

INDIAN COUNCIL OF AGRICULTURAL RESEARCH
KRISHI BHAVAN, NEW DELHI

F.No. 19(25)/2011-E.IV

12th December, 2011

To

All Directors of ICAR Institutes / Project Directorates / NRCs / Bureaux /
Zonal Project Directorates

Sirs,

The Council supports specific time-bound Research Projects to address critical gaps which are generally managed by appropriately qualified personnel as Research Associates / Senior Research Fellows on contractual basis co-terminus with a particular specified project which is normally for three to five years.

2. These RAs and SRFs are primarily to provide technical assistance to the Principal Investigator / Co-Principal Investigators of these time-bound projects. It has been the usual practice that such RAs/SRFs, on termination of a particular project are re-engaged afresh in another similar time-bound project which has resulted in a situation wherein some such qualified and experienced personnel are faced with a situation of no chance for appointment on a regular basis.

3. A group of RAs led by Dr. D.S. Rana (then RA in the Division of Soil Science and Agricultural Chemistry, IARI) approached the Hon'ble CAT Principal Bench, New Delhi seeking regularization / absorption vide OA No. 438/1997. The CAT in its orders in this OA maintained that the RAs are entitled for notice before disengagement and should be considered for continuation in another scheme for absorption or regularization by taking into consideration the past service rendered as RA/SRF and also granting appropriate relaxation of age.

4. The Council approached the Hon'ble High Court of Delhi against this order vide CWP No. 3417/97 and the High Court was pleased to amend the orders of the Hon'ble CAT Principal Bench, New Delhi to the extent that "as and when regular vacancy or post occurs, the respondents shall be considered against the same in accordance with the rules and guidelines of the petitioner". This was subsequently modified by the Court vide its orders in the CM No. 13441/99 that "as and when regular vacancy or post occurs, respondents shall be considered against the same as a separate block and not along with fresh entrants on the basis of the records available to the petitioners in accordance with the rules and guidelines of the petitioner".

5. The regulation of consideration as a separate block has been further clarified by Hon'ble CAT Principal Bench, New Delhi in their orders dated

P.S.J.

16.3.2007 in OA No. 942/2006 "as in the context of the criteria of the erstwhile experience and suitability of these applicants for the regular posts".

6. In compliance of these orders instructions were issued by the Council to all the ICAR Institutes vide Circular No. 21(44)/2001-Per.IV dated 04.01.2002 and subsequently reiterated specifically to IARI on 28.01.2003.

7. However, since these applicants were given consideration "in accordance with the rules and guidelines" some such personnel could not be selected and appointed as being over aged with reference to the prescribed maximum age limit for appointment in such regular position.

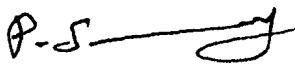
8. Accordingly, on subsequent litigations filed by the Forum of Research Associates and Fellows of IARI in OA No.942/2006 and MA No777/2006 the Hon'ble CAT Principal Bench, New Delhi had ordered that the RAs be given age relaxation as accorded to some similarly placed personnel at CAZRI, Jodhpur whenever the claim of applicants arise against available vacancies for regular appointment. This was subsequently reiterated by Hon'ble High Court of Delhi in W.P. 2097/2008 that the benefits of age relaxation given to some similarly placed personnel at CAZRI, Jodhpur should be extended to these applicants in the above mentioned OAs i.e. OA No. 438/1997 and OA no. 942/2006 filed in the Hon'ble CAT Principal Bench, New Delhi.

9. Considering this issue in its totality, the following instructions be complied with on top most priority:

- (i) All the RAs / SRFs who have been engaged on contractual basis in different Institutes as on date be considered for all regular vacancies to be filled up by direct recruitment in the grades of T-3 and T-6 in accordance with their qualifications by granting them appropriate relaxation in the upper age limit to the extent of their spell they were actually engaged as RAs / SRFs in different projects (subject to a maximum of 16 years 3 months as accorded at CAZRI, Jodhpur).
- (ii) It may be ensured that these applicants have been engaged continuously in different projects without inordinate spell of breaks and may be suitably got re-confirmed from available records before entertaining their applications for being admitted in the written examination or viva-voce etc. as per provisions in the prescribed Recruitment Rules for the positions of T-3 and T-6.
- (iii) This dispensation is only for relaxing the maximum age limit and does not imply any other relaxation whatsoever regarding essential qualifications and experience etc.
- (iv) Consequently, IARI may kindly issue an appropriate corrigendum to their advertisement no. IARI/Per-V/1/2011 and may consider the above specified applicants in the OAs as per these instructions.



