

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

**M.A.N o.060/00598/2018 & MA NO.060/1039/2018 &
ORIGINAL APPLICATION NO. 060/00460/2018**

Chandigarh, this the 31.7.2018.

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MRS. AJANTA DAYALAN, MEMBER (A)**

1. A.K. Shadilya (aged about 51 years) S/o Sh. D.N. SHandilya, working as Assistant Plant Protection Officer (Chemistry), Office of Central Insecticide Laboratory, Nh-IV, Faridabad. (Group B) (NG).
2. Chandra Bhushan Singh (aged about 58 years) S/o Sh. Trilokinath Singh, working as Plant Protection Officer (Chemistry), O/o Regional Plant Quarantine Station, Mumbai. (Group B).
3. Arun Kumar Chauhan (aged about 56 years) S/o Sh. Yashwant Singh, working as Plant Protection Officer (Chemistry), O/o Central Coding Cell, Faridabad. (Group B).
4. Shahid Khan (aged about 50 years) S/o Sh. Imamuddin Khan, working as Assistant Plant Protection Officer (Chemistry), O/o Central Insecticide Laboratory, NH-IV, Faridabad (Group B).
5. Vineeta Maheshwari (aged about 50 years) W/o Sh. Bipin Maheshwari, working as Assistant Plant Protection Officer (Chemistry), O/o Central Insecticide Laboratory, NH-IV, Faridabad. (Group B).
6. Dilip S Kapgate (aged about 49 years) S/o Sh. Shamrao Kapgate, working as APPO (Chemistry), O/o Central Insecticide Laboratory, NH-IV, Faridabad. (Group B).
7. P.K Vats (aged about 50 years) S/o Sh. Banwari Lal Sharma, working as APPO (Chemistry), O/o Regional Pesticides Testing Laboratory, Kanpur. (Group B).
8. Poonam Sehgal (aged about 50 years) W/o Sh. Davinder Sehgal, working as Assistant Plant Protection Officer (Chemistry), O/o Regional Pesticides Testing Laboratory, Chandigarh. (Group B).
9. T.V Mathew (aged about 50 years) S/o Sh. V.M Thomas, working as APPO (Chemistry), O/o Regional Pesticides Testing Laboratory Chandigarh. (Group B).
10. Amit Kumar Singh (aged about 36 years) S/o Sh. Kishan Lal, working as Assistant Plant Protection Officer (Chemistry), (Deputation) O/o NACW New Delhi. (Group B).

11. Balaji Rao Yadavalli (aged about 58 years) S/o Sh. Sadasivamuthy Yadavalli, working as APPO (Chemistry), O/o Techno Legal Cell, NH-IV, Faridabad. (Group B).
12. Dr. Anil Sehajpal (aged about 52 years) S/o Sh. Raj Kumar Sehajpal, working as Plant Protection Officer (Chemistry), O/o Regional Pesticides Testing Laboratory, Chandigarh. (Group B).
13. Krishna Vashisth (aged about 51 years) W/o Sh. Upendra Dev Vashisth, working as Assistant Plant Protection Officer (Chemistry), O/o Central Insecticide Laboratory, NH-IV, Faridabad. (Group B).
14. Manju Bala (aged about 49 years) W/o Sh. Gulshan Kukreja, working as Assistant Plant Protection Officer (Chemistry), O/o Central Insecticide Laboratory, NH-IV, Faridabad. (Group B).
15. Manoj Sharma (aged about 44 years) W/o Sh. J.K Sharma, working as Assistant Plant Protection Officer (Chemistry), O/o Central Insecticide Laboratory, NH-IV, Faridabad. (Group B).
16. Vikas Aggarwal (aged about 37 years) S/o Sh. S.P Singh, working as Assistant Plant Protection Officer (Chemistry), (Deputation) O/o NACW, New Delhi. (Group B).
17. Preet Tyagi (aged about 33 years) S/o Sh. Hariom Tyagi, working as Assistant Plant Protection Officer (Chemistry), O/o Techno Legal Cell, NH-IV, Faridabad. (Group B).
18. Atul Tripathi (aged about 31 years) S/o Sh. Vedprasun Tripathi, working as Assistant Plant Protection Officer (Chemistry), O/o Regional Pesticides Testing Laboratory, Chandigarh. (Group B).
19. Pardeep Singh (aged about 32 years) S/o Sh. Narinder Singh, working as Assistant Plant Protection Officer (Chemistry), O/o Regional Pesticides Testing Laboratory, Chandigarh. (Group B).
20. N. SelvaKumar (aged about 33 years) S/o Sh. S. Neelkandan, working as Assistant Plant Protection Officer (Chemistry), O/o Regional Plant Quarantine Station, Chennai. (Group B).
21. Ali Ahmed (aged about 30 years) S/o Sh. Zakir Ali, working as Assistant Plant Protection Officer (Chemistry), O/o Regional Pesticides Testing Laboratory, Kanpur. (Group B).
22. Priyanka Dogra (aged about 30 years) D/o Sh. Kamalnayan Dogra, working as Assistant Plant Protection Officer (Chemistry), O/o Regional Pesticides Testing Laboratory, Chandigarh. (Group B).
23. Pavan K. Gullanki (aged about 28 years) S/o Sh. Surendrababu, working as APPO (Chemistry), O/o Central Insecticide Laboratory, NH-IV, Faridabad. (Group B).

