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CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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SECTION OFFICER (Judl.)

*Basu*  
*7/11/07*

FROM No. 4  
(SEE RULE 42 )

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH:

ORDER SHEET

Original Application No: 164/03

Misc Petition No: /

Contempt Petition No: /

Review Application No: /

Applicants: - Dr. R. C. Upadhyay

Respondents: - N.C.T. Jam

Advocate for the Applicants: - S.R. Sen Mrs. P. Buzarbaruah

Advocate for the Respondents: - Mrs. R. S. Chetry  
Ex-Officio I.C.A.R.

Notes of the Registry	Date	Order of the Tribunal
Application is to form but not in time Conciliation notice is filed / not filed C.P for Rs. 5000 deposited vide IPO, B/An 26/5/99/198 Dated 16.7.03	18.7.2003	Heard Mrs. P. Buzarbaruah, learned counsel for the applicant. Issue notice to show cause as to why the application shall not be admitted. Returnable by four weeks. List on 5.9.2003 for admission.

By, Registrar

Pari

17/7/03

mb

Vice-Chairman

Steps taken alongwith  
envelope.

Pari

Notice prepared & sent to DLS  
for issuing the respondent  
No. 1 to 6 by Royal A.D.  
also with N.P.

O/X No. 1614 to 1617

Dtd 31/7/03

Pari  
21/7

5.9.2003 Present : The Hon'ble Mr. Justice D.N. Chowdhury, Vice-Chairman.

Heard Mrs. P. Buzarbaruah, learned counsel for the applicants and also Mrs. R.S. Chowdhury, learned counsel for the Respondent Nos. 2,3 and 4.

Mrs. P. Buzarbaruah, learned counsel for the applicants has stated that there is a possibility for resolving the matter outside the Tribunal. Therefore, she has been instructed not to press the application at this stage.

Considering the facts and circumstances of the case and also the prayer of the learned counsel for the applicants, the application is dismissed on withdrawal with liberty to the applicants to move this Tribunal again if such occasion arises.

*Recd  
C/S  
10/9/03*

10.7.03  
Copy of the order  
has been sent to the  
Office for issuing  
the same to the L/Adv  
for the Resps.

*[Signature]*  
Vice-Chairman

*AB*

Central Administrative Tribunal  
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

O.A. NO. 164 OF 2002

Dr. R.C.Upadhyा

and others

= VERSUS =

Union of India & others

Details of the application

i) Name of the applicants : As below

ii) Father's name

iii) Age

iv) Designation

(v) Office Address

as follows :

- 1) Dr.R.C.Upadhyा,  
Director, NRC -O (ICAR)  
Gangtok, Sikkim.
- 2) Dr.K.M.Bujarbaruah,  
Director, ICAR, NEH Region,  
Barapani,  
Meghalaya.
- 3) Dr.M.K.Bhattacharjee,  
Director, NRI-Y (ICAR)  
DIRANG,  
Arunachal Pradesh.

④

File No. :-  
Ms. P. D. Bujarbaruah  
Advocate  
Baruah & Associates  
Guwahati Bench

(vi) Address of service : As above.  
of Notice

Respondents with Address : 1. Union of India,  
Ministry of Agriculture,  
Krishi Bhawan,  
New Delhi - 110 001.

2. Secretary,  
Department of Agricultural  
Research And Education (DARE),  
Government of India  
An d  
Director General,  
Indian Council of Agricultural  
Research, Krishi Bhawan,  
New Delhi - 110 001.

3. Secretary, I.C.A.R. And  
Additional Secretary, D.A.R.E.  
Government of India,  
Krishi Bhawan,  
New Delhi-110 001.

4. Indian Council of Agricultural  
Research Complex for NEH Region,  
Barapani, Shillong.

1. Particulars of the  
Order against which  
the application is  
made.

: The application is made against  
the Memorandum No. 1 (16)/2001-  
Pes.IV Dated 11-3-2002 -  
Rejecting the claim for granting  
revised pay scale of Rs.18,400 -  
Rs.22,400/= to the Petitioners,  
which scale has been recommended  
by the Chadha Committee.

2. Jurisdiction of the Tribunal :

The applicants declare that the Respondents have centres  
through out the country, having one of its Institute at Barapani,  
Meghalaya, for the North-Eastern Region with the jurisdiction  
of this Hon'ble Tribunal.

3. Limitation :

That the applicants herein had filed Representation before the competent authorities as per direction of this Hon'ble Tribunal, which has been rejected by the competent Authority vide Order dated 11-3-2002. As the Petitioners are posted in different parts of the country some time was required to co-ordinate and take a decision and some delay has been caused due to the absence of the conducting counsel of the Petitioners and shifting of office chamber of the counsel, due to which, delay of about 3 months has been caused for which petitioners are filing separate application for condonation of delay.

4. Facts of the Case :

4.1 That the Indian Council of Agricultural Research (ICAR) is a registered Society registered under the Society's Registration Act. It is an autonomous Body governed, mutatis mutandis, by the Government of India Rules and Regulations.

4.2 That the main functions of ICAR are to conduct, co-ordinate, Plan and execute agricultural research education and extension in the country through a network of Institution spread over the country.

The President of the Society is the Union Minister of Agriculture. The Head of the Office is the Director General who is also the ex-officio Secretary to the Govt. of India, Department of Agricultural Research and Education. The D.G. is assisted by 8 Deputy Director General and Assistant Director General besides the Secretary, ICAR, who is a Senior

I.A.S. Officer, ICAR has a governing Body consisting of Senior Officials from Government of India. It also has different regional Committees for each region of the country. I.C.A.R. has around 80 Research Institutes, 8 project Directorate, 8 Zonal Co-ordinating Units besides All India Co-ordinated Research Projects and Network Programme throughout the country with a total Scientific and Teaching Manpower of around 30,000 strong personnel.

4.3 That the ICAR which is a Scientific Organisation involved in Agricultural Research and Education, there are two Organised Services in the Scientific Category, one is the Agricultural Research Service (ARS) consisting of Scientists, Senior Scientists, Principal Scientist, and other equivalent grades, and the other is the Research Management Position (RMP) comprising of Deputy Director General (DDGS), Assistant Directors General (ADGS) Directors, Project Directors and Joint Directors of National Institutes and National Academy of Agricultural Research Management (NAARM).

The RMPS are kept outside the ARS and are filled on tenural basis for a five years period. For each post - appropriate qualifications and duties have been prescribed for filling up through open advertisement on All India basis through Agricultural Scientists Recruitment Board (ASRB).

4.4 That the RMPS, which are above the peak Cadre of Principal Scientist in Scientific Line, have much higher responsibilities, duties than the Principal Scientist. The duties, responsibilities and functions of these different RMP - posts are as follows -

(I) Assistant Director General - These posts are in the Head Quarter at Delhi. They assist the Council in formulating Policy Guidelines and Strategies to plan, implement and monitor agricultural Research/Education and extension Programmes.

(II) Directors of ICAR Institutes located through out the country. The Director and to develop new based mandate, location specific research projects and to implement the policies through the Scientists upto the level of Principal Scientist, who assist the Director in Research, Education and extension activities. Besides the Directors are to manage the Institutions through effective administration including finance. The Scientists and other staff are answerable to the Directors.

(III) Project Directors - Similar activities as above but they are responsible for a specific project activities in the Institute.

(IV) Joint Directors of Deemed to be Universities - ICAR has 4 deemed Universities viz IARI (Indian Agricultural Research Institute), New Delhi, IVRI (Indian Veterinary Research Institute), Bareilly, NDRI (National Dairy Research Institute) Karnal, and CIFE ( Central Institute of Fisheries Education ) Bombay. The Directors of these Institute are also the Vice Chancellors of the University and their rank is similarly to the rank of Deputy Director General of ICAR, who are in fixed pay group. The Joint Directors of these 4 Institutes are therefore equivalent to the Directors of other Institutes.

(v) Joint Director NAARM - The Directors of this Institute also enjoys the status of Deputy Director General - hence the Joint Director is equivalent to the Director of other Institute.

4.5 That upto 1-1-86, pay scale of all these category of staff (RMPS) was different from the other Scientific staff. Even the designation of Scientists were different as indicated below :-

Sl.No.	Designation	Pay scale	Duties
1.	Scientist - $S_1$ (Entry point)	700 - 1300	Research
2.	Scientist - $S_2$	1100 - 1600	...DO...
3.	Scientist - $S_3$	1500 - 2000	...DO... (Also becomes Head of the Division. However, there may be other $S_3$ Scientists in the Sub-Division).
4.	Scientist $S_4$	1800 - 2250	Director of the Institute and ADGs.
5.	Scientist $S_5$	2000 - 2500	...DO...
6.	Scientist $S_6$	2500 - 3000	Deputy Director General Vice Chancellor of Agriculture Univ.
7.	Scientist $S_8$	Fixed	Director General

4.6 That the 4th Pay Commission had redesignated the Scientific Cadres and merged the Scale of RMPS (Director and above i.e.  $S_4$  and  $S_5$ ) in the following Cadre :

Sl.No.	Designation	Pay Scale
1.	Scientist	2200 - 3000
2.	Scientist Selection Grade	3000 - 4500
3.	Senior Scientist	3700 - 5700
4.	Principal Scientist	4500 - 7300
5.	Deputy Director General/V.C. (Fixed)	7300/=

4.7 That as would be evident from the above two tables, Grade 4 and 5 in Table 1 were merged with Grade 3 thereby abolishing Scientist  $S_4$  and  $S_5$  grades i.e. the Grades of Director/ADGS. They also made an additional Grade between Grade 1 and 3 of Table 1 and this Grade was redesignated as Scientist Selection Grade ( as in Table 2 ). The Grade seniority of ADG's and Directors were thus hampered.

