

**Central Administrative Tribunal
Principal Bench, New Delhi**



OA No.449/2021

MA No.553/2021

MA No. 554/2021

&

OA No. 450/2021

MA No. 556/2021

MA No. 555/2021

This the 26th day of February, 2021

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

OA No. 449/2021

1. Gograj Singh Jat,
S/o Mohri Lal Jat,
Aged about 33 years,
Grade A,
R/o Division of Vegetable Science,
ICAR-Indian Agricultural Research Institute,
Pusa Campus, New Delhi – 110012.

2. Dilip Kumar Kushwaha,
S/o Krishna Gopal Kushwaha,
Aged about 32 years,
Grade A,
R/o Division of Agricultural Engineering,
ICAR-Indian Agricultural Research Institute,
Pusa Campus, New Delhi – 110012.

3. Rajeev Kumar,
S/o Badri Narayan Choudhary,
Aged about 33 years,
Grade A,
R/o Division of Agricultural Engineering,
ICAR-Indian Agricultural Research Institute,
Pusa Campus, New Delhi – 110012.



4. Dr. Brij Bihari Sharma,
S/o Rama Shankar Sharma,
Aged about 35 years,
Grade A,
R/o Division of Vegetable Science,
ICAR-Indian Agricultural Research Institute,
Pusa Campus, New Delhi – 110012.

5. Abir Dey,
S/o Ranjit Kumar Dey,
Aged about 37 years,
Grade A,
R/o Division of Soil Science and Agricultural Chemistry,
ICAR-Indian Agricultural Research Institute,
Pusa Campus, New Delhi – 110012.

6. Dr. Haritha Bollinedi,
D/o B. Srinivasa Rao,
Aged about 34 years,
Grade A,
R/o Division of Genetics,
ICAR-Indian Agricultural Research Institute,
Pusa Campus, New Delhi – 110012.

7. Sandeep Kumar,
S/o Hanuman Singh,
Aged about 30 years,
Grade A,
R/o CESCRA,
ICAR-Indian Agricultural Research Institute,
Pusa Campus, New Delhi – 110012.

8. Veda Krishnan,
D/o Krishnan,
Aged about 36 years,
Grade A,
R/o Division of Biochemistry,
ICAR-Indian Agricultural Research Institute,
Pusa Campus, New Delhi – 110012.

9. Girijesh Singh Mahra,
S/o Pan Singh Mahra,
Aged about 35 years,



Grade A,
R/o Division of Agricultural Extension,
ICAR-Indian Agricultural Research Institute,
Pusa Campus, New Delhi – 110012.

...Applicants

(By Advocates: Mr. R. Balasubramanian, Sr. Advocate assisted by Mr. Kumar Shashank Shekhar, Ms. Indira Bhakar and Mr. Ankit Raj)

VERSUS

1. Indian Council of Agricultural Research,
Through its Secretary,
Krushi Bhawan,
New Delhi – 110001.
2. The Union of India,
Through its Secretary,
Department of Agriculture Research and Education,
Ministry of Agriculture and Family Welfare,
Krushi Bhawan,
New Delhi- 110001.

...Respondents

(By Advocate: Mr. R. Rajive Raj)

OA No. 450/2021

1. Roaf Ahmed Parray,
S/o Gulam Uddin Parray,
Aged about 32 years,
Grade A,
R/o Division of Agricultural Engineering,
ICAR-Indian Agricultural Research Institute,
Pusa Campus, New Delhi – 110012.

2. Bhagyasree Sai,
S/o Neelakanthaian K.N.,
Aged about 30 years,
Grade A,
R/o Entomology, ICAR-IARI,
New Delhi.

3. Chavlesh Kumar,
S/o Sh. Oskaran,
Aged about 34 years,



Grade A,
R/o Division of Fruits & Horticultural Technology,
ICAR-IARI,
New Delhi.

4. Suman Lata,
D/o Shanti Swaroop,
Aged about 35 years,
Grade A,
R/o Division of Vegetable Science,
ICAR-Indian Agricultural Research Institute,
Pusa Campus, New Delhi – 110012.

