

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.570/08

Friday this the 31st day of July 2009

C O R A M :

HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE Mr.K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER

Dr.R.C.Ray,
S/o.Ramachandra Baliar Singh,
Principal Scientist,
Central Tuber Crops Research
Institute (Regional Centre), Bhubaneshwar.
Residing at Plot No.1074, Jagamohan Nagar,
Khandagiri P.O., Bhubaneshwar – 751 030.

...Applicant

(By Advocate Mr.T.C.Govindaswamy)

V e r s u s

1. The Indian Council of Agricultural Research
through its Secretary, Krishi Bhavan, New Delhi.
2. The Director,
Central Tuber Crops Research Institute (CTCRI),
Sreekariyam, Trivandrum – 17.
3. The Administrative Officer,
Central Tuber Crops Research Institute (CTCRI),
Sreekariyam, Trivandrum – 17.
4. The Assistant Finance & Accounts Officer,
Central Tuber Crops Research Institute (CTCRI),
Sreekariyam, Trivandrum – 17.

...Respondents

(By Advocate Mr.T.P.Sajan)

This application having been heard on 31st July 2009 the Tribunal on
the same day delivered the following :-

O R D E R

HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER

The issue involved in this case is regarding the benefit of two
additional increments to be granted to those who have Ph.D Degree in



terms of the Annexure A-2 letter of the 1st respondent, namely, the Indian Council of Agricultural Research, Krishi Bhavan, New Delhi, dated 27.2.1999. The relevant extract of the said letter reads as follows :-

Incentives for Ph.D/M.Phil

1. Four and two advance increments will be admissible to those who hold Ph.d and M.Phil degrees, respectively, at the time of recruitment as Scientists.
2. One increment will be admissible to those Scientists with M.Phil degree who acquire Ph.D within two years of recruitment.
3. A Scientist with Ph.D will be eligible for two advance increments when he moves into the Selection Grade as Sr. Scientists.
4. A Scientist will be eligible for two advance increments as and when he acquires a Ph.D degree in his service career.

2. Based on the aforesaid letter of the 1st respondent, a number of employees of the respondent department had earlier approached this Tribunal. This Tribunal considered the issue first in O.A.280/05 – Dr.B.Sasi Kumar Vs. The Indian Council of Agricultural Research, New Delhi. The said OA was allowed and held that the applicant therein was entitled to be granted four advance increments for possessing the Ph.D degree prior to his appointment as a Scientist in terms of the aforesaid letter of the 1st respondent and two more advance increments for moving over to the post of Senior Scientist. The respondents challenged the same before the Hon'ble High Court of Kerala but it was dismissed vide judgment dated 26.5.2008 in W.P.(C) No.13969/08 (S). However, the respondents challenged this Tribunal's order as well as the judgment of the High Court before the Apex Court vide S.L.P.No.1179/08. The Apex Court granted an interim ex-parte stay against the order of this Tribunal.

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Thereafter, we have disposed of the subsequent similar O.As filed before this Tribunal with a direction to the respondents to implement the directions of this Tribunal in O.A.280/05 (supra) in all such cases also subject to the judgment in S.L.P.No.1179/08 pending before the Apex Court.

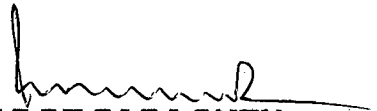
3. We, therefore, dispose of this O.A also with a direction to the respondents to grant the reliefs prayed for by the applicant subject to the judgment in S.L.P.No.1179/08 (supra) pending before the Apex Court.

4. There shall be no order as to costs.

(Dated this the 31st day of July 2009)



K.GEORGE JOSEPH
ADMINISTRATIVE MEMBER



GEORGE PARACKEN
JUDICIAL MEMBER

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