4.8 That being aggrieved the ADGs and the Directors then represented their case to the President of ICAR, who is the Union Agriculture Minister to review the pay structure and suggested to consider a scale of Rs.5900 - 7300/= i.e. between the scale of Principal Scientist and Deputy Director General for them. The then Union Minister of Agriculture - Dr. Balaram Jakhar had then written to the then Finance Minister Dr. Manmohan Singh to consider a scale of Rs.5900 - 7300/= for the ADGs and the Directors. The Finance Minister vide his D.O. letter No.34/E-III-95 dated 24/27 Nov 1995 replied to the Agriculture Minister saying - "I am informed that the ICAR has adapted UGC scales of pay for its Scientists. I am also told that the UGC have approved a Pay Commission for reviewing the pay structure of University teachers. I would, therefore, suggest that the ICAR may await the recommendation of the UGC pay Committee". This indicate that the then Finance Minister was favourable to the proposal of granting a higher scale to the ADGs and Director of ICAR.

4.9 That on the persistent request of the ADGs and Directors, the then Hon'ble Minister of Agriculture and President of ICAR in 1996 - appointed a Committee under the Chairmanship of Dr.K.L. Chadha to look into the anomalies of 4th Pay Commission and also recommended 5th Pay Commission Scale for ICAR Scientist. The Committee after going through all the anomalies of 4th Pay Commission

report and considering the duties and responsibilities of the RMP Category had recommended that -

" The Committee has noted with concern that such an important issue of merger of RMP with Scientific Cadre which has damaged the fabric of ICAR Research Management System has not been resolved so far despite conscious efforts. The Committee is concerned that it is high time that this is rectified and the ongoing concept of RMP as approved by the Cabinet is restored. The Committee therefore recommended that the Directors of Institute/NRCs, PDs, ADGs, Joint Director of National Institute (Deemed Universities) and NAARM, may be placed in the pre-revised pay scale of Rs.5900 - 7300 as on 31-12-95 on notional basis and be given its replacement scale of Rs.18,400 - 22,400 w.e.f.

1.1.1996"

A copy of the Chadha Committee Report is annexed herewith as Annexure I.

4.10 The 5th Pay Commission, however, has given the following pay scale to ICAR Scientist :

S1.No.	Designation	Equivalent Post	Pay Scale
1.	Scientist	Lecturer	Rs.8000 - 12000
2.	Scientist Sr. Scale	Lecturer Sr. Scale	Rs.10,000 - 15,200
3.	Sr. Scientist	Associate Professor	Rs.12,000 - 18,300
4.	Principal Scientist	Professor	Rs.16,400 - 22,400
5.	Pro-Vice Chancellor	Pro-Vice Chancellor	Rs.18,400 - 22,400
6.	Vice Chancellor	Deputy DG(Fixed)	Rs.25,000/-

4.11 That as would be seen from the above in the University pattern, there is a scale between Professor and Vice Chancellor ie. the post of Pro-Vice Chancellor, which is Rs.18,400 - 22,400. This

This scale as per 4th Pay Commission was Rs.5900 - 7300/= the scale ICAR Directors and ADGs were asking for.

4.12 That it may be submitted that as the duties and responsibilities of RMP viz ADGS, Directors, Project Directors etc. are much higher than that of Principal Scientist and in view of the facts stated above, it is logical that keeping the concept of 'more work more pay' the RMPs be given a scale higher than the Principal Scientist. The fact that the duties and responsibilities of the RMP are higher than that of Principal Scientist has also been admitted by the Indian Council of Agricultural Research vide Office Order No. F. No.8-3/99-Per IV dated 18.7.2001.

Copy of the Order dated 18.7.2001 is annexed herewith as Annexure II.

4.13. That the ADGs, Directors, Project Directors, Joint Directors of deemed Universities and NAARM again filed a Representation to the Hon'ble Union Agriculture Minister and Prime Minister of India on 15.7.99 claiming the pay scale of Rs. 18,400 - 22,400/=.

Copy of the Representation is annexed herewith as Annexure III.

4.14 That though the Petitioners were given verbal assurance by the competent authorities that the matter is under active consideration and there is hope of getting the pay scale of Rs.18,400 - 22,400/=, but the authorities failed to issue any effective order.

The Respondent I.C.A.R. on 6-9-2000 vide F.No. 1(15)/99-per IV dated 6-9-2000 had expressed that the Council feels that the RMPs (other than DDGS) should be given the scale of Rs.18,400-22,400 and its denial is not in the overall interest of the Organisation.

Copy of the Order No.F.No. 1 (15)/99 Per-IV  
dated 6-9-2000 is annexed herewith as Annexure IV.

4.15 That as the authorities failed to consider and pass any effective Order for granting the revised higher pay scale of Rs.18,400 - 22,400/= to the RMPs - the present Petitioners alongwith 55 others approached this Hon'ble Tribunal and filed the application being registered as O.A. No. 295 of 2001 - Dr. R.P.Kachru & others VS. U.O.I. and others.

This Hon'ble Tribunal after hearing the parties of both sides passed an Order dated 26-9-01 directing the Petitioners to file fresh Representation individually before the Secretary within three weeks from the date of the Order and further directed the authorities to consider such Representation within three months alongwith other Representation already filed and take appropriate decision on the matter within the time specified.

It may be submitted that the Hon'ble Tribunal in its Order dated 26-9-01 has observed and opined that - the matter deserves full consideration by the appropriate authority on assessing all aspects of the matter.

Copy of the Order dated 26-9-01 is annexed herewith as Annexure V.

4.16 That as per the direction of the Hon'ble Tribunal the Petitioner filed Representation individually before the Respondent.

4.17 That the Respondent on 24.1.2002 filed a Misc. application before this Hon'ble Tribunal praying for extension of time for 4 months for obtaining the decision from the Ministry of Finance and for compliance of this Tribunal Order

and this Hon'ble Tribunal on 25-1-02 granted 3 months time for implementation of the Order.

Copy of the application for extension of time is annexed herewith as Annexure VI.

4.18 That the Respondent on 11-3-02 vide Memorandum No. 1 (16)/2001-Per IV, rejected the claim of the Petitioners holding that they are not entitled to the revised scale of Rs.18,400. - 22,400/-.

Copy of the Memorandum dated 11-3-01 is annexed herewith as Annexure VII.

## 5. GROUNDS FOR RELIEF WITH LEGAL PROVISION

5.1 That it is submitted that as brought out in the foregoing paras that it is an admitted position that the duties, responsibilities of RMP are much higher than the Principal Scientists and in view of the corresponding pay structure of the Universities, the RMPs are entitled to pay scale ~~at~~ par with the Pro-Vice Chancellor of the Universities.

5.2 That RMPs are entitled to the higher pay scale at par with the Pro-Vice Chancellor for the following reason also :

(a) To become a Director of ICAR Institute and the ADG of Head Quarter including the Jt. Directors of Deemed Universities, the essential qualification is that the Candidate has to possess 5 years experience as Principal Scientists. Moreover, they have to go through an All India Selection Process. 1.

(b) Several Principal Scientists in an Institute work under the control of the Director of the Institute and the Directors also write their Confidential Reports. Similarly, the Assistant Directors Generals oversee the activities of the Institute and he is also the member of Institute Management Committee.

(c) While the Principal Scientist is responsible only for his research project and informing the outcome to the Director, the Director has to provide each of the Principal Scientist with work direction, facilities etc. The Director can also recommend initiation of enquiry, disciplinary proceedings etc. against all Scientists including the Principal Scientist.

(d) The Director is responsible for the overall growth and development of the Institute besides arranging finance etc. for the Institute through Planning Commission.

(e) Due to similar scale with the PS, the Directors and ADGs who have to do 100 times more work than them, have been deprived of their claim of a higher scale.

5.3 That it is a settled position of Law by judicial pronouncement that there should be 'equal pay for equal work' and not 'equal pay for unequal work'.

As it is an admitted fact that the duties and responsibilities of RMPs, mode of recruitment cannot be compared with that of Principal Scientist and a higher pay scale for RMPs has also been recommended by the Chadha Committee and the same view is expressed by the Indian Council of Agriculture Research - non granting of the recommended higher scale to the RMPs and giving them the same pay scale with Principal Scientist is highly discriminatory and against the underlying principle and spirit of the legally settled principle 'equal pay for equal work'! The RMP is not comparable with the post of Principal Scientist either from the point of view of duties and responsibilities or mode of recruitment.

5.4 That it is also submitted that the RMPs were getting a different higher pay scale than the Scientific Cadre post all along. As such, merging their pay scale of RMPs with Principal Scientist is highly discriminatory.

5.5 That keeping in view the mode recruitment, the higher duties and responsibilities of RMP, the recommendation and observations of the Chadha Committee, as well as of the Council and as per the established legal position, it is necessary that the RMPs be given the pay scale of Rs.18,400 - 22,400/= at par with the Pro-Vice Chancellor of the Universities.