24. Manoj Kumar (aged about 31 years) S/o Sh. Surinder Singh, working as Assistant Plant Protection Officer (Chemistry), O/o Regional Pesticides Testing Laboratory, Chandigarh. (Group B).
25. Neeti Gulati (aged about 28 years) D/o Sh. Kanwalnarayan, working as Assistant Plant Protection Officer (Chemistry), O/o Regional Pesticides Testing Laboratory, Chandigarh. (Group B).
26. Anu Alocious (aged about 35 years) W/o Sh. Antony Varghese, working as Assistant Plant Protection Officer (Chemistry), O/o Central Insecticide Laboratory, NH-IV, Faridabad. (Group B).
27. Dr. Pathan R. Usmankha (aged about 34 years) S/o Sh. Usmankha, working as Assistant Plant Protection Officer (Chemistry), O/o Regional Plant Quarantine Station, Mumbai. (Group B).
28. Ram Bharti (aged about 28 years) S/o Sh. Jagdish Prasad, working as APPO (Chemistry), O/o Techno Legal Cell/Central Insecticide Laboratory, NH-IV, Faridabad. (Group B).
29. Shubhra Agarwal (aged about 28 years) D/o Sh. Shivam Agarwal, working as APPO (Chemistry), O/o Central Insecticide Laboratory, NH-IV, Faridabad. (Group B).
30. Sita Ram Kumawat (aged about 32 years) S/o Sh. Ishwar Lal Kumawat, working as Assistant Plant Protection Officer (Chemistry), O/o Techno Legal Cell, NH-IV, Faridabad. (Group B).
31. Prakash Singh (aged about 31 years) S/o Sh. Bahadur Singh, working as Assistant Plant Protection Officer (Chemistry), O/o Central Insecticide Laboratory, NH-IV, Faridabad. (Group B).
32. Ratnesh Kumar Mall (aged about 30 years) S/o Sh. Raghawa Sharan Mall, working as Assistant Plant Protection Officer (Chemistry), O/o Regional Pesticides Testing Laboratory, Kanpur. (Group B).
33. Bhavana Amber Gharpinde (aged about 30 years) D/o Sh. Amber Gharpinde, working as Assistant Plant Protection Officer (Chemistry), O/o Regional Plant Quarantine Station, Mumbai. (Group B).
34. Munesh Pal Singh (aged about 31 years) S/o Sh. Mevaram, working as Assistant Plant Protection Officer (Chemistry), O/o Central Insecticide Laboratory, NH-IV, Faridabad. (Group B).
35. Anandhi R (aged about 33 years) D/o Sh. Pradhakrishnan, working as Assistant Plant Protection Officer (Chemistry), O/o Regional Plant Quarantine Station, Chennai. (Group B).

