

CENTRAL ADMINISTRATIVE TRIBUNAL  
MADRAS BENCH  
--

Wednesday, the 3rd day of December 1992  
--

PRESENT

The Hon'ble Shri R.VENKATESAN, ADMINISTRATIVE MEMBER  
--

Original Application No. 1606 of 1992  
--

B.Manivannan .. Applicant

Vs.

The Director  
Sugarcane Breeding Research  
Institute

Coimbatore .. Respondent  
--

M.Redhakrishnan .. Advocate for the applicant

Order pronounced by the  
Hon'ble Shri R.VENKATESAN, ADMINISTRATIVE MEMBER

The prayer in this application is to direct the respondent to grant either over time allowance/<sup>or</sup>compensatory leave to the applicant for the extra hours of work done by him, that is to say 8 hours per day instead of 6 1/2 hours per day during ~~the~~ a certain period between 1988 and 1990.

According to the learned counsel for the applicant, the applicant's case is based upon a decision of this Tribunal rendered in the case of another employee of a sister Institution under the Indian Council of Agricultural Research(ICAR). The learned counsel referred to the letter dt.3.8.1992 of the Sr.Administrative Officer of the respondent Institute stating that the request of the applicant for granting him over time allowance/compensatory leave had been referred to the ICAR, the parent body, and as and when reply was received from them, the applicant would be informed of the same. However, no reply has been received ~~xxxxxx~~ICAR according to the Counsel appearing for the applicant. We find that already four months had elapsed since the interim reply of the respondent Institute to the representation dt.10.6.1992 of the applicant.

We ~~xx~~ consider that the respondent has taken a long time in considering the representation of the applicant ~~for~~ a decision. In the circumstances, we consider that the following direction would be proper and dispose of this application with the following direction:-

The respondent shall pass a reasoned order

on the representation of the applicant  
dt.10.6.1992. As the application is being  
disposed of at the stage of admission, a  
copy of this original application shall  
also be sent to the respondent Institute.

The application is disposed of as  
above.

TRUE COPY

JOINT REGISTRAR

Annexure - H

SUGARCANE BREEDING INSTITUTE  
(Indian Council of Agricultural Research)  
COIMBATORE-641 007

F.No. 14-5/92-Estt.

Dated: 29.6.1993

OFFICE ORDER

As per the Council's letter No.2(4)/93-I.A. III dated 17th June, 1993 it has been decided to grant Compensatory Leave to the Technicians who have worked extra hours during certain period between 1988 and 1990. The exact quantum (i.e. No. of Days) of compensatory leave due to each Technician will be intimated shortly after all relevant details are received from the concerned Sections/ Divisions/Regional/Research Centres.

*L. Mohan Narasimha*  
(K. MOHAN NAIDU) 29/6  
Director

To  
All Heads of Divisions/Sections: With a request to circulate the above office order to the Technicians working under them and expedite information called for vide Office circular even No. dated 25.6.93.

The Head, SBI, Regional Centre, Karnal/Scientist in-Charge,  
SBI-Research Centre, Cannanore, Motipur, Jamkhandi and Kovvur.

All Administrative Sections.

*29/6*  
*29/6/93*

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
Indiranagar,  
Bangalore-560 038.

Dated:

APPLICATION NO(s). 151 of 1993.

Applicant(s) General Secretary, and v/s Respondent(s) Director General,  
Others of I.H.R.E.A.?B'lore I.C.A.R., New Delhi & Others.

T.

1. The Indian Institute of Horticultural Research Employees Association, G-5, Brigade Links, 1st Main Road, Seshadripuram, Bangalore-20 represented by its General Secretary, Sri.S.A. Sreedhara.
2. Sri.S.A.Sreedhara, S/o.Dr.S.N.Anantharamaiah, Technical Officer, Indian Institute of Horticultural Research, Hesaraghatta, Bangalore-560 089.
3. Sri.S.C.Chandrashekar, S/o.S.T.Chennappaiah, T-4, Laboratory Technician, Indian Institute of Horticultural Research, Hesaraghatta, Bangalore-560 089.
4. Sri.D.Leelakrishnan, Advocate, No.28, Raja Snow Buildings, Seshadripuram, Bangalore-20.
5. The Director General, Indian Council of Agricultural Research, Krishi Bhavan, New Delhi-1..
6. The Director, Indian Institute of Horticultural Research, No.255, Upper Palace Orchards, Bangalore-560080.
7. Sri.S.V.Shastri, Advocate, II Floor, Sri Vinayaka Building, Near Sampige Theatre, First Cross, Sampige Road, Malleswaram, Bangalore-3.

SUBJECT:- Forwarding of copies of the Order passed by the Central Administrative Tribunal, Bangalore Bench Bangalore.

Please find enclosed herewith a copy of the ORDER/  
STAY/INTERIM ORDER passed by this Tribunal in the above said  
application(s) on 28-07-93.

Issued  
by  
gm\*

DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH : BANGALORE

DATED THIS THE 28TH DAY OF JULY, 1993

Present : Hon'ble Mr. Justice P.K. Shyamsunder ... Vice-Chairman

Hon'ble Mr. V. Ramakrishnan ... Member (A)

APPLICATION NO. 151/1993

BETWEEN:

1. The Indian Institute of Horticultural  
Research Employees Association,  
G-5, Brigade Links, 1st Main Road,  
Seshadripuram, Bangalore-560 020,  
represented by its General Secretary  
Sri S.A. Sreedhara.

