



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6863 of 2025

1 - Smt. Hemkanti Banjare W/o Ramnath Banjare Aged About 42 Years R/o Falg0 Bara, Front Of Sarswati Shishu Mandir, Neora, Block Tilda District Raipur Chhattisgarh Presently Residing At Hansika Vihar , Near Vegetable Market, Gokhle Nala, Uslapur, Bilaspur Chhattisgarh Pin 495001

2 - Shashi Kant Suryavanshi S/o Shri Dukalu Ram Suryavanshi Aged About 43 Years R/o Q.No. 283, Sector-3, Type A. Balco Nagar, District Korba Chhattisgarh Pin 495684, Presently Residing At Hig-18, Std-1, Hasdeo Vihar Colony, In Front Of District Hospital, Janjgir Chhattisgarh Pin-495668

3 - Dr. Amit Kumar Shukla S/o Late Ramesh Kumar Shukla Aged About 47 Years R/o Village Pandakapa, Bija, Kargi Road Bilaspur Chhattisgarh, Presently Residing At House No. L-30/31/32 Narmada Nagar, Bilaspur, Chhattisgarh Pin 495001

4 - Rahul Sahu S/o Ishwar Lal Sahu Aged About 39 Years S.G. College Of Agriculture And Research Station, Igkv, Kumhrawand Chitrakot Road, Jagdalpur Chhattisgarh 494001

5 - Anil Kumar Sonpakar S/o Nanhu Ram Sonpakar Aged About 49 Years R/o In

Front Of Government Multipurpose Higher Secondary School (Thhangan Para),
Ambikapur, District Surguja Chhattisgarh Pin Code 497001

6 - Jayant Kumar Sahu S/o Shri Ghanshyam Prasad Sahu Aged About 39 Years
Adarsh Colony Shitalapara, Post Nawapara (Rajim), District Raipur Chhattigarh
Pin 493881

7 - Ranjeet Kumar Modi S/o Vishwanath Modi, Aged About 51 Years R/o Sai
Colony, Jora Krishak Nagar Raipur Chhattisgarh Pin-492012

8 - Ashulta Dhruv S/o Yogesh Kumar Dhruv Aged About 34 Years R/o House No.
1552, Ward No. 61, Near Shri Ram Darbar Mandir, Awadhपुरi Colony,
Bhatagaon Raipur Chhattisgarh Pin-492013

9 - Jitendra Joshi S/o Daya Ram Joshi, Aged About 36 Years Hind Nagar, Near
Hanuman Mandir Risali, Bhilai, Civic Centre Bhilai, Pot. Civic Centre Bhilai,
District Durg Chhattisgarh Pin-490006.

10 - Pankaj Minj S/o Shri Robart Minj Aged About 35 Years R/o Near K.C. Rice
Mill Vill Sunsuniya Post Bagbahara, District Mahasamund Chhattisgarh Pin
493449

11 - Gaurav Kant Nigam S/o Shri Shiv Prakash Nigam, Aged About 35 Years R/o
Ward No. 13, Ramanujganj District Balrampur Chhattisgarh Pin 497220

12 - Arti Kujur C/o Eliyajar Kujur Aged About 35 Years R/o Ward No. 24, Beladula
Kharraghat, Raigarh District Raigarh Chhattisgarh Pin 496001

13 - Saket Dubey S/o Dr. A.K. Dubey, Aged About 42 Years C-2 Basant Corner,
Avanti Vihar, Raipur Chhattisgarh Pin 492012

... **Petitioner(s)**

versus

- 1** - Union Of India Through The Secretary Of Finance Department Of Expenditure, Room No. 76 New Delhi -110001 (India)
- 2** - State Of Chhattisgarh Through Secretary, Department Of Agriculture Development And Farmers Welfare And Biotechnology, Mantralaya, Mahanadi Bhawan, Capital Complex, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
- 3** - State Of Chhattisgarh, Through The Secretary Of The Finance Department Mantralaya, Mahanadi Bhawan, Capital Complex, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
- 4** - Indira Gandhi Krishi Vishwavidyalaya, (Igkv) Through Its Registrar, Indira Gandhi Krishi Vishwavidyalaya, Krishak Nagar, Labhandi, Raipur District Raipur Chhattisgarh
- 5** - Vice Chancellor, Indira Gandhi Krishi Vishwavidyalaya, (Igkv) Krishak Nagar, Labhandi, Raipur District Raipur Chhattisgarh
- 6** - Director Of Agricultural Technology, Application Research Institute, Jabalpur (Icar-Atari) Office Address 6x85-Hrh, Jawaharlal Nehru Krishi Vishwa Vidyalaya Campus, Jabalpur, Gcf Jabalpur, Madhya Pradesh 482004
- 7** - Indian Council Of Agriculture Research (Icar), Agriculture Extension Division, Krishi Anushandhan Bhawan, Pusa, New Delhi, Through Its Director General (Agricultur Extension), Krishi Anushandhan Bhawan, Pusa, New Delhi 110012
- 8** - Director (Institute Administration Division,) Indian Council Of Agriculture Research, Krishi Anushandhan Bhawan, Pusa, New Delhi-110012

9 - Director (Agriculture Extension Division Of Indian Council Of Agriculture Research,) Krishi Anushandhan Bhawan-I, Pusa, New Delhi-110012

... Respondent(s)

