

**CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH**

**OA/021/00408/2015**

HYDERABAD, this the 27<sup>th</sup> day of April, 2021



**Hon'ble Mr. Ashish Kalia, Judl. Member**  
**Hon'ble Mr. B.V. Sudhakar, Admn. Member**

Dr. G.Shyam Sunder S/o (Late) G.Narasimha Rao,  
Aged 63 years, Occupation : Principal Scientist (retd),  
Directorate on Poultry Research, (DPR),  
R/o 19-147, Gautam Nagar, Malkajgiri,  
Hyderabad – 500 047.

...Applicant

(By Advocate : Mr. A. Anasuya)

Vs.

1.The Union of India represented by its Secretary,  
ICAR, Krishi Bhavan, New Delhi-110 003.

2.The Indian Council of Agricultural Research,  
Rep by its Director General, Krishi Bhavan,  
New Delhi-110 003.

3.Directorate on Poultry Research (DPR),  
Rajendranagar, Hyderabad - 500 030,  
Rep by its Director

4.Dr.Ramashrya Prasad Sharma, Former Director,  
Directorate on Poultry Research, C/o Director,  
Directorate on Poultry Research, Rajendranagar,  
Hyderabad 500 030.

5.Dr.Sita Ram Sharma, Senior Scientist,  
North Temperate Regional Station,  
CSWRI (Central Sheep & Wool Research Institute),  
Garsa via Bhuntar, KULU (HP) 175 141.

6.Dr.R.C.Hazary,  
Deputy General Manager, Venco Research and  
Breeding Farm (P) Ltd. C/oVenky's India Ltd.,  
Ventakeshwara House, 3-5-808, Hyderguda,  
Hyderabad 500 029.

7.Judging Committee, C/o Director General, ICAR,  
KrishiBhavan, New Delhi-110 003.

....Respondents

(By Advocate: Mrs. C. Vani Reddy, SC for ICAR)

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**ORAL ORDER**  
**(As per Hon'ble Mr. B. V. Sudhakar, Administrative Member)**

**Through Video Conferencing:**



2. The OA has been filed for not granting an Award to the applicant for “Development and Propagation of High Yielding Germplasm for Rural Poultry Farming” and conferring the same to the other Scientists.

3. The brief facts of the case are that the applicant joined the Respondents organization in the year 1977 and retired as Director on 31.03.2013. During 1996-97, a project for “Propagation of High Yielding Germplasm for Rural Poultry Farming” was instituted under the leadership of Dr. V. Ayyagari along with three Co-investigators (Scientists). The project was approved by the Respondents organization in the year 1997. The ground work for the same was done even prior to 1996-97. Thereafter, two varieties of Chicken were evolved, namely “Vanaraja” and “Gramapriya”. The names of the birds were coined by the team in the years 1997 and 1998, respectively. Applicant was part of the Project from 1997-98 onwards in promoting and propagating the two varieties in rural areas in North Eastern States of the country. However, despite best efforts of the applicant, award in the year 2003-04 for the said development was granted to Dr. R. P. Sharma and Dr. R. C. Hazary. The applicant contends that though he was eligible for grant of the award, the same was granted to ineligible Scientists. Hence, the O.A.

4. The contentions of the applicant are that Dr. S. R. Sarma had joined the Project Directorate on Poultry only in April, 2002 and for grant of



Research award the Scientists have to be associated with the Project for three years preceding the year of award. Hence Sri S.R.Sarma is ineligible for the award. The claim of the applicant is that he along with three others who were associated with the Project were eligible to be considered for the award for the years 2003-04. The applicant obtained relevant information through RTI Act and represented to the authorities but of no avail. Therefore OA No.827/2011 was filed, which was disposed of by the Tribunal directing the Respondents to dispose of the applicant's representation. The Respondents have disposed of the applicant's representations stating that they have granted the Award as per Rules which is incorrect.

5. The Respondents in their reply statement have stated that the OA suffers for improper joining of the parties. The applicant has filed OA No.827/11 for a similar relief which was disposed of. The private Respondents are not employees of the Respondents organization and therefore the OA cannot be adjudicated by the Tribunal. The Respondents state that the Scientists Dr.R.P.Sharma and Dr.Hazary worked in the Project from 1999 to 2005 and for their outstanding service, they were selected for the award. The Respondents claim that the grant of award was widely published in the PDP News letter for January-June 2006 and the applicant received copy of the same in July, 2006. No research project on the above said theme was in operation for the years 1997-98 as claimed by the applicant. The Respondents have also negated the other contentions of the applicant.

