

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI**

**Original Application No. 100/4386/2015**

**This the 29<sup>th</sup> day of July, 2020**

**THE HON'BLE MR. JUSTICE L.NARASIMHA REDDY, CHAIRMAN  
THE HON'BLE MOHD. JAMSHED, ADMINISTRATIVE MEMBER**



Prem Lata Ahuja, Age – 55 years,  
W/o Yashpal Ahuja,  
R/o J-10/33, 2<sup>nd</sup> Floor,  
Rajori Garden, Delhi.

... Applicant

(By Advocate : Mr.Sachin Chauhan)

Vs.

1. Govt. of India,  
Through The Secretary,  
Ministry of Health and Family Welfare,  
Govt. of India, Nirman Bhavan,  
New Delhi.
2. National Centre for Disease Control  
(formerly known as NICD),  
Through its Director,  
National Centre for Disease Control,  
(Dte. General of Health Services),  
Govt. of India,  
22-Sham Nath Marg, Delhi – 110054.
3. Director General of Health Services,  
Through its Director General,  
Director General Health Services,  
Ministry of Health & Family Welfare,  
Govt. of India, Nirman Bhavan,  
New Delhi.

... Respondents

(By Advocate : Mr. Rajpal Singh)

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**ORAL ORDER*****{As per Hon'ble Mr. Justice L Narasimha Reddy, Chairman}***

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The applicant was initially appointed as LDC in the Indian Council of Medical Research. While serving in the capacity, she was selected and appointed as LDC in National Institute of Communicable Diseases (NICD). Later on she was absorbed in the NICD. The grievance of the applicant is that her service in the ICMR was not counted for the purpose of fixation of salary and extension of other benefits such as ACP and MACP. It is stated that inspite of several representations no action has been taken thereon. On behalf of the respondents a detailed counter reply is filed. It is stated that identical issue is pending examination before the Jabalpur Bench of this Tribunal in OA. 1166/2011 filed by one Sri NK.Biswas and others.

2. We heard Sri Sachin Chauhan, learned counsel for the applicant and Mr.Rajpal Singh, learned standing counsel for the respondents.

3. The issue in this OA is very simple and it is as to whether the service rendered by the applicant in ICMR is to be counted for the purpose of extension of benefit of ACP, etc. The only justification pleaded by the respondents is that the issue is pending adjudication before the Jabalpur Bench of this Tribunal. It is brought to our notice the Jabalpur Bench has since decided the OA and held that the service rendered in ICMR has to be

counted for the employees after the absorption in NCDC. It is also stated that the benefit has since been extended to the applicants therein. Same situation obtains in this case also.



4. We, therefore, allow the OA directing the respondents to count service rendered by the applicant in ICMR for purpose of extension of benefit such as ACP, etc. This exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

**(MOHD.JAMSHED)**  
**MEMBER (A)**

**(JUSTICE L. NARASIMHA REDDY)**  
**CHAIRMAN**

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