5.6 That the grounds on which the Petitioners Representations have been rejected are not valid which is arbitrary decision and contrary to the Council's own stand taken earlier.

The RMPS (Asstt. Director General, Directors, Joint Director of National Institute) had pay scale of Rs.1800 - 2250, 2000 - 2500 during the third pay scale and these positions were Ex-Cadre posts not counted with Scientists. However, during 4th Pay Scale, the pay scale of RMPs were merged with that of Scientists and a uniform scale of Rs.4500 - 7300 was given to them which was protested by the RMPs and the matter was taken up by ICAR (who supported the demand of the RMPs for higher pay scale) with the Ministry of Finance. Meanwhile the 5th Pay Commission came. The Chadha Committee constituted by the Agriculture Minister strongly supported the demands of higher scale for the RMPs and was also supported by ICAR.

5.7 That it is submitted that the RMPs who have been shouldering higher responsibilities, have been given the pay scale of the Principal Scientists for whom they are the reporting Officers, write their ACRs, grant leave etc. This fact of higher

responsibilities of the RMPs has been recognized by the Council. It is a grave injustice to treat the RMPs at par with the Principal Scientists. The RMP have no option but to approach the Hon'ble Tribunal for redressing their long pending grievance. Some of the RMP has already retired from service without getting the legitimate pay scale claimed by them.

6. Details of the Remedies exhausted :

The applicants filed Representation to the authorities which has been rejected.

7. Matter filed in any other Court :

No case, application has been filed in any other Court.

8. Relief sought :

It is prayed that the Hon'ble Tribunal be pleased to pass necessary Order/Direction for granting the pay scale of Rs.18,400 - 22,400 to the RMPs namely Assistant Director General/ Director/Project Director/Joint Director of Deemed Universities and NAARM w.e.f. 1.1.96.

9. The applicants pray for permission to move this application jointly in a single application under Section § 4 (5) (a) of the Central Administrative Tribunal (Procedure) Rules 1985 as the relief sought for in this application by the applicants are common, therefore, they pray for granting leave to approach the Hon'ble Tribunal by this common application.

10. Interim Relief :

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- : 15 : -

11. Particulars of the postal Order

Postal Order No. 7G 599198

Date: 16-7-2003

Issued from : G. P. O., SHILLONG.

Payable at :

12. List of Enclosure :

1. Annexure I - Report of Chadha Committee.
2. Annexure II - Order No.F.No.8-3/99-Per IV  
Dated 18-7-01
3. Annexure III- Representation dated 15-7-99
4. Annexure IV - Order F.No. 1 (15)/99-Per IV  
Dated 6-9-2000.
5. Annexure V - Copy of Order dated 26-9-2001
6. Annexure VI - Copy of the application for  
extension of time.
7. Annexure VII- Copy of Memo dated 11-3-01.

*Kamal Mann Bujarbarh*  
for Humble Petitioners

- : 16 : -

A F F I D A V I T

I, Dr. Kamal Malla Bujarbaruah, Son of  
(L) A.M.Bujarbaruah, aged about 50 years, working as  
Director, M ICAR, NEH Region, Barapani, Meghalaya, one  
of the Petitioners in this application, do hereby solemnly  
affirm and declare as follows :

1. That I am one of the Petitioners in the instant application and as such, conversant with the facts and circumstances of the case and also I have been authorised by the other applicants to sign this application.
2. That the statements made in paras 1 to 4 of this application are true to the best of my knowledge and belief, which are also matter of record and those in paras 5 to 10 are my humble submission before the Hon'ble Tribunal and I sign this on this the 17 Day of July 2003.

  
Kamal Malla Bujarbaruah  
DEPONENT

*g. sets*

Report  
of the Committee  
on  
**PAY PACKAGE FOR  
AGRICULTURAL SCIENTISTS  
AND  
TEACHERS OF ICAR AND SAUs**

Appointed by the  
Agriculture Minister and  
President, ICAR

Chairman  
Dr. K.L. Chadha  
ICAR National Professor (Hort.)



INDIAN COUNCIL OF AGRICULTURAL RESEARCH  
NEW DELHI

NOVEMBER 30, 1998

*Certified to be true  
copy, R.Ji*

18

INDIAN AGRICULTURAL RESEARCH INSTITUTE  
NEW DELHI-110 012 (INDIA)

Prof. K.L. Chadha  
Ph.D., D.Sc.  
ICAR National Professor (Horticulture)  
Division of Fruits and Horticultural Technology

To

Union Minister of Agriculture and President  
Indian Council of Agricultural Research  
New Delhi

Dear Sir,

I have great pleasure in submitting the Report of the Pay Revision Committee for Agricultural Scientists/Teachers of the Indian Council of Agricultural Research and the State Agricultural Universities.

2. Immediately after the report of the Committee to Review the Pay Scales of Universities and College Teachers was received, I was assigned the task of heading the present Committee by the then Hon'ble Agriculture Minister and President, ICAR. Having regard to the terms of reference, the Committee deliberated at length on the issues involved and held consultations with a large section of the scientific community involved in agriculture, animal sciences, fisheries and allied sciences, research and agricultural education, through correspondence and meetings as described in the report. The Committee had also the benefit of interaction with the eminent scientists in the ICAR system and agricultural universities. Although the Committee did considerable home work, the report could not be submitted as the recommendations of the Committee were required to be harmonised with the final decision of Govt. of India on the pay scales and service conditions of university teachers, which was announced only on Nov. 6, 1998.

3. In view of the fact that agricultural services in ICAR and SAUs are quite distinct to those of traditional universities, it was very difficult for the Committee to recommend pay scales and service conditions for scientists in National Agricultural Research System within the overall framework of the MHRD pay scales and service conditions for university and college teachers.

4. From the analysis given in the report, distinctness is apparent in terms of higher qualifications prescribed for recruitment of scientists, diverse functions like policy planning, administration, research, extension, teaching etc., commitment to research leading to product/technology in rural and remote areas. Besides, the system comprises scientists/teachers from diverse areas like agriculture, veterinary, engineering, bio-technology, system analysis etc.

5. In spite of this, the committee has by and large confined itself to recommend pay scales and services within the framework of UGC pay scales. However, in the interest of keeping the system vibrant and in view of the changing national and global environment in the area of science and technology, the committee has made some deviations from UGC system as follows:

- (i) Revival of Research Management Positions approved by the Cabinet in the scale of Rs 18400-22400 which suffered a major setback after the adoption of UGC pay package in 1986.
- (ii) Flexible complementing system almost at par with UGC with the exception that scientists/teachers will reach the maximum pay scale of Rs 22000-24500 via the scale of Rs 18400-22400.
- (iii) Provision for non-consultancy allowance in order to discourage the scientists spending their time for private consultancy.
- (iv) Recommendation for removal of stagnation of scientists in various grades.

6. The above mentioned recommendations, if approved, will go a long way in removing discontentment among the scientific community which, in turn, will result in improved agriculture production. I hope the Govt. of India will give due consideration and accept the recommendations made by the Committee *in toto*. I also hope and trust that scientists/teachers will also rise to the occasion to meet the future challenges in changing global scenario and do their duty as an integral part of the Society.

With best regards,

Yours sincerely,

K.L. Chadha  
Chairman

Date: November 30, 1998.

(iv)

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### LETTER OF PRESENTATION

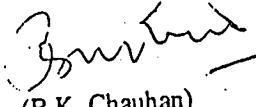
We have great pleasure in presenting the report of the Committee on the revision of pay scales and service conditions of the Scientists/Teachers in the Indian Council of Agricultural Research and Central/State Agricultural Universities. We place on record our appreciation for the cooperation and support extended to us by the Indian Council of Agricultural Research and Agricultural Universities in the discharge of our responsibility.

  
(K.L. Chadha)  
National Professor  
& Chairman

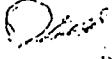
  
(Mangla Rai)  
DDG (CS) &  
Member

  
(S.L. Mehta)  
DDG (Edu.) &  
Member

  
(K. Pradhan)  
VCRAU &  
Member

  
(B.K. Chauhan)  
Secretary, ICAR &  
Member

  
(Rakesh)  
FA, DARE &  
Member

  
(G. Prasad)  
Director (P) &  
Member Secy.

## PRESENTATION TO RASTOGI COMMITTEE

1.18 The ICAR presented its case on issues concerning pay scales and service conditions including anomalies resulting from the implementation of UGC pay scales, corresponding to the IV Pay Commission to the Rastogi committee constituted by UGC (office Memo. No. 3-194(PS) dated 24th August, 1994). The committee considered the ICAR presentation and observed in its report (para 6.4.8 page 112), as follows:

"Representations have been received from organisations such as Indian Council of Agricultural Research and State Agricultural Universities which have adopted the UGC scales of pay in respect of their staff. Since in our deliberations and recommendations, we have generally taken note of universities coming under the purview of UGC, as per our terms of reference and not other institutions which have adopted these scales of pay, it is only logical that these organizations are given sufficient flexibility by the Central / State Governments at the time of change over to the new scales of pay, subject, of course, to their keeping within the broad framework of the recommendations of this Committee as well as the Central Pay Commission".

