

**Central Administrative Tribunal  
Principal Bench, New Delhi.**

**CP-494/2016  
in OA-498/2015**

**New Delhi this the 01<sup>st</sup> day of March, 2017**

**Hon'ble Sh. Shekhar Agarwal, Member (A)**  
**Hon'ble Mr. Raj Vir Sharma, Member (J)**

G.C. Sharma, (Receptionsit),  
s/o M.C. Sharma R/o A-7, Krishi vihar,  
New Delhi-110048  
Presently posted as  
HR (Admin) II, Lab Admin. Division, CSIR, HQRs,  
CSIR, Anusandhan Bhawan,  
Rafi Marg, New Delhi-110001.

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Petitioner

(By Advocate: Sh. Malaya Chand)

Versus

Dr. Girish Sahani  
Director General, CSIR,  
Room No. 131,  
Anusandhan Bhavan, Rafi Marg,  
New Delhi-110010.

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Respondent

(By Advocate: Sh. Praveen Swaroop)

**ORDER (ORAL)**

**Hon'ble Sh. Shekhar Agarwal, Member (A)**

This Contempt Petition was filed for alleged non compliance of our order dated 03.02.2016 (wrongly mentioned in the order as 03.02.2015), the operative part of the order is as follows:

“8. In view of the above, we are of the view that it would be appropriate to dispose of this matter at this stage without addressing to the contentions raised in the Application, with the direction to the respondents to examine the grievance of the applicant and dispose of his representation by recoding reasons expeditiously, preferably within a period of four months from the date of receipt of certified copy of this order. Needless to emphasize that we have not expressed any opinion on the merit of the matter as the same is to be examined by the respondents, at the first instance, by recording reasons. In the event, the applicant is aggrieved by the ultimate decision taken by the respondents on his representation, it

would be open to him to avail such remedy available to him under the law."

2. In compliance thereof, the respondents have filed an affidavit on 25.01.2017 along with which is attached their OM dated 19.12.2016 by which the representation of the applicant has been considered. A reading of this OM reveals that applicant's prayer for grant of pay scale of Rs. 5500-9000 has not been accepted by the respondents. They have, however, contended as follows:

"The request of Shri G.S. Sharma vide his representation dated 24.03.2011 and 13.10.2014 for placing him in the Pay Scale of Rs. 5500-9000 w.e.f 30.01.2003 (date of notification of new pay scales for isolated category of staff by CSIR) cannot be acceded to as not covered under the extant rules. However, in order to address the anomaly, the case of Shri G.C. Sharma will be taken up for placement in the Pay Scale of Rs. 5000-8000 from 30.01.2003 (date of notification of the new pay scales for isolated category of staff by CSIR) after the following clause of CSIR circular No. 17/92/08/2000 dated 30.01.2003- 'the existing employees holding lower grades other than the approved grades will continue to hold the same as personal to them and may be considered for placement in the next approved grade in the relevant groups only on completion of prescribed residency period', is appropriately amended with the approval of the Governing Body of CSIR in its next meeting."

3. In view of the aforesaid we are of the opinion that our order has been substantially complied with. Accordingly, this CP is closed and notice issued to the alleged contemnor is discharged. The petitioner shall however be at liberty to seek revival of this CP in case his case for grant of pay scale of Rs. 5000-8000 is not placed before the next Governing Body Meeting by the respondents in terms of the assurance given by them.

**(Raj Vir Sharma)**  
**Member (J)**

**(Shekhar Agarwal)**  
**Member (A)**

/ns/