity with effect from the dates indicated against their names below and until further orders.

S.No.	Name	Date from which appointed as Administrative Officers
1.	Shri Purushottam Das	06.09.2005
2.	Shri H.B. Chugh	31.08.2005

(S.C. Ghosh)
Meteorologist (Establishment)
for Director General of Meteorology

To,

The Manager,
Govt. of India Press,
Panjab (Haryana)
with Hindi Version

ATTESTED

Shalta
ADVOCATE

No. A32014/AO/2/03-E.L. (W774)

Dated : 19 Sept. 2005

Copy forwarded to :

1. Shri Purushottam Das, Administrative Officers through DDGM (RMC) Guwahati

2. Shri H.B. Chugh, Administrative Officers through DGM's Office, New Delhi.

3. The Sr. Accounts Officer, PAO, IMD, New Delhi.

4. The Accounts Officer, PAO, IMD, Kolkata.

5. DDGM (RMC) Guwahati.

S. Kumar
(Satish Kumar) 19/9/05
Asstt. Met. Gr.I (Gaz. Establishment)
for Director General of Meteorology

Copy for information to :

1. Vigilance Section at HQ.

2. G.S. (Gaz. Bills) at HQ.

3. E(2)/ E(3) Sections at HQ.

No. No. A32014/AO/2/03-E.L.
Dated : 19 Sept. 2005

S. Kumar
(Satish Kumar) 19/9/05
Asstt. Met. Gr.I (E.L. Section)

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Office of the Dy. Director General
of Observatories (Climatology &
Geophysics) Poona-5.



REPORT
OF THE
THIRD CENTRAL PAY COMMISSION

1973

Volume I, II & III

MINISTRY OF FINANCE
GOVERNMENT OF

ATTESTED

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37. For the following other posts in the Department, we recommend the scales of pay indicated against each in the Table below :—

TABLE VI

Sl. No.	Designation of post	Number of posts	Existing scale of pay	Revised scale of pay
			Rs.	Rs.
1.	Administrative Officer	1	700-40-1100- 50/2-1250	1050-1600
2.	Assistant Director (Administration)	3	400-25-500-30- 590-130-30- 800	650-1200
3.	Guido Lecturer (Khajuraho)	1	210-10-290-15- 320-130-15- 425	425-700
4.	Photostat Operator	4	205-7-240-8- 280	380-560
5.	Machine Operator	1	150-5-160-8- 240-130-8- 280-10-300	330-560

38. There is one post of Personal Assistant to Director General which is in the scale of Rs. 320-15-470-ER-15-520. We would recommend that this

recommendation be made to the concerned Departments.

39. The Association of Tourist Officers have represented that an All India Tourism Service should be constituted as specialised service. We are unable to make any recommendation as this is a matter for the Government to consider.

III. INDIA METEOROLOGICAL DEPARTMENT (IMD)

40. The India Meteorological Department, as its name implies, is responsible for the provision of meteorological services to the various user-interests in the country. The observational organisations of the Department consist of Surface observatories, Hydro-meteorological observatories, Pilot Balloon observatories, Radiation observatories, etc. spread over a number of places in the country. The Institute of Tropical Meteorology, Poona, Astrophysical Observatory, Kodaikanal and the Geomagnetism Observatory at Colaba and Alibag which were previously under this Department have been constituted as autonomous Institutes with effect from 1-4-1971. We have, therefore, not made any recommendations in regard to the posts transferred to these Institutes.

The class-wise distribution of posts left in the Department on 1-4-1971 is as follows :—

Class I	130
Class II (Gazetted)	225
Class II (Non-gazetted)	324
Class III	3138
Class IV	1329
	5146

Rs. 2500-27: gradation of having regard that the of Observatory research oric we recommend this post.