### CONSTITUTION OF COMMITTEE BY ICAR

1.19 In view of the above observations of the Rastogi Committee and the uniqueness and size of the system, the Union Minister of Agriculture and Cooperation, GOI, and President, ICAR Society constituted a Committee vide office order No. 1(8)/99 Per IV dated the Sept 5, 1997 comprising:

Dr K L Chadha ICAR National Professor (Hort.) and former DDG(H)	Chairman
Dr S L Mehta DDG(Edn.), ICAR	Member
Dr Mangala Rai, DDG (CS) and President ARS Forum, ICAR	Member
Dr K Pradhan, Vice-Chancellor, Orissa University of Agrii. Technology, Bhuvaneshwar	Member
Shri B K Chauhan, Secretary, ICAR.	Member
Sh. N Parthasarthy, FA (DARE)	Member
Capt. R K Marwaha Director (P), ICAR	Member-Secretary

### CHANGES IN COMMITTEE MEMBERSHIP

1.20 Shri N. Parthasarathy completed his deputation term and was relieved from ICAR on 28.1.98. Similarly, Capt. Marwaha retired from the Council's service on 28.2.1998. In their place, Shri Rakesh took over as FA, DARE w.e.f. 9.7.98 and Shri G. Prasad as Director (Personnel) w.e.f. 12.5.98 respectively. Dr Pradhan who was Vice-Chancellor at Bhubaneshwar at the time of the constitution of Committee is at present VC of Rajasthan Agricultural University at Bikaner.

### TERMS OF REFERENCE

1.21 The terms of reference of the Committee are as follows:

- To consider the recommendations made by the Rastogi Committee and to recommend a suitable pay package for the scientific staff of the ICAR keeping in view the changing national and global environment in the area of S&T, within the overall recommendations of Rastogi Committee and Fifth Pay Commission.
- To look into anomalies, if any, still existing due to switch over from Govt. scales to UGC pay package or otherwise and suggest remedial measures.
- To review the present promotional policies and suggest changes if any, to meet the organisational needs, within the overall framework of the Rastogi Committee Report.

A copy of the Office order constituting the Committee is given in Annexure I. A statement showing pay scales of Scientists and Teachers in ICAR, SAUs and UGC from III Pay Commission onwards is given in Tables 2-4.

Table 2. ICAR Pay scales over various CPC's

ARS	Designation	2nd CPC up to 1972	3rd CPC 1-1-73 (R&D)	ARS (1-1-76)	4th CPC (1-1-86)	UGC as adopted by ICAR (1-1-86)
S-0	Experimental Scientist	325-575	550-900	550-900	1640-2900	1740-3000
S-1	Scientist	350-900 400-950	650-1200 700-1300	700-1300	2200-4000	2200-4000
S-2	Scientist (Sr. Scale)					3000-5000
S-3	Senior Scientist					3700-5700
S-4	Principal Scientist	700-1250	1100-1600	1100-1600	3000-4500	4500-7300
S-5	PC/Head Divns/ Station.	1100-1600 1300-1600	1500-2000 1800-2000	1500-2000 1500-2000	3700-5000 3700-5000	4500-7300
S-6	ADG/Directors of some Institutes	1300-1800	1800-2250	1800-2250	4500-5700	4500-7300
S-7	Directors/ Jt. Director of Deemed Univ.	1600-1800 1600-2000 1800-2000	2000-2250 2000-2500	2000-2500	5100-6300	5900-7300 as personal to some Directors 7600 fixed
S-6/ S-7	DDG/Directors Deemed Univ.	2000-2500	2500-3000/ 3000 fixed	2500-3000/ 3000 fixed	5900-7300	

Table 3. SAU pay scales over various CPC's

Designation	UGC up to 1972	UGC 1-1-73 (R&D)	UGC (1-1-86)	UGC approved by HRD 1-1-96
Lecturer	350-900 400-950	650-1200 700-1300	2200-4000	8000-275-13500
Lecturer (Sr. Scale)			3000-5000	10000-325-15200
Lecturer (Selection Grade)/Reader	700-1250	1100-1600	3700-5700	12000-420-18300
Professor	1100-1600	1500-2000	4500-5700 (Sel. Grade) 4500-7300	16400-450- 20900-500-22400
Associate Deans	1300-1600	1800-2000 1300-1800	4500-7300	16400-450-20900- 500-22400
Deans/Directors	1600-2000	2000-2500	4500-7300	18400-500-22400*
Research/Director Extension	1800-2000			
Vice-Chancellors	2000-2500	2500-3000	7600 fixed	25000

\*Replacement scale of Pro-Vice-Chancellor

Table 4. Pay scales under UGC system

Designation	UGC up to 1972	UGC 1-1-73 (R&D)	UGC (1-1-86)	UGC (1-1-96)
Demonstrators/Tutors	325-575	550-900	1740-3000	5500-175-9000
Lecturer	350-900 400-950	650-1200 700-1300	2200-4000	8000-275-13500
Lecturer Sr. Scale			3000-5000	10000-325-15200
Lecturer (Selection Grade)/Reader	700-1250	1100-1600	3700-5700	12000-420-18300
Professor (Selection Grade)	1100-1400	1500-1800	4500-5700	16400-450-20900- 500-22400
Professor	1100-1600	1500-2000	4500-7300 <u>3700-5700</u>	12000-420-18300 (minimum to be fixed at 12640)
<u>Principle of Colleges</u>			4500-7300	16400-450-20900-500- 22400 (min. to be fixed at 17300)
Pro-Vice-chancellor			5900-7300	18400-22400
Vice-Chancellor			7600 fixed	25000 fixed

4.40 FA also observed that pay scale of Rs 5900-7300 was already available to the Pro-Vice-chancellors under the UGC system and is not a fresh introduction. No equation was drawn between Directors of the Institute/ADGs with Pro-Vice-chancellor at the time of IV Pay Commission and there is no justification for doing it now. The Committee however, had seen from ICAR records that the council was very much aware of this fact and as stated in paras 4.36 to 4.38 on pages 41 and 43 of this chapter, the grade of Rs 5900-7300 had been proposed for RMP posts in the ICAR. This issue was actively pursued with finance and the Finance Minister vide his letter D.O. No. (34)-E.III/95 dated 27th November, 1995 replied to the Agriculture Minister, "I would suggest that the ICAR may await the recommendations of the UGC Pay Committee (Annexure-7)." Therefore, the issue is still awaiting consideration of the Ministry of Finance and is very much relevant for the Committee to deliberate and give its recommendation upon.

4.41 **Recommendations :** In view of justification emerging from above paras, the committee makes the following recommendations :

The Committee has noted with concern that such an important issue of merger of Research Management Positions with scientific cadre which has damaged the fabric of ICAR Research Management System has not been resolved so far despite conscious efforts. The Committee is concerned that it is high time that this is rectified and the ongoing concept of RMP as approved by the Cabinet is restored. The Committee, therefore, recommends that the Directors of Institutes/ NRCs and PDs, ADGs, Joint Directors of National Institutes (Deemed University) and NAARM, may be placed in the pre-revised scale of Rs 5900-7300 as on December 31, 1995 on notional basis and be given its replacement scale of Rs 18,400-22,400 w.e.f. January 1, 1996.

1	2	3	4	5	6	7	8	9	10
Principal of Colleges	4500-7300	16400-22400 Min. to be fixed at 17400	—	—	Project/ Coordinator/ HOD/Reg. Stn./Jt. Dir. of other than deemed Univ. Zonal Coord.	4500-7300	16400-22400 a supervision allowance of Rs. 1500/-	5 years 18400-22400	—
Pro-Vice-Chancellor	5900-7300	18400-22400	—	—	Sr. Principal Scientist/Dir. of Inst./ NRCs/Proj. Dtc/ ADG/Jt. Dir. of IARI/ IVRI/NDRI/ NAARM	4500-7300 and 5900-7300	18400-22400	5 years or 28 years as Principal Scientist	Initial indirect assessment to those with 8 years as Principal Scientist or Rs. 5900/- as basic salary
Professor of Eminence	—	2200-24500	—	—	Scientist of Eminence		22000-24500	5 years or 8 years total	—
Vice-Chancellor	7600/- (fixed)	25,000/- (fixed)	—	—	Directors of Deemed Univ./ DDGs and National Prof.	7600/- fixed	24050-26000	—	—

**10.8 Lack of Promotional Avenues for Experimental Scientists:**

The committee recommends an early settlement of this issue as per UGC based Career Advancement Scheme circulated vide UGC's letter No. 1.3/86 (P.S) dated 8.10.92.  
(Paras 4.3 to 4.12)

**10.9 Denial of Promotional Options to ICAR Scientists:**

All those ICAR scientists who have completed five years or more of service in the pre-revised ARS scale on 28.10.91, be given one time option for assessment as per the provisions of FCS of ARS and if found fit for promotion be fixed notionally in the next higher scale without financial give or take and be placed in the UGC replacement scale w.e.f.1.1.96.  
(Paras 4.13 to 4.20)

**10.10 Pay Scales for Scientists and Teachers :**

The Committee recommends pay scales approved for UGC Teachers (MHRD Notification No. 1-22/97-VI dated 27.7.98). Scientist be placed in the scale of Rs 8000-13500, Scientist (Sr. Scale) in Rs 10,000-15,200, Sr. Scientist in Rs 12,000-18,300 and the Principal Scientist in Rs 16,400-22,400 corresponding to Lecturer, Lecturer (Sr. Scale), Reader and Professor, respectively. The basic pay of Sr. Scientists (Rs 12,000-18,300) with five years of service be fixed at Rs 14,940 as approved by MHRD for Readers in UGC.  
(Paras 5.13 to 5.18)

**10.11 Pay Scales for Supervisory Scientists:..**

Project Coordinators, Heads of Divisions, Heads of Stations, Joint Directors (other than Deemed Universities) and Zonal Coordinators at present in the pay scale of Rs 4500-7300 be placed in the replacement scale of Rs 16,400-22,400. They may be paid a lump sum amount of Rs 1500 P.M. over and above their normal emoluments as supervisory allowance on the same analogy as approved for Principals vide MHRD Notification No. 1-22/97-UI dated 27.7.1998.

