

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

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Original Application No. 509 of 1997
this the 18th day of April'2002.

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, V.C.
HON'BLE MAJ GEN K.K. SRIVASTAVA, MEMBER (A)

Ashok Kumar Jain, S/o Sri M.S. Jain, R/o 127, Taigore
Nagar, Dayal Bagh, Agra.

Applicant.

By Advocate : Sri A.K. Sachan

Versus.

1. Union of India through Secretary, Ministry of
Agriculture, Krishi Bhawan, New Delhi.
2. The Department of Agriculture and Co-operation,
Ministry of Agriculture, Govt. of India, Directorate
of Economics and Statistics, New Delhi through its
Economic and Statistical Adviser.
3. Additional Economic Advisor, Directorate of
Economic and Statistics (Cost study branch), Shashtri
Bhawan, New Delhi.
4. The Principal, Raja Balwant Singh College, Raja
Balwant Singh Road, Agra.

Respondents.

By Advocate : Sri Amit Sthalekar.

O R D E R (ORAL)

JUSTICE R.R.K. TRIVEDI, V.C.

By this application under Section 19 of the A.T.
Act, 1985, the applicant has challenged the order dated
5.10.96 (Annexure no. 26) by which various employees
who were already working under the Comprehensive Cost
of Cultivation Scheme have been re-designated and
against them the scale of pay has been prescribed.
The order provides that henceforth only the post of

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Field officer shall be treated to be teaching cadre and rest of the posts shall be non-teaching cadre. The Field Officer has been prescribed the pay-scale of Rs. 3700-5700/-. The Field Supervisor and Asstt. Statistician have been put in same grade with pay scale of Rs.3000-4500/-. The grievance of the applicant is that he was appointed as Statistician and his pay-scale should be Rs.3700-5700/-, but the respondent no.4 namely the Principal, R.B.S. College, Agra through which the comprehensive cost of cultivation scheme is being implemented, is not paying the salary for which the applicant is entitled. Reliance has been placed on the letter dated 6.3.95 addressed by the Ministry of Agriculture to the Principal, R.B.S. College, Agra, which reads as under :-

"please refer to your letter no. 2025 dated the 31.1.95 regarding the restoration of pay of Sri A.K. Jain in the scale of Rs. 3700-5700-
In this connection, it is to inform that the pay of Sri A.K. Jain was restored at Rs. 4575/- as on 1.4.93 in the scale of Rs.3700-5700 after thoroughly examining his case. This is clarified that his scale is purely personal to Sri A.K.Jain and will not set any precedent for any member of the staff of RBS College, Agra or any other implementing Agency of the Cost of Cultivation Scheme.
As regards the revision of pay-scales of Field Supervisors, this Directorate's d.o. letter of even number dated the 29.7.93 may please be seen which is self-explanatory (copy enclose for ready reference)."


2. The grievance of the applicant is that in spite of Government order dated 6.3.95 (Annexure-24), the applicant is not being paid his salary in the pay-scale for which he is legally entitled. Sri Amit Sthalekar, learned counsel appearing for the respondents has submitted that the Government had already taken their stand, therefore, the applicant is entitled to pay his salary for which he is entitled.



3. For the reasons stated above, the O.A. is allowed and the respondent no.4 is directed to pay the salary in the pay-scale of Rs. 3700-5700/- as provided in the order dated 6.3.95 (Annexure-24). The current salary of the applicant shall be paid from the month of April'02 payable in the month of May'02 and arrears of the salary shall be paid within a period of six months from the date of communication of this order. No costs.



MEMBER (A)



V.C.

GIRISH/-