For the posts filled by the scale of

For the following

41. The Class I and II posts in the Department are indicated in the Table below :—

TABLE VII

Sl. No.	Designation of post	Number of posts	Scale of pay	Meteor Meteor
			Rs.	
1.	Director General (DGO)	1	2250-125-2500	41. At present of Assi
2.	Deputy Director General	4	1600-100-1000	gnent as for t
3.	Director	14	1300-60-1000	h except tha
4.	Meteorologist Grade I	43	700-50-1250	ment insisted
5.	Meteorologist Grade II	67	400-40-1000	commitment to
6.	Assistant Meteorologist	225	350-25-500	Post-grad

41. At present of Assi
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commitment to
Post-grad

42. At present of Assi
gnent as for t
h except tha
ment insisted
commitment to
Post-grad

At the Class I level there is direct recruitment to the grade of Meteorologist Grade II to the extent of 50 % and all the higher posts are filled by professional qualification only. The recruitment qualification for Meteorologist Grade II are a Second Class degree in any of the relevant subjects, e.g. Meteorology, Physics, Agriculture, Astronomy, Astrophysics, etc. or a degree in Engineering with two years' experience as evidenced by published papers. The Class II posts are filled by professional qualification only.

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*Page 15 of the Report of Committee on Organization of Scientific Research.

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posts left in the pay scale of Rs. 200-2750. The official witnesses suggested up-gradation of this post to the level of a Joint Secretary. In regard to all these considerations and the fact that the area of control of the Director General of Observatories has been reduced recently with the research oriented institutes being made autonomous, we recommend the pay scale of Rs. 2500-2750 for this post.

130
225
324
3138
1329
5146

For the post of Deputy Director General, which is filled by promotion of Directors, we recommend the pay scale of Rs. 2000-2250.

in the Department, for the other Class I posts, we recommend the following scales of pay :—

Scale of pay	Rs.	Rs.
2250-125-2500	Director	1500-2000
1600-100-1600	Meteorologist Grade I	1100-1600
1300-60-1600	Meteorologist Grade II	700-1300

6. At present 50 % of the Class II gazetted posts of Assistant Meteorologist are filled by direct recruitment. The recruitment qualifications are the same as for the Class I posts of Meteorologist Grade II except that the research experience of two years is insisted upon in their case. There is also direct recruitment to 50 % of the Class II (Non-gazetted) posts of Professional Assistant from amongst Second Year Post-graduates in Science. It does not appear necessary to have direct recruitment at these two service levels. The official witnesses were also in favour of stopping direct recruitment at the level of Assistant Meteorologist. We, therefore, recommend that the posts of Assistant Meteorologist should, in future, to be filled entirely by promotion from the posts of Professional Assistant.

7. We recommend the scales of Rs. 650-1200 and Rs. 550-900 for Assistant Meteorologist and Professional Assistant, respectively.

8. For the post of Professional Assistant (Foreman), in the pay scale of Rs. 325-15-475-20-575, we recommend the revised pay scale of Rs. 550-900.

9. The Class III scientific posts peculiar to the Department are indicated in the Table below :—

TABLE VIII

Designation of post	Number of posts	Scale of pay, Rs.
Office/ Observatory Attendant	861	210-10-290-15-320- EB-15-425
The Biogardener	41255	150-5-160-8-210- EB-8-280-10-300
Entered the working of the Observer	201	110-1-150-EB-1- 170-5-180-EB-5-200

The Secretary has dissented from the view *vide* his Note of Dissent.

ATTESTED

J. Shatta
ADVOCATE

48. The only category of Class IV employees peculiar to the Department is Office/Observatory Attendant in the pay scale of Rs. 75-1-85-EB-2-95. There is direct recruitment to 33 1/3 % of these posts from amongst persons who have studied upto Matriculation standard and the remaining posts are filled by promotion from Peons on the basis of seniority-cum-fitness. We recommend the pay scale of Rs. 190-240 for this post.

49. For the posts of Security Sub-Inspector in the pay scale of Rs. 150-5-160-8-216, we recommend the revised pay scale of Rs. 330-480.

