

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH.

O.A.No.476 of 1987

P.K.Gupta & 93others.....Applicants.

Versus

Union of India & another.....Respondents.

Hon'ble Mr. D.K.Agarwal, J.M.

Hon'ble Mr. A.B.Gorthi, A.M.

(By Hon'ble Mr. A.B.Gorthi, A.M.)

The grievance of the applicants, who are all Research Assistants-Grade I of the Forest Research Institute & Colleges, Dehradun, is that they have been wrongly denied the benefit of the revised pay scale of Rs.550-900 which was recommended by the III Pay Commission to the Scientific Assistants similarly situated as applicants.

2. This case was heard along with O.A.No.475 of 1987 which related to Research Assistants- Grade II and O.A.No.248 of 1988 which also related to Research Assistants- Grade I who hold the designation of Head Computers of the Forest Research Institute & Colleges, Dehradun (F.R.I. for short). As most of the facts and questions of law raised in these three cases are common, only the few facts and issues which are at variance are discussed in this judgment which should be read with out judgment in O.A.No.475 of 1987.

3. In this case, the applicants, 94 in number, are the Research Assistants-Grade I (R.A. Grade I of F.R.I.) The scale of pay fixed for them vide Recruitment Rules of 1964 was at rate of Rs.210-425. The minimum educational qualification laid down for the recruitment was a Second Class Master's degree in particular subject or a degree in Electrical Engineering. The

II Expert Committee recommended the pay scale of Rs. 325-575. The III Pay Commission referred to Levels I and II Scientific Assistants and recommended the scale of Rs.550-900 and 425-700 respectively, but when it came to Research Assistants- Grade I of F.R.I , it recommended the pay scale of Rs.425-700. Thereafter, despite favourable recommendations made by J.C.M., they lost their struggle for equation ^{with} of Level I Scientific Assistants of other departments/ministries. Even IV Pay Commission while revising their pay scale accepted their pre-revised pay scale of Rs.425-700. Had it accepted the pre-revised pay scale Rs.550-900, as was being demanded by the applicants, their pay in the revised scale would have been Rs.1640-2900, instead of Rs.1400-2300, as was given finally.

4. The respondents refuted the claim of the applicants on the same lines as they did in O.A. No.475 of 1987.

5. Learned counsel for the applicants besides his arguments in O.A.No.475 of 1987 has referred to the judgment of this Tribunal(Calcutta Bench in T.A.No.516 of 1986).That was a case pertaining to Scientific Assistants in the Botanical Survey of India. In their case, the III Pay Commission did not make a specific recommendation, as can be seen from the following relevant passage in the judgment of the Tribunal:-

" Since the Commission did not make any specific recommendation with respect to the staff of the Botanical Survey of India, there is a certain amount of uncertainty to be resolved in this respect."

6. Clearly the above judgment will not help the case of the applicants in whose respect the III Pay Commission had made specific recommendations. In the circumstances, the application is dismissed.

Shri Agrawal
MEMBER (A)

Shri Agrawal
MEMBER (J)

Dated: February 12, 1992

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