The incumbents of supervisory posts will not be entitled to additional lump sum amount of Rs 1500 pm as and when they are placed in the next higher grade of Rs 18,400-22,400.  
(Paras 5.21 to 5.23)

**10.12 Pay Scales for Research Management Positions:**

The pay scale of Rs 18,400-500-22,400 approved for Pro-Vice-Chancellor in UGC system (MHRD Notification No. F.1-22/97-U.I dated 27.7.98) and for Principals / Heads of Engineering Colleges/TTIs/NIFT/ SPA/ SLIET/NERIST/ Degree level technical Institutions (MHRD notification No.F-37-104/95-TSII dated 9.10.98) and Directors of CSIR Institutes is recommended for the Research Management Positions of Directors of Institutes and National Research Centres, Project Directors, Assistant Directors General and Joint Directors of Deemed Universities in the ICAR.  
(Paras 4.25 to 4.41 and 5.24 to 5.27)

Two advance increments to a Scientist/Teacher with Ph.D. when he moves into the grade of Senior Scientist/Scientist (Selection Grade)/ Reader (Rs 12,000-18,000).

Two advance increments to a Scientist/Teacher as and when he acquires a Ph.D. degree in his service career. (MHRD Notification No. F.1-22/97 U.I dated 27.7.98).  
(Paras 5.19 & 5.20)

**10.18 Harmonisation of Placement of RMPs, Supervisory Posts and Principal Scientists/Professors in the Revised Scales :**

The Committee recommends

Assessment of Heads of Division, Project Co-ordinators, Zonal Co-ordinators, Joint Directors of the Institutes (other than deemed Universities) and Principal Scientists (at S3, S4 and S5 levels) as and when they complete eight years of service in the grade of Rs 4500-7300 (i.e. when they reach a basic salary of Rs 5900) and their placement in the scale of Rs 5900-7300 on notional basis on 31.12.95, and placement of successful scientists in the grade of Rs 18,400-22,400 (Personal) w.e.f. 1.1.96.

Placement of those who do not complete eight years as on 31.12.85 in the revised pay scales of Rs 16400-22400 as on 1.1.96 and their assessment and placement in the grade of Rs 18,400-22,400 on completion of eight years of total service or five years whichever is earlier.

Induction of the incumbents of Research Management Positions viz., Directors of ICAR Institutes and NRCs, ADGs, Project Directors and Joint Directors of Deemed Universities, directly recruited against Research Management Positions and have completed a total of eight years of service in the grade of Rs 4500-7300 on or before 31.12.95 and are drawing a basic salary of Rs 5900 into the grade of Rs 5900-7300 as on 31.12.95 and their placement in the replacement scale of Rs 18,400-22,400 w.e.f. 1.1.96.

Induction of those incumbents of Research Management Positions who do not complete eight years of service as on 31.12.95 and those recruited on or after 1.1.96 in the grade of Rs 4500-7300, in the grade of Rs 18,400-22,400 on completion of eight years of total service or five years whichever is earlier.  
(Para 8.4)

Harmonisation of placement of Dean/Directors, Assoc. Deans/Head of Dep'tt. and Professors be done in the similar manner as above.  
(Para 6.8)

**10.19 Career Advancement Scheme:**

The following recommendations are made :

Career Advancement based on flexible complementing scheme be introduced for the agricultural scientists within the pay scales announced by MHRD i.e. Rs 8,000-13,500 at entry level to Rs 22,000-500-24,500 at the level of Prof. of Eminence (Scientist of Eminence).  
(Para 5.42)

## Annexure - 6

डॉ. ओ० स०.....पू० स०/95  
D.O. No...../AM/95

कृषि मंत्री  
भारत सरकार  
नई दिल्ली - 110 002  
AGRICULTURE MINISTER  
GOVERNMENT OF INDIA  
NEW DELHI - 110 001

D.O. No. 1-7/94-Per. IV  
December : July 21, 1995

Dear Dr. Singh,

The Indian Council of Agricultural Research was reorganized following the recommendations of the ICAR Enquiry Committee headed by Dr P.V. Gajendragadkar, the retired Chief Justice of India. This comprehensive restructuring covering all categories of the staff was done with the approval of the Cabinet. For the scientific personnel, two services viz. Agricultural Research Service (ARS) and Research Management Positions (RMP) for conducting Research and Management of Research were constituted w.e.f. October 1, 1975 and April 1, 1976 respectively. It was recognised from the very beginning that Scientists holding Research Management Positions will have higher qualifications than those prescribed for the ARS Scientists.

2. The ICAR opted for UGC pay package after the 4th Pay Commission. This was well intentioned and the idea was to remove any disparity between the Research Personnel of the ICAR and those of Agricultural Universities with whom they had an intimate interface. While implementing these pay-scales, due care was not taken to protect the higher positions of those holding Research Management Position except perhaps the DDGs and some of the Directors. It has been realised that by not maintaining the higher position of those holding the higher Research Management Positions in the previous system, the leadership in the Institutes and at the Council's Headquarters in the area of Research Management has been considerably weakened and stands demoralised as they are clubbed with the Principal Scientists. I sincerely feel this requires to be urgently corrected.

3. Needless to say that agriculture continues to be the mainstay of our economy and the contributions of agricultural scientists to production and productivity has been universally recognised. In the changing global scenario, their role is far more important to ensure cutting edge technologies to attain and sustain advantages on a long term perspective plan basis.

4. I, therefore, propose that the Directors of the Institutes, Assistant Directors General at the Council's Headquarters, Project Directors and Joint Director of the National Institutes (deemed

universities) may be given the pay scale of Rs 5900-7300 which is well within their present pay segment of Rs 4500-7300 as has also been recognised by UGC. I understand that this pay scale is given to similarly placed management scientists in other scientific organisations like CSIR, ICFRE, etc. By doing so the UGC pay structure is not disturbed. There are only 120 such posts. Since the management scientists holding such posts are already very senior getting similar pay and the orders are intended to take effect from the date of the issue, there would be no question of giving any arrears on that account.

5. I shall be grateful if this receives your personal attention in view of the urgency of the matter to restore confidence and morale of Research Managers and science leaders in the ICAR. A note containing detailed proposal is appended.

With regards,

Yours sincerely

(Bal Ram Jakhar)

Dr. Manmohan Singh  
Finance Minister  
Government of India  
New Delhi - 110 001





भारतीय कृषि अनुसंधान परिषद  
भूषि भवन, डा. राजेन्द्र प्रसाद मार्ग, नई दिल्ली-110 001



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INDIAN COUNCIL OF AGRICULTURAL RESEARCH  
Krishi Bhawan, Dr. Rajendra Prasad Road, New Delhi-110 001

F.No.8-3/99-Per.IV

Dated the 18 th July, 2001

OFFICE ORDER

Consequent on adoption of UGC pay package, the pay scales of Principal Scientists and Research Management Positions like ADGs, Directors, Project Directors, Joint Directors of Deemed Universities etc. are identical i.e. Rs.16400-22400. Govt. of India decision No. 2 under FR22 1(a)(i) interalia provides that when two posts are in identical time scale, it is reasonable to hold that the duties and responsibilities to the post are not very different in nature.

As per model qualifications /experience prescribed for various categories of Scientists /Research Management Positions under the Council vide circular No. 8(3)/95-Per.IV dated 6.2.95, for becoming eligible for the post of Director, ADG, Project Director etc., five years experience as Principal Scientists or in an equivalent position is one of the essential qualifications whereas for becoming eligible for the post of Principal Scientist, only three years experience as Sr. Scientist is required. The incumbents of RMPs are also required to discharge higher duties and shoulder higher responsibilities.

Taking into account the above position it is hereby clarified that the duties and responsibilities of the Research Management Positions viz. ADGs, Directors, Project Directors, Joint Directors of Deemed Universities etc. are higher than that of Principal Scientists irrespective of pay scales being identical.

*W.S.*  
( Sodhi Singh )  
Deputy Secretary (P)

Distribution :-

1. All Directors/Project Directors of ICAR Institutes.  
2. All DDGs/ADGs, ICAR/KAB.  
3. Secretary, AFS Forum.  
4. Sr.PPS to DG, ICAR.  
5. PS to Secretary, ICAR

*Certified to be true copy*  
*G.S.*

To

The Hon'ble Union Agriculture Minister &  
 Prime Minister of India and  
 President,  
 Indian Council of Agricultural Research,  
 Krishi Bhavan,  
 New Delhi.