IV. COMMISSION OF RAILWAY SAFETY

50. The Commission of Railway Safety is an independent authority for investigating railway accidents, etc. and for serving as the Principal Technical Adviser to the Government on the adoption of various measures connected with the Safety of railway operations. The strength and composition

Government of India
India Meteorological Department

No. E(2) 107/03/79

Office of the
Director General of Meteorology
Lodi Road, New Delhi- 110003.

dated: the 18/5/1979.

OFFICE ORDER

It has been decided in consultation with Government and staff representatives to initiate action for separating the administrative and technical cadres in India Meteorological Department and to utilise only admin. cadres for administrative work. To start with, this will be done in Headquarters offices of the Department. This will now cover only the admin. and technical sections in Headquarters offices, but not field/operational offices.

2. The cadre's proposed for admin. wing are given below. The scientific/technical posts now sanctioned/utilised for admin. work will be converted to corresponding admin. cadre and this equation is also indicated.

S.No. Cadre

	<u>Pay scale</u>	<u>Posts to be included</u>
1.	L. D. C.	Rs. 260 - 400 Posts of LDC, Obsr., Lab. Assistant.
2.	U. D. C.	Rs. 300- 500 Posts of Sr. Observer and U.D.C.
3.	Assistant	Rs. 425 - 700 Posts of Head Clerk, Sc. Assistant.
4.	Superintendent	Rs. 550 - 900 Posts of Supdt. DDGC, DDGI and Prof. Assistant.
5.	Admin. Officer	Rs. 650 - 1200 Posts of Assistant Meteorologist.

The designation and pay scale to be allowed for the admin. posts especially those at S.No. 3,4,5 are yet to be decided by Government.

3.	The number of posts proposed to be provided for admin. work will be
1.	142 made up of LDC (135), Obsr. (12) & Lab. Attt. (2).
2.	233 made up of S.O. (110), U.D.C. (123),
3.	115 made up of S.A. & Head Clerk.
4.	75 made up of 12 P.A. & posts of Supdt. DDGC & DDGI.
5.	21 made up of 21 Assistant Meteorologists.

The number of posts indicated above are the posts now sanctioned/utilised for admin. functions. Retention of all those posts in the admin. wing is subject to approval by Government.

Other posts like Superintendent H.Q. Office, Translators, S.S.T., Telegrapher, Sr. Personal Assistant to D.G.M. etc. will continue to remain as at present.

contd.

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4. After the scheme for bifurcation is initiated in the Department, fresh recruitment rules are to be framed to regulate the mode of appointment. The rules will become final only after they are approved by Government and by U.P.S.C. where necessary and are notified. In view of the beginning being made in this case, the Departmental officer may need persons capable of processing admin. cases/problems and present cases clearly and succinctly. To ensure this, it is necessary to have adequate staff who are graduates. It is therefore, proposed to have an element of direct recruitment at the level of UDC and Assistant. The following mode of filling up is being contemplated.

L.D.C. 100% recruitment - 20% from open market and 10% from among educationally qualified Group D employees.

U.D.C. 75% promotion to be filled by seniority-cum-fitness and examination in equal proportion.

25% by direct recruitment.

Direct Recruitment will be continued for a period of 5 to 10 years and will be discontinued when not found necessary.

Assistant 75% promotion to be filled by seniority-cum-fitness and examination in equal proportion.

25% by direct recruitment.

Supdt. 100% promotion by selection.

Admin. Officer 100% promotion by selection on the basis of examination failing which by deputation failing which by direct recruitment.

5. For the present, the separation is envisaged only upto the level of Assistant Meteorologist. Posts of Met. Assistant for administration may continue to be available for promotion of Administrative Officer till those higher posts are also converted.

