

Central Administrative Tribunal, Principal Bench

O. A. No.3134/91

Hon'ble Justice K.M.Agarwal, Chairman
Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this 6th day of February, 1997

Shri Karma Veer
s/o Shri R.D.Gautam
r/o A-683, Sector 19/A
NOIDA (U.P.)-201 301.

... Applicant

(Applicant in person)

Vs.

Union of India through

1. The Secretary
Government of India
Department of Expenditure
Ministry of Finance
North Block
New Delhi - 110 001.
 2. The Secretary
Government of India
Department of Agriculture & Co-operation
Krishi Bhawan
New Delhi - 110 001.
 3. The Director General
Indian Council of Agricultural Research
cum Secretary to the Govt. of India
Department of Agricultural Research and
Education, Krishi Bhawan
New Delhi - 110 001.
 4. The Secretary
Indian Council of Agricultural Research
cum Joint Secretary to the Govt. of India
Department of Agricultural Research
and Education
Krishi Bhawan
New Delhi - 110 001.
- ... Respondents

(By Shri V.K.Rao, Advocate)

O R D E R (Oral)

Hon'ble Justice K.M.Agarwal, Chairman

Heard the applicant in person and the learned counsel for the respondents. The applicant is in the employment of Indian Council of Agricultural Research which is an undertaking of the Government of India. Initial pay scale of Rs.425-800 of the post of Assistant that was held by the applicant at the relevant time was revised and enhanced to

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Rs.1400-2600 with effect from 1.1.1986. This scale of pay for similar employees of the Central Government was enhanced to Rs.1640-2900 in the year 1990 by the Central Government. Accordingly, the Indian Council of Agricultural Research (in short ICAR), i.e. employer of the applicant also proposed to revise the pay scale of its employees, but in the meanwhile there were certain objections from the Finance Department of the Central Government that the ICAR could not in that fashion implement the enhanced pay scale that was given to the Central Government employees. The dispute between the ICAR and the Central Government went on till 1994 when ultimately the Central Government agreed to the ICAR adopting the revised pay scales on 07.6.1995 and ICAR was allowed to give the pay scale of Rs.1640-2900 to its employees. Accordingly, in July, 1995, the arrears were paid to the applicant.

2. This application was filed by the applicant in the year 1991 for directing the respondents to revise his pay scale of Rs.1400-2600 to the pay scale of Rs.1640-2900 as also to pay interest at the rate of 12% per annum on the arrears. During the pendency of the application and in July, 1995 the arrears were paid after giving the revised pay scale of Rs.1640-2900 to the applicant. Accordingly, the first relief claimed in the application becomes redundant or infructuous. The other prayer for interest survived.

3. After hearing the Applicant in person, and the learned counsel for the respondents, we are of the view that the respondents were not guilty for the delay in payment of arrears; the delay occurred because of the objections raised by the Finance Department of the Union of India. As soon as the dispute between the ICAR and the Central Government were settled, the decision to give the pay scale of Rs.1640-2900

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earlier taken by the ICAR in the year 1990 was implemented, the pay fixation was made in the new scale and payment was also made in July, 1995. Accordingly, we are of the view that no case is made out for awarding interest to the applicant against ICAR. Accordingly, the application is hereby disposed of. No costs.



(K.M. AGARWAL)
CHAIRMAN

(R.K. AHOJA)
MEMBER (A)

/rao/