



**INDIAN COUNCIL OF AGRICULTURAL RESEARCH
KRISHI BHAVAN: NEW DELHI**

F.No.1(11)/2018-Per IV

Dated the 23rd Mar, 2021

To

The Directors,
ICAR Institutes/Bureaus/NRCs/Directorates

Subject: Clarification of doubts on extension of financial benefits to the similarly situated scientific personnel of the Council in the form of advance increments for possessing Ph.D degree as extended to Dr B. Sasikumar & others by Hon'ble Supreme Court -regarding

Sir/Madam,

The Council vide letter dated 2.8.2018 had conveyed the decision of the Competent Authority to extend the provision of giving financial benefits in the form of advance increments for possessing Ph.D degree at the time of recruitment as entry level ARS Scientists (S-1) as enunciated in Council's letter dated 27.2.1999 to the petitioners in compliance of order dated 23.8.2017 of Hon'ble Supreme Court passed in ICAR Vs B. Sasikumar & others case.

2. Subsequently, the above referred benefits were extended to all the similarly situated ARS entry level Scientists (S-1) of the Council vide letter dated 28.9.2020.

3. However, the Council has been receiving references from various Institutes seeking clarification on the implementation of the aforesaid Council's letters dated 2.8.2018 and 28.9.2020. Further, many representations from serving as well as retired Scientists have also been received in this regard.

4. Before the issues raised by the Institutes are clarified, the facts of the B Sasikumar case in which above referred order dated 23.8.2017 of the Hon'ble Supreme Court was passed are mentioned below:-

- a) Dr. B. Sasikumar one of the original three petitioners joined the Council service as an ARS entry level Scientist (S-1) on 29.04.1985 with Ph.D degree. The Council adopted UGC Pay

scales w.e.f. 1.1.1986 for the Scientists. In the 1986 scheme, there was provision of grant of 3 advance increments to those Scientists who joined the ICAR Service as entry level Scientist (S-1) with PhD Degree. Entry level ARS Scientists (S-1) like Dr B. Sasikumar who joined ARS before 1.1.1986 with Ph. D Degree were not given the benefit of 03 advance increments for lack of any provision in the scheme which was in force before 1.1.1986.

- b) Subsequently, pursuant to revision of pay scales in 5th CPC, the provision of incentivizing higher qualification of Ph.D degree was further extended by granting 4 advance increments to entry level ARS Scientists who hold PhD degree at the time of appointment as Scientist (S-1) and 2 advance increments when he moves under CAS to the grade of Senior Scientist.
- c) Later on Dr B. Sasikumar was promoted to the grade of Senior Scientist w.e.f. 29.04.1998. Since, he joined Council's service prior to 1.1.1986, he was not given any financial benefit in the form of advance increment (3 increments) under the provisions of 1986 scheme. Also he did not get any advance increment (2 increments) on promotion under CAS to the grade of Senior Scientist under the provisions of 1999 Scheme for possessing Ph.D degree at the time of his promotion.
- d) Aggrieved by this, Dr Sasikumar filed an Original Application (OA) in the CAT Ernakulam Bench.
- e) The Hon'ble CAT vide order dated 08.08.2007 directed the Council to give benefits to Dr B. Sasikumar for possessing Ph.D degree at the time of recruitment as per the 1999 policy i.e. grant him four advance increments for possessing PhD degree at the time of his appointment as a Scientist (S-1) and two more advance increments for moving over to the grade of Senior Scientist under CAS. The Hon'ble High court of Kerala vide order dated 26.11.2007 upheld the aforesaid order of Hon'ble CAT Ernakulam bench.
- f) Finally, the issue was settled by Hon'ble Supreme Court vide order dated 23.8.2017 and the Council was directed to extend benefits as per the provisions of Scheme notified vide Council's circular dated 27.2.1999.

5. In light of the above background the issue wise clarification as referred to the Council are explained below :-

S. No	Points of Doubts	Clarifications
1.	The Scientists who have joined ICAR service before 01.01.1986 with PhD degree are eligible for how many advance increments.	Only entry level ARS scientists (S-1) who have joined ICAR with PhD degree are eligible for 4 advance increments as per the provisions indicated in para 1(ii) of Council's letter dated 27.2.1999. Further, they are also eligible for 2 advance increments as indicated in Council's letter dated 27.2.1999 when they promoted to the grade of Senior Scientist under CAS.
2	Whether entry level Scientist, who have joined ICAR service after 01.01.1986 but before 01.01.1996 and availed 3 advance increments for having PhD Degree, are eligible for 4 th advance increments.	If any scientist has already been awarded any advance increments under 1986 scheme the same shall be accounted for before giving the fresh benefits under scheme issued vide letter dated 27.02.1999. For example, If a scientist has been granted 3 advance increments under the 1986 scheme, he shall be eligible for one more advance increment. This 4 th increment will be given w.e.f. the date when 03 advance increments were given to the concerned entry level ARS Scientists.
3.	Whether a Scientist who joined ICAR as Directly Recruited Sr. Scientist (DR-SS/S-2) or Directly Recruited Pr. Scientist (DR-PS/S-3) on lateral entry basis is also eligible for advance increments for possessing PhD Degree at the time of appointment.	This is already clarified vide Council's letter 19.4.2004 that advance increments will be admissible to those who hold Ph.D degree at the time of appointment as Scientist in the pay scale of Rs 8000-13500. Accordingly, it is again reiterated that the scheme of incentivizing higher qualification in the form of advance increments notified vide Council's letter dated 27.2.1999 is only for entry level ARS Scientists (S-1).
4	Whether a Scientist who joined with Master degree and completed his PhD in service is eligible for 4	As per the scheme notified vide letter dated 27.2.1999, a Scientist who completed his Ph.D degree while in service is eligible for 2 advance

	advance increments for acquiring PhD degree.	increments from the date of acquiring Ph. D degree
5	What would be the effective date of granting benefits of advance increment to the entry level Scientist who possessed Ph.D degree at the time of appointment	Benefits of 4 Advance increments will be admissible from the respective date of their appointment as entry level ARS Scientist (S-1) with Ph.D degree. For example in case of Dr B. Sasikumar the benefits was extended from 29.4.1985, i.e. the date of his appointment as ARS Scientist (S-1) with Ph D Degree. Similarly, benefit of 2 advance increments will be extended w.e.f the date of promotion to the grade of Senior Scientist under CAS. For example Dr B. Sasikumar was granted the benefit from 29.4.1998, the date on which he was promoted to the post of Senior Scientist.
6	How many advance increments would be granted to the scientist who promoted to the grade of Sr Scientist under CAS	An entry level ARS Scientist (S-1) with Ph. Degree is eligible for 2 advance increment on promotion to the grade of Senior Scientist under CAS.
7	Whether a scientist, who has been given benefit of 2 advance increments for acquiring Ph.D degree while in service as per the Council's letter dated 14.11.2005 but benefit of 02 advance increments was not granted on promotion to the higher grade of Senior Scientist under CAS , is he eligible for 2 advance increments. If yes, what would be the effective date.	He is eligible for grant of 02 advance increments w.e.f the date of his placement in the grade of Senior Scientist under CAS.
9	Whether the Scientists, who have been given 2 advance increments for	No.

	acquiring Ph.D degree during service and 2 for moving to the higher grade of Senior Scientist under CAS are eligible for further advance increments.	
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Further, necessary action in the matter may be taken in accordance in the light of the above clarifications.

Yours faithfully,



(M.K. Jain)
Director (SD)

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