6. As a number of Scientific and technical staff are being utilised for admin. work, it is necessary to obtain an option from them, if they want to continue in admin. stream or would go to technical side. The technical/Scientific staff in admin. wing are, therefore, required to exercise an option electing to continue in the admin. side or go to technical side. The option shall be exercised in the form enclosed and shall be submitted to reach the head of office on or before 31.8.1972. Non exercise of option to go to technical side will not warrant immediate transfer to technical side, if on the basis of options exercised, the administrative wing will be depleted to such an extent as to affect the day to day functions of offices. In such cases, persons will be relieved as and when they can be replaced. In any case, the transfer will be completed within a period of 3 years i.e. by 31.8.82. During the transition period, the staff who have opted for technical side will have their interests on the technical side safeguarded, but they will not be eligible for promotion in the administrative wing.

contd....3/-

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7. As the scheme envisages replacement of Scientific/technical staff from admin. to technical wing, staff working in technical side will not be eligible for consideration for administrative posts at the commencement of the scheme. If as a result of option exercised by the scientific/technical staff in admin. wing, need arises to induct staff from technical side, volunteers from technical will be considered. Such persons will be transferred to admin. side under the appropriate admin. designation. For this purpose, staff in technical sections as well as operational/field stations can volunteer for posting to admin. section. Their names will be considered if and to the extent necessary.

8. Option/volunteering once exercised by the staff as in para 6 and 7 will be final.

9. With the introduction of this scheme, admin. staff can not aspire for promotion to technical side and vice versa. They will be eligible for promotion in their own stream. For this, the seniority list of staff will be maintained separately for admin. and technical cadre. Such of the technical staff who opt for admin. wing will have their appointment transferred and efforts will be made to protect their seniority. This will also be applicable to staff coming over to admin. wing from technical/operational side under para 7.

10. In respect to group D services, the following posts will be retained.

a) Observatory Attendant (to be redesignated as Duty).

b) Peon

c) Chowkidar

d) Gardener

e) Safaiwala (Sweeper)

f) Guard

g) Head cook

h) Cleaner.

The number of posts available on date will be retained for admin. wing.

6/1/5
 (G. R. GITT)
 Meteorologist (Establishment)
 for Director General of Meteorology

ATTESTED

Ashata
ADVOCATE

INDIA METEOROLOGICAL DEPARTMENT

The case was discussed with Director (Pay), Min. of Finance (Department of Expenditure) on 16.2.99. Finance Officer (IMD) was also present during the discussion.

2. It was explained that department desires to have a complete vertical bifurcation of the Admin. and Technical/Scientific Wings on a similar pattern adopted with other Scientific Department like ISRO, DOD, DOE, SOL etc. For this purpose a review committee is being setup to assess the requirement of Admin. staff in different cadres including the Admin. Officer's post. The review committee will take a year's time to make a complete assessment of the requirement. The acceptance of the review committee report by the competent authority will take another six months or more. Thus in all it will take at least 2 years to reframe a fresh proposal based on the outcome of the work study.

3. The administrative work in the department in the officers level is actually being carried out at present by the Scientific/ Technical Officers. In fact the incumbents working in the administrative posts have along been handling purely administrative work. The Technical designations are being used as a convenience in the absence of any administrative designation. Thus the proposal in a manner is to accord a formal recognition to the existing working arrangement. The re-designation of these posts with appropriate administrative title does not involve any creation of any additional post.

4. The 21 posts of Assistant Met. Gr.II (pay scale Rs. 6500-10500) proposed to be re-designated as Administrative Officer (pay scale Rs. 6500-10500) is only a ~~part~~ ^{part} of the actual requirement of Admin. Officer for the entire department. The actual numbers which will be much higher will be known only after the review committee submits its reports. Hence the creation of 21 posts of Admin. Officers may be considered as an interim arrangement so as to create promotional opportunities for the Superintendents who have been in this grade for more than 8 years.

In view of the justification given above the proposal may kindly be approved.