**Subject: Revision of Pay Scales of Research Management Positions,**  
 namely Assistant Director Generals at ICAR  
 HQs./Directors/Project Directors/Jt. Directors of Deemed  
 Universities and NAARM of the ICAR Research Institutes.

Respected Sir,

The Indian Council of Agricultural Research has senior Research Management Positions (FIMP) of Assistant Director Generals (ADGs) at the ICAR Headquarter, who assist in formulating policy guidelines and strategies to plan, implement and monitor agricultural research/education/extension programmes. Similarly, the Council has 86 Institutes which are headed by the Directors/Project Directors to guide, direct and manage the research activities in various significant areas in agriculture and allied subjects as mandated by the Council. In the four Deemed Universities of the Council, and in the National Academy of Agricultural Research Management (NAARM), there are posts of Joint Directors who assist the Directors in all the duties.

Prior to 1.1.86, these Research Management Positions created through Cabinet decision, carried three scales viz. Rs. 1800-2250 (S-4), Rs. 2000-2500 and Rs. 2500-3000 (S-6). While implementing the UGC/ 4<sup>th</sup> Pay Commission grades with effect from 1.1.86 in the ICAR, the scales of above three Research Management Positions were merged with the scientific scale of S-3 (Rs.1500-2000) including the personal scales of scientists as Rs.1800-2250 and Rs. 2000-2500, irrespective of their prescribed essential qualifications, experience, roles and responsibilities which were different. This anomalous implementation of Grades dampened the spirit, zeal and enthusiasm and brought a sense of despair and frustration in these management positions. It has also created administrative problems to manage the institutes/Centres/Units as control and command is crippled.

Since positions of ADGs, Directors, Project Directors and Joint Directors of Deemed Universities and NAARM belong to the higher cadre of Research Management Position, a consensus had emerged in the Council that these positions deserve higher grade of Rs. 5900-7300 (pre-revised) for the following reasons:

- They are directly recruited on all India basis with prescribed essential qualifications and experience much higher than those for Principal Scientist (Table 1).

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- They are the administrative and technical controlling officers for Principal Scientists, Heads of Divisions and Project Coordinators.
- Their responsibilities are much higher than that of Principal Scientists e.g. a Director of the Institute is the Head of the Office with distinct financial and administrative powers. He is the appointing and disciplinary authority for group B, C and D employees of the Institute.
- The Principal Scientist is responsible for a particular defined research/extension programme, while the Directors of Institutes and ADGs are responsible for total programme of the Institute and its coordination at national as well as international level. The other duties include administration, coordination, planning, supervision and guidance of research, extension, training, out-reach programmes, consultancies, international collaboration, production programmes, revolving fund schemes, resource generation programmes etc. These duties and responsibilities are much higher than that of Principal Scientist.
- Taking the above aspects in view, the ICAR with the approval of Cabinet, had identified Research Management Positions (RMP) with higher scales.
- Merging scales of RMPs with Principal Scientist has disturbed the administrative pyramid and has resulted in undermining their hierarchical superiority for which these posts were created.
- Even after the merger of the scales of RMPs with Principal Scientists, the RMPs were kept out of scientific cadre and were continued to be filled with higher qualifications and entrusted with higher responsibilities. If these positions were not to be considered of higher level, there was no need to fill them by direct recruitment with higher qualifications. These could have been filled by giving charge to the senior most Principal Scientist. In fact, the system of filling the posts of heads of Divisions on rotation basis by giving charge to the senior most scientist had failed necessitating switching over to direct recruitment on all India basis.

It may kindly be noted that:

- Granting of proposed scale would not entail additional financial burden on the Council as most of the persons occupying these positions are already drawing higher than the minimum basic of the proposed scale.
- The Directors of CSIR Institutes (governed by Central Government pay scales) and the Principals/Heads of Engineering Colleges, Teachers Training Institutes, North Eastern Regional Institute for Science & Technology etc. (governed by UGC pay scales) have also been placed in the revised pay scale of Rs. 18400-22400.

- Professors of IITs who were at one time in lower scale than RMPs of ICAR have now been placed in the revised scale of Rs. 18400 – 22400.
- The superiority of RMPs has been recognised by the UGC/Finance Ministry by granting a minimum of Rs. 17300 in the revised scale of Rs. 16400-22400 to them.
- The RMPs constitute hardly 2% (about 135) of the total of the scientific strength (about 6000) in ICAR system.

The salary structure and status of these positions remained under active discussion throughout in the preceding years (during 1989-95) both in the council and the Ministry of Finance. The then *Agricultural Minister, Dr. Balram Jakhar* had written a letter to the then *Finance Minister, Dr. Manmohan Singh* to consider award of scale of Rs. 5900-7300 to these positions. In reply to that letter, the Finance Minister vide his D.O. letter No. 34/E-III-95 dated 24/27<sup>th</sup> Nov. 1995 wrote that "I am informed that the ICAR has adopted UGC scales of pay for its scientists. I am also told that the UGC have appointed a Pay Commission for reviewing the pay structure of University teachers. I would, therefore, suggest that the ICAR may await the recommendations of the UGC Pay Committee". *This shows that the then Finance Minister was favourable in agreeing to the proposed higher scale.*

In 1996, the then *Hon'ble Minister for Agriculture and President ICAR Shri Chaturanah Mishra* appointed a committee under the Chairmanship of Dr. K.L. Chadha, to look into the anomalies of 4<sup>th</sup> Pay Commission and also recommend 5<sup>th</sup> Pay Commission scales for the ICAR scientists. This Committee after going through all the anomalies in implementation of 4<sup>th</sup> Pay Commission report and considering duties and responsibilities of all categories of scientists including those in the Research Management Positions, has recommended UGC approved Pay scales which was implemented in December, 1998. In this report, the Committee has recommended higher scale of Rs. 18400-22400 for ADGs, Directors of the Institutes, Project Directors and the Joint Directors of the deemed universities and NAARM.

In view of the above facts, it is submitted that :

- The pay scale of Rs. 18400–22400 be given to the RMPs namely ADGs/ Directors/ Project Directors/ Joint Directors of Deemed Universities and NAARM.

Dated: 15<sup>th</sup> July, 99 /

Assistant Director Generals/  
Directors/ Project Directors /  
Joint Directors of Deemed  
Universities and NAARM



INDIAN COUNCIL OF AGRICULTURAL RESEARCH  
KRISHI BHAVAN, DR. RAJENDRA PRASAD ROAD  
NEW DELHI - 110001

F No. 1 (15)/99-Per IV  
Dated: 06.9.2000

1. The Indian Council of Agricultural Research (ICAR) is an autonomous organisation fully funded by the Govt. of India. For regulating the service matters of its employees, it follows the Govt. of India rules mutatis-mutandis. The ICAR has the mandate of planning, undertaking, promoting and co-ordinating research education and its application in agriculture, agro-forestry, animal husbandry, fisheries, home science and allied sciences.
2. In the ICAR, which is a scientific organisation involved in Agricultural Research & Education, there are two organised services in the Scientific category. One is the Agricultural Research Service (ARS) consisting of Scientists, Senior Scientists, Principal Scientists and other equivalent grades, and the other, is the Research Management Position (RMP) comprising of Deputy Directors General (DDGs), Asstt. Directors General (ADGs), Directors, Project Directors and Joint Directors of National Institutes and National Academy of Agril. Research Management (NAARM), Hyderabad. The RMPs are kept outside the ARS and are filled on tenurial basis for a five year period. For each post, appropriate qualifications and duties have been prescribed for filling-up through open advertisement, on All India basis through Agricultural Scientists Recruitment Board (ASRB).
3. These Research Management Positions were created through cabinet decision, and prior to 1.1.1986 carried three scales, viz. RS. 1800-2250 (S-4), RS. 2000-2500 (S-5) and RS. 2500-3000 (S-6). While implementing the UGC/4<sup>th</sup> Pay Commission grades with effect from 1.1.86 in the ICAR, the scales of above three Research Management Positions were merged with a scientific scale of S-3 (RS. 1500-2000).
4. Since positions of ADGs, Directors, Project Directors and Joint Directors of Deemed Universities and National Academy of Agril. Research Management (NAARM) belong to the higher cadre of Research Management Position, a consensus had emerged in the Council that these positions deserve higher grade of RS. 5900-7300 (pre-revised) for the following reasons:

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- They are directly recruited, on All India basis, with prescribed essential qualifications and experience, much higher than those for Principal Scientist
- They are the administrative and technical controlling officers for Principal Scientists, Head of Divisions and Project Coordinators.
- Their responsibilities are much higher than that of Principal Scientists, e.g. a Director of the Institute is the Head of the Office with distinct financial and administrative powers. He is the appointing and disciplinary authority for Group B,C and D employees of the Institute.
- The Principal Scientist is responsible for a particular defined research/extension programme, while the Directors of Institutes and ADGs are responsible for total programme of the Institute/ICAR Hqrs. and its coordination at national as well as international levels. The other duties include administration; coordination, planning, supervision and guidance of research, extension, training out-reach programmes, consultancies, international collaboration, adhoc research schemes, revolving fund schemes, resource generation programmes etc. These duties and responsibilities are much higher than that of Principal Scientist.
- Taking the above aspects in view, the ICAR with the approval of Cabinet had identified Research Management Positions (RMP) with higher scales. Even after the merger of the scales of RMPs with Principal Scientists, the RMPs were kept out of the scientific cadre and were continued to be filled with higher qualifications and entrusted with higher responsibilities.