36. Rohit Singh (aged about 33 years) S/o Sh. Gian Singh, working as Assistant Plant Protection Officer (Chemistry), O/o Regional Pesticides Testing Laboratory, Chandigarh. (Group B).
37. Prasoon Kumar Kaushik (aged about 28 years) S/o Sh. Ravindra Kumar Kaushik, working as Assistant Plant Protection Officer (Chemistry), O/o Central Insecticide Laboratory, NH-IV, Faridabad. (Group B).
38. Mahendra Singh (aged about 31 years) S/o Sh. Mool Chand Chaudhary, working as Assistant Plant Protection Officer (Chemistry), O/o Central Insecticide Laboratory, NH-IV, Faridabad. (Group B).
39. Nirmal Kumar Katiyar (aged about 34 years) S/o Sh. Rakesh Kumar Katiyar, working as Assistant Plant Protection Officer (Chemistry), O/o Regional Pesticides Testing Laboratory, Kanpur. (Group B).
40. Anandrajan T. (aged about 36 years) S/o Sh. Thiyagaragan K, working as Assistant Plant Protection Officer (Chemistry), O/o Central Insecticide Laboratory, NH-IV, Faridabad. (Group B).
41. Sivendra Singh (aged about 34 years) S/o Sh. Prakash, working as Scientific Assistant, O/o Regional Pesticides Testing Laboratory, Chandigarh. (Group C).
42. Sudhir Chandra (aged about 51 years) S/o Sh. Mela Ram, working as Scientific Assistant, O/o Regional Pesticides Testing Laboratory, Chandigarh. (Group C).

....APPLICANTS

(Argued by: Shri. Ramesh Goyal, Advocate)

VERSUS

1. Union of India through Secretary, Government of India, Ministry of Agriculture & Farmers Welfare, Department of Agriculture, Co-operation & Farmers Welfare & New Delhi.
2. The Secretary to Govt. of India, Ministry of Personnel, Public Grievances and Pension, Department of Personnel & Training, New Delhi.
3. Directorate of Plant Protection, Quarantine & Storage, NH-IV, Faridabad.

4. Regional Pesticides Testing Laboratory, Bays No.43-45, Sector 31-A, Chandigarh through its Officer Incharge.

....RESPONDENTS

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

MA No.060/00598/2018 is allowed and the applicants are permitted to file joint petition.

MA No.060/011039/2018 is allowed and photocopy of order dated 30.4.1993 is ordered to be taken on record.

OA No.060/00460/2018

Present OA has been filed by the applicants seeking issuance of a direction to the respondents to grant them risk allowance beyond 2010 also, was granted to them w.e.f. 1992.

2. Shri Ramesh Goyal, learned counsel for the applicants submits that as per service conditions the applicants were granted risk allowance from October, 1992, but the same was stopped vide order dated June 16, 2010 to be replaced by another Scheme known as Risk Insurance Scheme, which was not implemented. He further stated that the respondents extended the benefit of said risk allowance till August, 2013, but the same has not been granted to them.

3. Aggrieved against the action of the respondents in not granting them risk allowance, the applicants made representations individually, but the same have not been answered till date.

Learned counsel for the applicants suffered a statement at the Bar that applicants will be satisfied if a direction is issued to the respondents to decide their representation by passing a reasoned and speaking order.

4. Considering the short prayer of the applicants and without commenting anything on the merits of the case, we dispose of this O.A. in limine with a direction to competent authority amongst the respondents to consider and decide the representations of the applicants by passing a speaking order, within a period of two months from the date of receipt of certified copy of the order. Order so passed be duly communicated to them.

(SANJEEV KAUSHIK)
MEMBER (J)

(AJANTA DAYALAN)
MEMBER (A).

Dated:-31.7.2018.

Kks