

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.242/2000

Tuesday, this the 20th day of February, 2001.

CORAM:

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

HON'BLE MR T.N.T.NAYAR, ADMINISTRATIVE MEMBER

1. Dr.C.Mohandas, Senior Scientist,
Central Tuber Crops
Research Institute,
Thiruvananthapuram.
2. Dr.R.Radhakrishnan Nair -do -
3. Dr.Moorthy, -do-
4. Dr.V.P.Potty, -do-
5. Dr.K.Vasudevan -do-
6. Dr.T.Premkumar -do-
7. Dr.S.Sundaresan -do-
8. Dr.(Mrs) Rajamma -do-
9. Dr.C.S.Ravindran -do-
10. Dr.(Mrs)Santha V Pillai -do-
11. Dr.B.Vimala -do-
12. Dr.K.Abraham -do-
13. Dr.Padmaja -do-
14. Dr.M.P.Govindankutty -do-
15. M.Unnikrishnan -do-
16. Dr.S.Ramanathan -do- - Applicants

By Advocate Mr TC Govindaswamy

Vs

1. Union of India represented by
the Secretary to Government of India,
Ministry of Agriculture,
New Delhi.

2. The Secretary,
Indian Council of Agricultural Research,
Krishi Bhavan,
New Delhi.
3. The President,
Indian Council of Agricultural Research,
Krishi Bhavan,
New Delhi.
4. The Director,
Central Tuber Crops Research Institute,
Thiruvananthapuram. - Respondents

By Advocate Mr P Jacob Varghese

The application having been heard on 20.2.2001, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

The applicants who are Senior Scientists in the Central Tuber Crops Research Institute, Thiruvananthapuram, have filed this application for the following reliefs:

"(a) Declare that the failure on the part of the ICAR to evolve a selection process with appropriate guidelines in consultation with the Government as indicated in paragraph 1(iii)(d) of Annexure A1 is arbitrary, discriminatory and unconstitutional.


(b) Direct the respondents 1 to 3 to evolve a selection process with appropriate guidelines as indicated in paragraph 1(iii)(d) of Annexure A1, within a time limit, as may found just, fit and proper by this Hon'ble Tribunal."

2. In the reply statement filed by the 4th respondent, it has been inter-alia stated as follows:

"5. As may be seen from clause(d) of the Career Advancement Scheme, for every upward movement a selection process is to be evolved for which appropriate guidelines are to be laid down by the ICAR in consultation with the Government. Immediately after UGC/MHRD evolved guidelines for Career Advancement of the teachers in the Universities, the ICAR constituted a Committee to adopt these guidelines with minor modification taking into consideration ICAR system for the Scientists of the ICAR. Based on the report of the committee the Council has already formulated the guidelines for every upward movement of the Scientists with the concurrence of the DOP&T/Ministry of Finance and approved by the Competent Authority w.e.f. 1.1.1996.

6. Further, it may be relevant to mention here that the promotion cases of the scientists are being processed by the respective ICAR Institutes in accordance to the revised guidelines. It is therefore incorrect to allege that the ICAR has not taken any action for finalisation of the guidelines for career advancement of the Scientists."

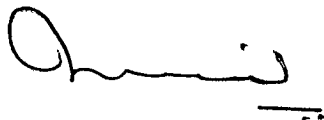
3. When the application came up for hearing today, learned counsel for the applicants states that the application may now be disposed of directing the respondents to finalise the action proposed as in para 5 and 6 of the reply statement



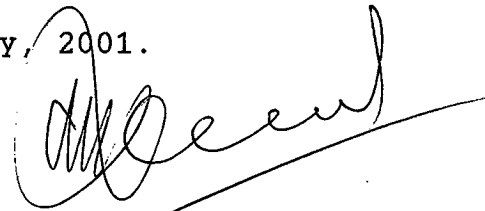
within a reasonable time and to grant to the applicants the consequential benefits. Learned counsel for the respondents also states that this may be done.

4. In the light of the above submission made by the learned counsel on either side, the application is disposed of directing the respondents to finalise the promotion cases of the applicants and to give them the consequential benefits within three months from the date of receipt of copy of this order. No costs.

Dated, the 20th of February, 2001.



T.N.T.NAYAR
ADMINISTRATIVE MEMBER



A.V.HARIDASAN
VICE CHAIRMAN

trs

LIST OF ANNEXURES REFERRED TO IN THE ORDER:

A-1: True copy of the order bearing No.1(15)/98-Per.IV dated 27.2.99 issued by the Director(Personnel)? Indian Counsel of Agricultural Research, New Delhi.