5. The salary structure and status of these positions remained under active discussion throughout in the preceding years (during 1989-95) both in the Council and the Ministry of Finance. The then Agriculture Minister, Dr. Balram Jakhar had written a letter to the then Finance Minister, Dr. Manmohan Singh to consider award of scale of RS. 5900-7300 to these positions. In reply to that letter, the Finance Minister vide his D.O. letter No. 34/E-III-95 dated 24/27<sup>th</sup> Nov. 1995 wrote that "I am informed that the ICAR has adopted UGC scales of pay for its Scientists. I am also told that the UGC have appointed a Pay Commission for reviewing the pay structure of University teachers; I would, therefore, suggest that the ICAR may await the recommendations of the UGC Pay Committee." This shows that the then Finance Minister was favourable in agreeing to the proposed higher scale.

6. In 1996, the then Hon'ble Minister for Agriculture & President ICAR appointed a committee under the Chairmanship of Dr. K.L. Chadha, to look into the anomalies of UGC 4<sup>th</sup> Pay Commission and also recommend 5<sup>th</sup> Pay Commission scales for the ICAR scientists. This committee after going through all the anomalies in implementation of UGC Pay scales during the 4<sup>th</sup> Pay Commission period and considering duties and responsibilities of all categories of Scientists including those in the Research Management Positions, has recommended UGC approved pay scales

which was implemented in Dec. 1998. In this report, the Committee has recommended higher scale of RS. 18400-22400 for ADGs, Directors of the Institutes, Project Directors and the Joint Directors of the deemed universities and NAARM.

7. A large number of representation from the incumbents of the RMPs have been received for granting them the revised pay scales of RS. 18400-22400 as recommended by Chadha Committee. In their representations they have contented that their appointment to these positions are through All India basis from amongst the Principal Scientists having five years experience in the grade. The duties and responsibilities attached to the Research Management Position are much higher and therefore expressed their protest for equating their pay scales with that of Principal Scientists who are non RMPs.

8. In view of the position explained in preceding paras the Council is of the opinion that since the DDGs of the Council have already been equated with Vice Chancellors of SAUs, ADGs, Directors and other Research Management Positions of the ICAR should be equated with the Pro-Vice-Chancellors of the Universities who have been granted the revised pay scale of RS. 18400-22400. This was recommended by the Chadha Committee and also by the members of ICAR Society in 182<sup>nd</sup> meeting of the Governing Body held on 18.11.1999.

It may also be noted that:

- Granting of proposed scale of RS. 18,400-22,400 would not entail additional financial burden on the Council as most of the persons occupying these positions are already drawing higher than the minimum basic of the proposed scale.
- The Directors of CSIR Institutes (governed by Central Government pay scales) and the Principals/Heads of Engineering Colleges, Teacher's Training Institutes, North Eastern Regional Institutes for Science & Technology etc. have been given pay scale of RS. 18,400-22,400.
- The superiority of RMPs has already been recognised by the UGC/Finance Ministry for granting a minimum of RS. 17,300 to them in the revised scale of RS. 16,400-22,400.
- The RMPs constitute hardly 2% (about 135) of the total of the scientific strength (about 6000) in ICAR system.

9. The Council feels that the RMPs (other than DDGs) should be given the scale of RS. 18,400-22,100 and its denial is not in the overall interest of the Organisation.

This issues with the approval of the Hon'ble Minister of Agriculture.

(G. Prasad)  
Director(P)

Dated:

Smt. Usha Mathur,  
Joint Secretary (Expenditure)/Personnel,  
Dept. of Expenditure, Ministry of Finance,  
North Block, New Delhi.

U.O. No. 1(15)/99-P.IV dated 30.8.2000

( See Rule 42 )

## ANNEX - V

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH ::::: GUWAHATI.

ORDER SHEET

APPLICATION NO. 295 OF 2001

APPLICANT (S) OR ~~Mr.~~ Kavhuz & AS.

RESPONDENT (S) 2001 2008

ADVOCATE FOR APPLICANT(S) M/s S.R. Sen, M/s P.D. Brijambalak

Mr. D.K. Pillai & Co. Advocates  
ADVOCATE FOR RESPONDENT(S)

Notes of the Registry	dated	Order of the Tribunal
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26.9.01 The applicants are three in number. The applicant no. 3 Dr. N.D.Verma is presently working as a Director at Indian Council of Agricultural Research complex, Barapani. The applicant No. 44 Dr. M.K.Bhattacharyya, is working as a Director, NIRJAFT (ICAR) Dirang, Arunachal Pradesh and the applicant No. 59 Dr. Dr. K.M. Bujarbaruah is working as Director, ICAR, Nagaland.

This application is directed against the inaction of the respondents in not granting the higher scale of Rs.18,400-22,400 as recommended by the Chadha Committee and also by the Members of the Governing Body held on 18.11.1999 in the following circumstances.

The applicants are serving under the ICAR - a scientific organisation involved in Agricultural Research and Education having two organised services in the scientific category. The applicants belong to the Research Management Position (For short RMP). It is asserted that duties and responsibilities of RMP's are higher than that of the duties reposed on the Scientists, Principal Scientists. Upto 1986 the pay scale of the category of staff of RMP's was different from other scientific staff. The 4th Central Pay

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26.9.01 Commission had redesignated the Scientific cadres and merged the scale of RMP's. The member of the RMPs represented to the higher authority citing the incongruities before the President of the ICAR. The then President of ICAR who also happened to be the Minister for Agriculture sent a D.O. letter to the Ministry of Finance to provide the pay scale to the Director, Assistant Director General at the Council's Headquarters, Project Director and Joint Director of the National National Institute to provide the pay scale that was given to other scientific organisations like CSIR, ICFRE etc. In response to the said letter the Finance Minister by his communication dated 24.11.1995 suggested that the ICAR may await the recommendations of the UGC Pay Committee which was appointed for reviewing the pay of the University teachers. Consequently a committee under the Chairmanship of Dr. K.L. Chadha was constituted to look into the anomalies of 4th Pay Commission and also recommended 5th Pay commission scales for the ICAR scientists. The committee after an in depth

enquiry submitted its report with the following recommendation :

The committee has noted with concern that such an important issue of merger of Research Management Positions with scientific cadre which has damaged the fabric of ICAR Research Management system has not been resolved so far despite conscious efforts. The Committee is concerned that it is high time that this is rectified and the ongoing concept of RMP as approved by the Cabinet is

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26.9.01

restored. The Committee, therefore, recommends that the Directors of Institutes/NRCs and PDS, ADGs, Joint Directors of National Institutes (Deemed University) and NAARM, may be placed in the pre-revised scale of Rs.5900-7300 as on December 1, 1995 on notional basis and be given its replacement scale of Rs. 18,400-22,400 w.e.f. January 1,1996."

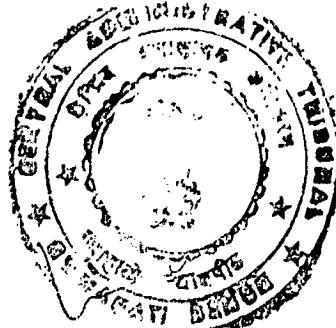
u)

The Committee also made its recommendation that the pay scale Rs. 18,400-22,400 be given to the Assistant Director Generals/Directors/Project Directors/Joint Directors of Deemed Universities and NARRM. A representation dated 15.7.1999 was also submitted before the concerned authority claiming pay scale of Rs.18,00-22,400 for the RMP's. The Indian Council of Agricultural Research also submitted its proposal for giving the scale of Rs. 18,400-22,400 to the RMP's. Failing to get appropriate remedy from the authority the applicants now knocked the door of the Tribunal.

We have heard Mr. S.R.Sen, learned Sr. Counsel for the applicant assisted by Mr. D. Mazumdar, Mr. P.D.Bejarbarua and also Mr. B.C. Pathak, learned Addl. C.G.S.C. appearing on behalf of the respondents.

On hearing the counsel for the parties and after going through the material on record we are of the opinion that the matter deserves full consideration by the appropriate authority on assessing all aspects of the matter. The representations for allaying the grievances are pending. We feel the matter should not brook delay. In our opinion, ends of justice will be met if the applicants are directed to submit

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O.A. 295/2001

26.9.01 fresh representation individually before the Secretary within three weeks from today narrating all the facts. If such representation are made before the respondents the respondent no. 1 shall take appropriate decision on the matter within three months thereafter. Needless to state that respondents shall also consider the other representations already presented by some like officers before the authority and shall take appropriate decision on the matter within the time specified.

With the above observations the application stands disposed of. There shall, however be no order as to costs.

Sd/VICE CHAIRMAN

Sd/MEMBER (A)

Certified to be true  
প্রাপ্তি প্রতিপাদি

11/10/2001

Section Officer (S)  
প্রাপ্তি অনুমতি দিয়ে আছে।  
Central Administrative Tribunal  
কেন্দ্রীয় প্রশাসন বিধায়ক  
Guwahati Bench, Guwahati  
প্রাপ্তি স্বাক্ষর করা হচ্ছে।

11/10/2001

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH, GUWAHATI DELHI

M.P. NO. /2002

IN

O.A. NO.295/2001

IN THE MATTER OF

DR.R.P. KACHRU &amp; ORS

APPLICANTS

VS.