6. Heard both the counsel and perused the pleadings on record.



7. I. The dispute is about of grant of awards to Scientists for outstanding contribution in research areas of relevance to the respondents organization. The preliminary objection of the respondents is that those who have been awarded are not employees of the respondents organization. This would not matter as what matters is that the applicant is a regular employee of the respondents organization and he has a grievance for which he has a right to approach the Tribunal. The Ld. Counsel for the respondents further submitted that grant of award is not a service matter and hence the OA should not be entertained. We do not agree since grant of awards is to motivate employees to perform well on the job and seek recognition, eligible elevations, financial benefits etc which all form a part of the service matters. Service matters fall under the ambit of the jurisdiction of the Tribunal. The other contention of the respondents was that on the same issue OA 827/2011 was filed. We observe that the OA was disposed without going into the merits and hence, filing the present OA cannot be found fault with.

II. The grievance of the applicant is about not granting the biannual award to the applicant and awarding the same to other Scientists for the biannual years 2003-04. Applicant claims that he has worked for Development of propagation of high yielding germplasm in a Research project related to poultry. The Respondents have a scheme wherein they award the scientists for outstanding performance in research areas of relevance to the respondents organisation. The Respondents state that they

have given the award based on the work done by the Scientists in the preceding five years as per the advertisement in November/ December 2005 published by them for the purpose of granting awards for the years specified therein. Grant of award is given in accordance with award rules. The relevant portion of the award rules is extracted hereunder for ready reference



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**“6. Eligibility criteria**

*All agricultural scientists engaged in interdisciplinary team research in India in the specified subject areas are eligible. The team must have scientist level representation from a minimum of three well recognized disciplines. They must have been working on an integrated research project dealing with an inherently interdisciplinary problem in a system based, problem solving mode. The final phase of the research work including its field validation must have been completed during the five years preceding the year of the award. Each member of the team must have remained its active member continuously for a least three years preceding the year of the award. The members on a team application will be limited to a maximum of ten only.”*

As can be seen from the Award Rules, those who are involved in the research work for three years continuously prior to the year of granting the award, are eligible for grant of the Award. In the instant case the dispute is about the grant of award for the biannual years covering 2003-04. Therefore the work of the eligible Scientists has to be assessed for the three years preceding December, 2002. Taking into consideration the period prior to the date of advertisement, as averred by the respondents, is against the Award Rules cited above and hence is incorrect. Therefore, the applicant has made out a case for grant of an award as per details furnished by him in the relevant area of research work. However, we are in the year 2021 and directing the Respondents to withdraw the award to those granted at this distant date, as claimed by the applicant, may not appear to be pragmatic nor will it serve the cause of the applicant for grant of award. Nevertheless the Respondents cannot act arbitrarily and violate their own rules in grant of

awards. They need to take note for acting as per rules and law and avoid such deviations.



III. Applicant claims that he is eligible for grant of the Award and given the facts of the case wherein clear violation of award rule was evident as brought out in the preceding para, we are of the view that it would be proper on part of the respondents to re-examine the claim of the applicant for grant of award, in regard to the work performed, as per award rules. We therefore observe that such a direction would meet the ends of justice and hence the Respondents are directed to place the claim of the applicant before the Judging Committee to be constituted for the purpose as per award rules, with the available details they have along with the relevant details that the applicant may like to submit which are permissible to be accepted as per award rules for the 3 years prior to December 2002, or for the later years as is permitted by the rules of the respondents organization and as per the discretion of the competent authority. Applicant is granted 30 days' time to submit the details, if any, which he proposes to submit. In case no information is submitted by the applicant within the stipulated period, respondents are directed to get the claim examined by the judging committee with the information on record and based on its recommendation the competent authority to take a decision about the grant of the eligible award to the applicant as per rules and law within 24 weeks of the receipt of the date of receipt of the information from the applicant or after lapse of 30 days granted for information submission to the applicant whichever is earlier. Registry to ensure that the order is served on both the Ld. Counsel/ parties by email on the same date in view of the prevailing corona

pandemic. Longer date for implementation has been given keeping in view the difficulties being faced by the administrative Ministries in view of the Corona Pandemic.



IV. Other contentions of the both the parties were carefully perused and found them to be mostly irrelevant to the core dispute.

V. With the above order as at paragraph III, the Original Application is disposed of with no order as to costs.

**(B.V.SUDHAKAR) (ASHISH KALIA)**  
**ADMINISTRATIVEMEMBER                      JUDICIAL MEMBER**

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