- (v) These orders shall come into force with immediate effect and these instructions may be scrupulously followed in all future recruitments of T-3 and T-6.


(P.SAKTHIVEL)

DY.Secretary(TS)

Copy for information to :-

- I. PSO to DG, ICAR
- II. PPS to Secretary, ICAR
- III. All the DDGs
- IV. Legal Advisor, ICAR
- V. Joint Director (Research), IARI, New Delhi.
- VI. Joint Director (Admn), IARI, New Delhi.
- VII. Dr. D.S. Rana, President, Forum of Research Associates and Fellows of IARI, RZ-56A, Gali No. 5/3, Sagarpur Main, New Delhi - 110 046 - He may kindly inform the following co-applicants also :-

- (1) Shri K.P. Singh, S/o Mahender Singh, Research Associates - IARI (Division of Genetics), Pusa, New Delhi.
- (2) Dr. Jasbir Kaur, w/o Shri T.S. Madan, Research Associates - IARI (Division of Genetics), Pusa, New Delhi.
- (3) Km. Kavita, D/o Azad Singh, Research Associates - IARI, Haryana.
- (4) Dr. Aditya Sharma, S/o Dr. R.K. Sharma, Research Associates - IARI (Division of Genetics), Pusa, New Delhi.
- (5) Shrinivas Giri, S/o Shri OP Giri, Research Associates - IARI (Division of Genetics), Pusa, New Delhi.
- (6) Shri Faiz Mohammad, S/o Shri Immamudeen Khan, Rice Section, Division of Genetics, IARI, New Delhi.
- (7) Shri Ashutosh Pandey, S/o Shri Uday Shankar Pandey, Brassica Section, Genetics Division, IARI, New Delhi.
- (8) Shri Bhpendra Kumar, S/o Shri H.S. Chaturvedi, R/o R2-56A, Gali No.5/3, Sagarpur Main, New Delhi - 46.
- (9) Shri Birendra Kumar Vatsa, S/o Shri M.S. Vatsa, C/o Dr. M.S. Sachdev, Nuclear Research Lab, IARI, New Delhi.
- (10) Km. Anita Baranwal, Maize Research Directorate, IARI, New Delhi.
- (11) Shri A.A. Jafri, Maize Research Directorate, IARI, New Delhi.
- (12) Dr. Gopal Bhardwaj, Division of Genetics, IARI, New Delhi.
- (13) Shri Arun Kumar, Division of Genetics, IARI, New Delhi.
- (14) Shri C.P. Singh, Division of Environmental Sciences, IARI, New Delhi.

- (15) Smt. Sangeeta Gupta, Division of Floriculture & Landscaping, IARI, New Delhi.
 - (16) Shri M.K. Dwivedi, Division of Environmental Sciences, IARI, New Delhi.
 - (17) Dr. Gyanendra Singh, Division of Vegetable Crops, IARI, New Delhi.
 - (18) Shri Ashok Singh, Division of Vegetable Crops, IARI, New Delhi.
 - (19) Shri Pragat Singh, Division of Environmental Science, IARI, New Delhi.
 - (20) Shri S.K. Chourasia, Division of Agricultural Engineering, IARI, New Delhi.
 - (21) Shri Rajendra Singh, Division of Genetics, IARI, New Delhi.
 - (22) Dr. M.N. Tripathi, Division of Nematology, IARI, New Delhi.
 - (23) Shri Arun Kumar Singh, Division of Engineering, IARI, New Delhi.
 - (24) Dr. Shoraj Singh, Division of Genetics, IARI, New Delhi.
 - (25) Shri Ramashray Singh, Division of Genetics, IARI, New Delhi.
 - (26) Shri A.B. Chaudhary, Division of Genetics, IARI, New Delhi.
 - (27) Shri Sandeep Dhama, Division of Seed Science of Technology, IARI, New Delhi.
 - (28) Shri Ashok Kumar Yadav, Division of Environmental Sciences, IARI, New Delhi.
 - (29) Shri Awani Kumar Singh, Division of Agricultural Engineering, IARI, New Delhi.
 - (30) Shri Anupam Raj, Division of Plant Physiology, IARI, New Delhi.
 - (31) Shri Dhananjay Kumar Singh, Division of Agronomy, IARI, New Delhi.
 - (32) Shri Manoj Sharma, Division of Genetics, IARI, New Delhi.
 - (33) Dr. Krishna Kumar, Division of Plant Pathology, IARI, New Delhi.
- VIII. Shri Hansraj, ISO, DKMA, ICAR for uploading on website


(P.SAKTHIVEL)