

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 787 of 2000

Alongwith

Original Application No. 357 of 1999

Allahabad this the 05th day of June, 2002

Hon'ble Mr.C:S. Chadha, Member (A)
Hon'ble Mr.A.K. Bhatnagar, Member (J)

Original Application No.787 of 2000

1. Dr.N.C. Srivastava, Son of Late Shri U.S. Srivastava, Principal Scientist, I.V.R.I., Izatnagar, Bareilly, resident of 149, Janakpurk, Bareilly.
2. Dr.R.L. Shah Son of Shri K.L. Sah, Principal Scientist , I.V.R.I., Izatnagar, Bareilly, resident of 11, Kirti Nagar, Bareilly.
3. Dr.P.C. Sanwal, Son of Shri G.D. Sanwal, Principal Scientist , I.V.R.I., Izatnagar, Bareilly , resident of 125, Civil Lines, Bareilly.
4. Dr.T.K. Varma, Son of Late Shri H.K.P. Varma Principal Scientist, I.V.R.I., Izatnagar, Bareilly, resident of 5, Old Quarters, B.D.A. Colony, Tibrinath Mandir Complex, Bareilly.
5. Dr.M.H. Khan, Son of Late Shri T.H. Khan, Principal Scientist, I.V.R.I., Izatnagar, Bareilly, resident of Thirla Nijabat Khan, Bareilly.
6. Dr.U.C. Tripathi

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*6/6/02
G. B. S. & Co.*

6. Dr.K.C. Tripathi Son of Late Shri G.D.Tripathi Senior Scientist, I.V.R.I., Izatnagar, Bareilly resident of C-257/3, Rajendra Nagar, Bareilly.
7. Dr.O.B. Goswami, Son of Shri Babu Ram Goswami Senior Scientist, I.V.R.I., Izatnagar, Bareilly, resident of 382-B, Bazar Dhopa Road, Bareilly.
8. Dr.Q.Z. Hasan, Son of Late Shri Nazir Hasan, Scientist(SG), I.V.R.I., Izatnagar, Bareilly, resident of 901, Shahbad, Bareilly.
9. Dr.Gopal Narain, Son of Late Shri Shyam Narain Tandon, Senior Scientist, I.V.R.I., Izatnagar, Bareilly, resident of 198, Civil Lines, Bareilly.
10. Dr.V.K. Jain, Son of Late Dr.K.L. Jain, Senior Scientist, I.V.R.I., Izatnagar, Bareilly, resident of E-1060, Rajendra Nagar, Bareilly.

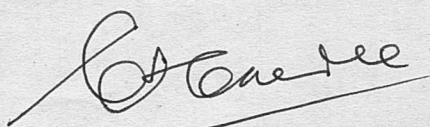
Applicants

By Advocate Shri Ashok Bhushan

Original Application No.357 of 1999

1. Dr.B.B. Mahapatro, Son of Shri R.C. Mahapatro, Head of Division Physiology and Climatology, I.V.R.I., Izatnagar.
2. Dr.H.S. Pandey, Son of Shri S.D. Pandey, Senior Scientist, Incharge Data & Record Processing, LPM (C&B), I.V.R.I., Izatnagar.
3. Dr.I.J. Prasad, Son of Shri R.D. Lal, Principal Scientist, Biological Products Division, I.V.R.I Izatnagar.
4. Dr.N.S. Parihar, Son of Shri B.S. Parihar, Head of Division, Pathology, I.V.R.I., Izatnagar.

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5. Dr.B.B.L. Mathur, Son of Shri R.S. Mathur, Principal Scientist, Incharge Research Co-ordination & Monitoring Division, I.V.R.I. Izatnagar.
6. Dr.Satish Kumar, Son of Shri Munishwar Sahai, Principal Scientist, I.V.R.I., Izatnagar.
7. Dr.M.M. Saxena, Son of Shri N.N. Prasad, Senior Scientist , Data & Record Processing, LPM (C&B), I.V.R.I., Izatnagar.
8. Dr.Girish Mohan, Son of Shri Tej Pal Ji, Senior Scientist, Animal Reproducts Division, I.V.R.I. Izatnagar.
9. Dr.Y.N. Siddiqui, Son of Dr.M.A. Siddiqui, Senior Scientist , Biological Products Division, I.V.R.I., Izatnagar.

Applicants

By Advocate Shri Ashok Bhushan

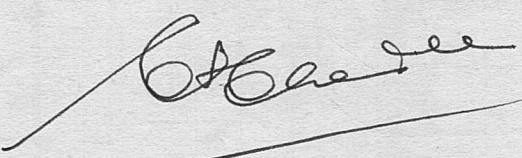
Versus

1. The Indian Veterinary Research Institute , Izatnagar, Bareilly through its Director.
2. The Indian Council of Agriculture Research, Krishi Bhawan, New Delhi through its Director General.
3. The Union of India through the Ministry of Agriculture, Government of India, New Delhi.

Respondents in both the O.As

By Advocate Shri B.B. Sirohi

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O_R_D_E_R (Oral)

By Hon'ble Mr.C.S. Chadha, Member (A)

The applicants were working in the Indian Council of Agriculture Research (for short I.C.A.R.) and were superannuated at the age of 60 years. Their claim is that they should also be allowed to superannuate at the age of 62 years as applicable to other government department. The important issue in this case is that the I.C.A.R. did not accept the recommendation of the Vth Pay Commission and did not extend the benefit of retirement at the age of 62 years to its employees. A representation of the Workers Association met the concerning authorities and the matter was referred to the Govt. of India for a final decision but no decision has been taken on the said representation. It is quite evident that unless and until the benefit of retirement at the age of 62 is also extended by the respondents to its employees in the I.C.A.R., same benefit cannot be claimed as a matter of right. In similar matters decided by the Principal Bench in O.A.Nos. 166 of 1999, along with connected matters on 23.03.2002, the Principal Bench disallowed the O.A. with a further direction to the applicants that they may request the Govt. of India to take an early decision in the matter. We are in respectful agreement with the said Judgment and we pass a similar order. We also passed a similar order in O.A.No.198 of 1999 Dr.S.S.Bhatia Vs.U.O.I. & Ors.

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2. In view of the above, O.A. is dismissed.
The applicants may approach the Govt. of India for
consideration of their representations in this
regard. No order as to costs.


Member (J)


Member (A)

/M.M.P