UOI &amp; ORS

RESPONDENTS

MISC. APPLICATION ON BEHALF OF THE RESPONDENTS

FOR EXTENSION OF TIME

MOST RESPECTFULLY SHOWETH :

1. That the said matter was filed before this Hon'ble Tribunal for granting higher scale of Rs.18,400 - 22,400 as recommended by the Chadha Committee and also by the members of the governing body. The Hon'ble Tribunal was pleased to pass the following order on 26.9.2001 as under :

".... In our opinion, ends of justice will be met if the applicants are directed to submit fresh representations individually before the Secretary within three weeks from today narrating all the facts. If such representation are made before the respondents the respondent No.1 shall take appropriate decision on the matter

*certified to be  
true copy*  
*QJ*

within three months thereafter. Needless to state that the respondents shall also consider the other representations already presented by some like officers before the authority and shall take appropriate decision on the matter within the time specified.

With the above observations the application stands disposed of. There shall however be no order as to costs."

A copy of the said order is marked and annexed as Annex.R-1.

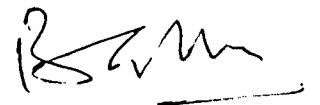
2. That in pursuance of the above directions by the Tribunal the respondents received a number representations from the incumbents of the various Research Management Positions of ICAR for the grant of higher pay scales of Rs.18,400 to Rs.22,400/- . These representations were considered by the Competent Authority in a meeting on 5<sup>th</sup> December,2001, wherein DG ICAR with Dr. N.S.L. Srivastava ADG Engineering, Dr. Ilyas, Director, CIPHET, Mr. Mritunjaya, Director NCAP, Secretary ICAR, FA(DARE), Director(Personnel), and DS(P&A) were present.

On the basis of the points raised by the incumbents and other facts available on record, the matter was taken up with the Ministry of Finance, which was explained in the meeting held on 5.12.2001. It is submitted that the Ministry of Finance did not agree with the proposal of the Council. It was further decided by the Council in the said meeting that incumbents of RMP will make another representation bringing out new points in support of the case for

higher pay scale and their representation will again be considered for the approval of Ministry of Finance.

3. That in pursuance of the above decision, few new points were proposed to be considered by the Ministry of Finance reiterating all the points for reconsidering the issue in view of the order passed by the Hon'ble Tribunal. Some of these points are as under :-
  - (a) The Council clarified vide order No.8(3)/99-Per.IV dated 18.7.2001 that ADG's, Directors, Project Directors, Joint Directors of National Institute have higher responsibilities than Principal Scientists and therefore, these posts should not be equated with the Principal Scientist.
  - (b) In the ICAR system, the DDCs and Directors of National Institute have been given the scale of Rs.25,000/- (fixed), whereas the scale of Rs.18,400-22,400/- has not been given to anybody. Since Directors and ADGs have higher responsibilities and are directly recruited through ASRB from among the Principal Scientists with five years experience on all India Competition basis, therefore, they should be placed in the scale of Rs.18,400 - 22,400/-.
4. That keeping in view the above points as well as reiterating all the points for reconsidering the issue, in view of this Tribunal's order, the case has been referred again to the Ministry of Finance.

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In view of the above submissions it is respectfully submitted that the further period of 4 months may be granted to the respondents for obtaining the decision from the Ministry of Finance, and for the compliance of this Hon'ble Tribunal's order.



RESPONDENTS

THROUGH

DATED: 18/1/02

(Shri B.C. Pathak)  
Add. C.G.S.C

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH, GUWAHATI DELHI

M.P. NO. /2002

IN

O.A. NO.295/2001

IN THE MATTER OF

DR.R.P. KACHRU & ORS

APPLICANTS

VS.

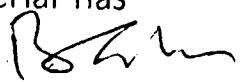
UOI & ORS

RESPONDENTS

AFFIDAVIT OF SHRI B.N.P. PATHAK WORKING WITH THE RESPONDENTS  
AS LEGAL ADVISER.

I the above named deponent do hereby solemnly affirm  
and declare as under :

1. I being the Legal Adviser in ICAR, Krishi Bhavan, New Delhi and  
duly authorised to depose respondent, am well conversant with  
the facts and circumstances of the case and as such competent  
to swear this affidavit.
2. That the contents of the accompanying application are true to  
the best of my knowledge and belief and nothing material has  
been concealed therefrom.

  
DEPONENT

VERIFICATION :

Verified at New Delhi on the ~~18~~<sup>19</sup> day of January,2002 that  
the contents of the above affidavit are true to the best of my  
knowledge and belief and nothing material has been concealed  
from this Hon'ble Court.

  
DEPONENT

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SP/372  
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INDIAN COUNCIL OF AGRICULTURAL RESEARCH  
KRISHI BHAVAN : NEW DELHI

No.1( 16 )/2001-Per.IV

<sup>Qb</sup>  
Dated the: 11 March, 2002

**MEMORANDUM**

Whereas, a case was filed in CAT, Guwahati Bench vide O.A. No.295/2001 by Dr.R.P. Kachru & Others Vs. ICAR & Others against the decision of ICAR in not granting the higher scale of Rs.18400-22400 to RMPs as recommended by the Chadha Committee and also by the members of the Governing Body.

Whereas, the Hon'ble CAT, Guwahati Bench, in its judgement dated 26.9.2001 in O.A. No.295/2001 has disposed of the OA with the directions that the applicants may submit fresh representation individually before the Secretary within three weeks narrating all the facts and if such representations are made, ICAR shall take appropriate decision on the matter within three months of receipt of representation from the applicants as well as other representations already presented by some like officers before the authority.

Whereas, in pursuance of the above mentioned direction judgement of the Hon'ble CAT, Guwahati Bench in O.A. No.295/2001, representations have been received from the incumbents of Research Management Position Scientists of ICAR for grant of higher pay scales of Rs.18400-22400 to RMPs.

Now, in pursuance of the judgement of the Hon'ble CAT, Guwahati Bench, dated 26.9.2001 in O.A. No.295/2001, the requests of the representationists have been reconsidered by the Competent Authority and found that the same cannot be acceded to on the following reasons:

(i) Prior to 1986 the Scientists of ICAR were governed by the Central scales of pay with flexible complimenting scheme. But on the insistence of the Scientists of ICAR, the Council adopted the UGC pay package w.e.f. 1.1.86. Consequently, the pre-revised pay-scales of Rs.1500-2000, 1800-2250 and 2000-2500 were merged into one elongated revised scale of Rs.4500-7300 w.e.f 1.1.86 in accordance with the corresponding replacement UGC pay scales w.e.f. 1.1.86. This was accepted by the Scientists and incumbents of Research Management Positions in ICAR. As the pay scales applicable to ICAR scientists during Fourth Pay Commission were at par with the pay scales recommended by MHRD/UGC for teachers of the Universities and colleges, the Council was bound to follow the pay scales announced by MHRD/UGC for the teachers of the Universities and Colleges during the Fifth Pay Commission.

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(ii) The Chadha Committee was an internal committee constituted by the ICAR to recommend suitable pay package for the scientific staff within the overall recommendations of Rastogi Committee and Fifth Pay Commission to look into anomalies if any, still existing due to switch over from government scales to UGC Pay Package and to review the present promotional policies and suggest changes if any.

(iii) The recommendations of the Committee were duly considered by ICAR in consultation with MOF/DOP&T. It was decided that since ICAR has followed pay scales of MHRD/UGC during the Fourth Pay Commission, the revised scales approved by MHRD/UGC for the teachers of the Universities and colleges should be made applicable to the scientists and incumbents of Research Management Positions in ICAR. Accordingly the Directors, Project Directors of ICAR Institutes, Joint Directors of Deemed to be Universities under ICAR and ADGs at ICAR Headquarters who were in the pre-revised scale of Rs.4500-7300 were placed in the revised scale of Rs.16400-22400 which is the replacement scale of Rs.4500-7300, with the stipulation that the incumbents of the positions of Directors, Project Directors of ICAR Institutes, Joint Directors of Deemed to be Universities under ICAR and ADGs at ICAR Headquarters be allowed minimum pay to be fixed at Rs.17400/-, treating them at par with the Principal of Colleges under the Universities.

(iv) The pay scale of Rs.18400-22400 recommended by MHRD to the Pro- Vice Chancellors of the Universities is the replacement scale of pre-revised grade of Rs.5900-7300. As the incumbents of the posts of Directors, Project Directors of ICAR Institutes, Joint Directors of Deemed to be Universities under ICAR and ADGs at ICAR Headquarters were not working in the pre-revised grade of Rs.5900-7300, they are not entitled to the revised scale of Rs.18400-22400.



(K.K. Bajpai)  
Director(Personnel)

To

1. All ADGs at ICAR Hqrs
2. All Directors/Project Directors of all Research Institutes/NRCs
3. Joint Directors of Deemed to be universities.

Copy to:

1. Law Section for keeping in file No. 1(16)/2001-Law
2. Per.III Section