S. Niranjani 11/2/99
(S. NIRANJAN)
Dy. Director General of Meteorology
(Administration and Stores)
Ph no 462 1472

Finance Officer IMD
Director (Pay), Min. of Finance (Dept. of Exp.) E-Coord. (I)
Branch

ATTESTED

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ADVOCATE

-26-

OA No. 573/2004

ANNEXURE-H

36

New Delhi this the 30th day of September, 2004

Hon'ble Mr. Justice V.S. Aggarwal, Chairman
Hon'ble Mr. S.A. Singh, Member (A)

Smt. Shalini Makhija
W/o Shri T.R.Makhija, Administrative Officer,
Mausam Bhawan, Lodi Road,
New Delhi-110003
(By Advocate Shri S.N.Anand with Shri Rakesh Mukhija)

..Applicant

VERSUS

1. Union of India through
The Secretary, Ministry of Science & Technology.
New Mehrauli Road,
New Delhi.
2. Director General of Meteorology
India Meteorological Dept.
Mausam Bhawan, Lodi Road,
New Delhi-110003.
3. Shri J.S.Arya,
Dy Director General of Meteorology
(Admin & Stores)
India Meteorological Dept.
Mausam Bhawan, Lodi Road,
New Delhi-110003.
4. S.C.Ghosh,
Met. (Establishment)
India Meteorological Dept.
Mausam Bhawan, Lodi Road,
New Delhi-110003.
5. The Secretary,
Department of Personal & Training
Ministry of Public Grievances
North Block, New Delhi-110001.

..Respondents

(By Advocate Shri B.K.Beraia)



O R D E R (ORAL)

Mr. Justice V.S.Aggarwal, Chairman

By virtue of the present application, the applicant seeks a direction to the respondents to amend the Recruitment Rules for the post of Met. Grade-1 in order to provide promotional channel to him. It has been pointed that the post was made available to the further promotion. /c A

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ADVOCATE

(2)

2. After the matter has been argued, it was pointed that the respondents had constituted an Internal Review Committee to go into the Administrative structure of IMD under the Chairmanship of the then Additional Director General (M) Pune. The report has already been submitted sometimes on 29.3.2000, but final decision in this regard has not been taken by the Government.

4. Keeping in view that the report has been submitted and final decision has not been taken, it will be unnecessary for this Tribunal to go into any other controversy. It is directed that respondent no.1 would consider the said report and pass an appropriate order in accordance with law preferably within six months from the date of the receipt of the certified copy of the present order and communicate it to the applicant. 77

Member (A)

Chairman

Àkdr/

ATTESTED

Bhatta
ADVOCATE

सं०

भारत सरकार

भारत मौसम विज्ञान विभाग

मौसम विज्ञान के महानियेशक का कार्यालय

मौसम भवन, लोदी रोड,

नई दिल्ली-११०००३

तार का पता :

महामौसम, नई दिल्ली



-28-

NO.

GOVERNMENT OF INDIA
INDIA METEOROLOGICAL DEPARTMENT

OFFICE OF THE
DIRECTOR GENERAL OF METEOROLOGY
MAUSAM BHAVAN, LODI ROAD

NEW DELHI-110003

Telegraphic Address :

DIRGENMENT, NEW DELHI

38
ANNEXURE

दिनांक/Date.....189

By Hand

No. E(I)894/14/2003-E.I.

Dated 23rd March, 2005

Office Memorandum

In compliance of the judgment of the Hon'ble CAT (PB) New Delhi dated 30.09.04 in O.A. No. 573/2004, Smt. Shalini Makhija, Admin. Officer is hereby informed that the restructuring of India Meteorological Department is under active consideration of Department of Science & Technology and once this is finalized the issue relating to the implementation of recommendations of the Internal Review Committee will be taken up thereafter.

Smt. Shalini Makhija, Admin. Officer is hereby asked to acknowledge the receipt of this O.M.

S.K. Subramanian
(S.K. Subramanian) 23/03/05
Dy. Director General of Meteorology
(Cyclone Warning)
LACD Dy. Director General of Meteorology
(Administration & Stores)

To,

✓ Smt. Shalini Makhija,
Administrative Officer,
through DDGM (UI) New Delhi.

ATTESTED

Ashata
ADVOCATE