2. Sri S.A. Sreedhara,  
S/o Dr. S.N. Anantharamaiah,  
Aged about 37 years,  
Technical Officer,  
Indian Institute of Horticultural  
Research, Hesaraghatta,  
Bangalore-560 089.

3. Sri S.C. Chandrashekar,  
S/o late S.T. Chennappaiah,  
T-4, Laboratory Technician,  
Indian Institute of Horticultural  
Research, Hesaraghatta,  
Bangalore-560 089.

... Applicants

(Shri D. Leelakrishnan ... Advocate)

v.

1. Indian Council of Agricultural  
Research by its Director General,  
Krishi Bhavan,  
New Delhi-110 001.

2. The Director General,  
Indian Council of Agricultural  
Research, Krishi Bhavan,  
New Delhi-110 001.

3. The Director,  
Indian Institute of Horticultural  
Research,  
No.255, Upper Palace Orchards,  
Bangalore-560 080.

... Respondents

(Shri S.V. Shastri ... Advocate)



This application having come up for admission before this Tribunal today, Hon'ble Vice-Chairman, made the following:

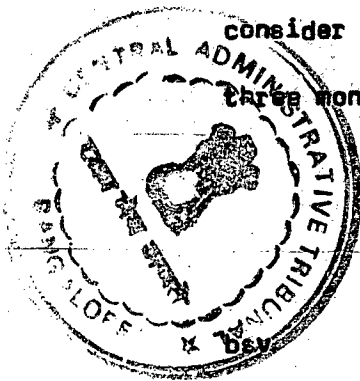
O R D E R

1. We had heard this matter on earlier occasions and directed the Administration represented by Shri S.V. Shaastri, learned counsel, to consider whether the relief of compensatory payment for overtime or compensatory holiday could be granted to the members of the applicant Association following the grant of similar relief in another case. Shri Shaastri who took time to consult his client now tells us that if the individual employees were to make a representation the administration will consider the same and relief sought for in this application would possibly be granted. He says the granting of relief at the behest of the applicant Union is not found feasible because the Union is said to be not recognised.
2. Be that as it may it ~~xxx~~ matters very little whether relief sought by the workmen or employees is granted on the motion of the Union or the workmen or employees themselves. If the department thinks it is necessary that the workmen or the employees should directly represent to the administration for relief, we direct such of employees to make an appropriate representation to the administration and direct the administration in turn to consider the same and see what best could be done to these people in accordance with the judgment of the Tribunal in the earlier case. It is open to the administration either to give the employees compensatory holiday or payment of wages for overtime. They can choose between the two and appropriate relief be granted.

- 3 -

With these observations this application stands disposed off.

All the interested employees will make individually appropriate representations within three months from the date of this order and upon such a representation being made the administration will consider the same and pass appropriate orders thereon within three months thereafter.



Sd —

Sd —

MEMBER (A)

TRUE COPY

VICE-CHAIRMAN

SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE

12/8/93



B-628  
151/95

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH. BANGALORE

CONTEMPT PETITION NO.59/1995

FRIDAY THIS THE SEVENTH DAY OF APRIL, 1995

MR. JUSTICE P.K. SHYAMSUNDAR VICE CHAIRMAN  
MR. T.V. RAMANAN MEMBER(A)

1. The Indian Institute of Horticulture  
Research Employees Association,  
G-5, Brigade Links, 1st Main Road,  
Seshadripuram,  
Bangalore-20

represented by its General Secretary  
Shri S.C. Chandrasekhar

2. S.A. Sreedhara,  
Technical Officer,  
Indian Institute of Horticultural Research,  
Hessarghatta,  
Bangalore-560089

3. S.C. Chandrasekhar,  
T-4, Laboratory Technician,  
Indian Institute of Horticultural Research,  
Hessarghatta,  
Bangalore-560089

Applicants

( By Advocate Shri D. Leelakrishnan )

v.

1. Dr.R.S. Paroda,  
Director General,  
Indian Council of Agricultural Research,  
Krishi Bhavan,  
New Delhi-110001

2. Dr. J. S. Yadav,  
Director,  
Indian Institute of Horticultural Research,  
Hessarghatta,  
Bangalore-560089

Respondents

ORDER

MR. JUSTICE P.K. SHYAMSUNDAR, VICE CHAIRMAN

Heard. This is not a proper matter for taking  
proceedings under the contempt jurisdiction. The grievance

Contd ...2.

of the applicant should be ventilated in a separate original application. In that view of the matter, we dismiss this application. But if the applicant feels like joining issue with the Administration, he is at liberty to do so by filing a separate original application. No costs.

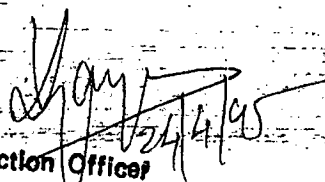
Sd/-

MEMBER(A)

Sd/-

VICE CHAIRMAN

**TRUE COPY**



Section Officer  
Central Administrative Tribunal  
Bangalore Bench  
Bangalore