5. Debarup Das,
S/o Samir Ranjan Das,
Aged about 32 years,
Grade A,
R/o Division of Soil Science and Agricultural Chemistry,
ICAR-IARI,
New Delhi.

6. Debasis Golui,
S/o Debu Galui,
Aged about 32 years,
Grade A,
R/o Division of Soil Science and Agricultural Chemistry
ICAR-IARI,
New Delhi.

7. Dr. Parshant Kaushik,
S/o Sh. Ram Chander,
Grade A,
R/o Division of Agricultural Chemicals, ICAR-IARI,
New Delhi – 110012.

8. Sitaram Bishnoi,
S/o Ramnarayan Bishnoi,
Aged about 31 years,
Grade A,
R/o Division of Agricultural Extension,
ICAR-Indian Agricultural Research Institute,
Pusa Campus, New Delhi – 110012.

9. Dr. Rajkumar Uttamrao Zunjare,
S/o Shri Uttamrao Ukandirao Zunjare,
Aged about 33 years,
Grade A,
R/o Division of Genetics,



ICAR-Indian Agricultural Research Institute,
Pusa Campus, New Delhi – 110012.

10. Manjeet Kumar,
S/o Vinod Kumar,
Aged about 31 years,
Grade A,
R/o Division of Genetics,
ICAR-Indian Agricultural Research Institute,
Pusa Campus, New Delhi – 110012.

...Applicants

(By Advocate: Mr. R. Balasubramanian, Sr. Advocate
assisted by Mr. Kumar Shashank Shekhar, Ms.Indira
Bhakar and Mr.Ankit Raj)

VERSUS

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Through its Secretary,
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Ministry of Agriculture and Family Welfare,
Krushi Bhawan,
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...Respondents

(By Advocate: Mr. R. Rajive Raj)

ORDER (Oral)**Mr. Justice L. Narasimha Reddy:**

In these two OAs, common questions are raised, hence they are disposed of through a common order.

2. The applicants are employed in the Indian Council of Agricultural Research (ICAR), in various capacities and joined service at different points of time. According to them, UGC pay scales were made applicable to the Scientists and other related categories in the ICAR and it was being continued from time to time. The grievance of the applicants is that in the name of implementing the recommendations of the 7th Pay Commission, the respondents have withdrawn the incentives granted under the UGC pattern of pay scales, though, such benefits were extended soon after the recommendations were implemented. It is complained that the respondents have withdrawn certain incentives provided to them without issuing any notice. They claim to have made representations ventilating their grievances. These OAs are filed with a prayer to direct the respondents to revise the pay of the Scientists of the ICAR in the light of the UGC Gazette Notification dated 02.11.2017 and 18.07.2018 and to revise the pay scales as per the recommendations of the 7th Pay Commission. Ancillary reliefs are also claimed.



3. The applicants contend that once the parity of pay scales was maintained for the employees on par with the UGC, there was absolutely no basis to deviate from the same and at any rate, to withdraw the increments that were already extended.

4. We heard Sh. R. Balasubramanian, learned senior counsel, assisted by Mr. Kumar Shashank Shekhar, Ms. Indira Bhakar and Mr. Ankit Raj, learned counsel for the applicants and Sh. Rajive R Raj, learned counsel for the respondents, at the stage of admission.

5. The applicants made extensive submissions in the OAs indicating the method in which the UGC pay scales were extended to the Scientists in ICAR. The circumstances, under which the respondents have changed the policy in this behalf or interpreted the relevant clauses, are not immediately before us. In the OAs also, no specific order is challenged. The granting of relief as claimed in the OA warrants the spelling out of policy adopted by the respondents. The applicants have already made representations in this behalf.

6. We, therefore, dispose of the OAs directing the respondents to pass orders on the representations dated 31.07.2019, 05.08.2019 and 25.07.2020 submitted by the applicants, within a period of three months from the date of receipt of a copy of this order. We make it clear that in case



the grievance of the applicants still subsists, it shall be open to them to pursue the remedies in accordance with law.

Pending MAs also stand disposed of.

There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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