Order on Board

15/07/2025	Mr. Anand Mohan Tiwari, learned counsel for the petitioners. Mr. Sabyasachi Choubey, Panel Lawyer for the State. Ms. Shweta Rai, on behalf of Mr. R. K. Mishra, learned counsel for the Respondent No. 1. Mr. Shashank Thakur, learned counsel for the Respondents /IGKV. Mr. Jitendra Nath Nande, learned counsel for the Respondents/ICAR. Since the issue involved in these petitions are similar in nature, therefore, these petitions are heard together. Heard on I.A. No. 01/2025, which are applications for grant of ad-interim writ in all these petitions. Learned counsel for the respective petitioners would submit that the petitioners are aggrieved by the

	notification/order dated 18-03-2025 issued by the Respondent No. 2, by which the pay scale of the petitioners is reduced, placed the employees who have been appointed after 01-06-2008 under the new pension scheme and their age of superannuation has also been fixed as 60 years. He would submit that the petitioners are regular employees of the Krishi Vigyan Kendra (in short "KVK") established by the Indira Gandhi Krishi Vishwavidyalaya (in short "IGKV") and they have been provided all the service benefits from time to time. The KVK is being run by the IGKV, for which the Central Government grants funds through the nodal agency, Indian Council of Agricultural Research (in short, "ICAR"). The financial aid provided to the IGKV for KVK as per the sanctioned set-up of the IGKV and/or KVK, to promote research, training and extension activities in the KVK. The service conditions of the employees of the IGKV and KVK are governed by the statutory rules and regulations of the IGKV. The petitioners were given the benefits of pay and allowances from time to time. There is an MOU signed between the IGKV and the ICAR, which lays down the mandate for various activities in KVK. Vide order dated 18-03-2025, the ICAR withdrew the benefits which were extended to the employees since last more than 20-25 years and curtailed the financial benefits to them by withholding the benefits of medical allowances, leave encashment, gratuity, grade pay etc. vide letter dated 20-08-2024, the ICAR clarifies that the petitioners are not the Teachers and their service conditions are sought to be
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altered by the notification/order dated 18-03-2025 and 08-04-2025. He would further submit that the IGKVV has acted contrary to the MOU between the IGKVV and ICAR and withdrew the benefits granted to the petitioners. The letter dated 20-08-2024 is misinterpreted, and the benefits of the petitioners have been withdrawn without providing any opportunity to hear them. It is also submitted that as per Clause 9(iv) of Indira Gandhi Krishi Vishwavidyalaya Statute, 1987 (in short "Statute of 1987"), the age of superannuation is 65 years, whereas the age of superannuation is reduced to 60 years by the impugned notification/order. The services of the petitioners are governed by the IGKVV service regulations and the IGKVV Act, 1987, as well as the IGKVV Statute, 1987. The Statute of 1987 is duly approved by the Hon'ble Governor of the State. From Clauses 7(viii), 8(ii) and 8(xv) of the Statute of 1987, the IGKVV is responsible for pension contribution, salary, and retiral benefits of the employees, and the IGKVV cannot act contrary to the MOU. He would also draw attention to the pay slips of the employees in which the contributions and other allowances have been stopped. Therefore, the effect and implementation of the impugned notification/order dated 18-03-2025 and order dated 08-04-2025 may be stayed.

On the other hand, learned counsel appearing for the Respondents/IGKVV vehemently opposes and submits that the IGKVV is a State University and solely dependent on the allocation of funds by the State. ICAR is a registered

society and works under the Department of Agriculture, Government of India. The main objective of ICAR is to promote agricultural research throughout the country. ICAR has an MOU with the host institution, i.e. IGKV. For every University, there is a separate MOU, and the terms and conditions of the MOU are clear. Clause 5 of the MOU provides that the council is to provide grant for the project of KVAFSU, subject to budgetary limitations imposed by the Government of India, and the types of assistance are also provided under Clause 5 of the MOU. Clause 7 of the MOU provides the salary, pay scale, etc. Clause 8(xx) of the MOU provides that the project is a cooperative/partnership venture. In the advertisement itself, it has been mentioned that the appointments on the posts are temporary and they would be posted only at KVAFSU, and the services are co-terminus. They cannot claim parity with the employee of the IGKV. He also referred to the order dated 29-04-2024 passed in W.A. No. 228 of 2024, passed by the Hon'ble division Bench of this court and submitted that it has been held that the University Regulations do not apply to the employees of KVAFSU. The University is fully dependent on the funding from the ICAR. He would also submit that from the order dated 18-10-2022 (Annexure P-7) issued by the IGKV, it is clearly mentioned that the financial burden due to the increase in pay scale of the employees should be borne by the budgetary allocation of funds to the KVAFSU by the ICAR. The ICAR has clarified vide letter dated 20-08-2024 (Annexure P-1) that financial liabilities of ICAR is restricted to a maximum age of superannuation of 60 years

and only for 16 posts of KVK and would not extend any financial benefits to any temporary KVK employee and would not bear any additional financial liability due to any act of State Agricultural University which is against the MOU and standing instructions of ICAR. Therefore, no case of any interim relief is there in favour of the petitioners.

Learned counsel appearing for the Respondent/State adopted the submissions made by the learned Counsel for the Respondents/IGKVV.

Learned counsel appearing for the Respondents/ICAR, in addition to the submission made by learned counsel for the Respondents/IGKVV, would also submit that the KVK is an implementation institution, and the ICAR is a nodal agency. The ICAR is funded through the Cabinet Committee of Economic Affairs. There is an MOU between the ICAR and IGKVV, and the IGKVV is bound by the funds allocated to it. All staff of KVK shall be borne by the establishment of the grantee. The petitioners are well known for their appointment is only for the specific project. The service conditions of the KVK employees are to be decided by the State University, and their salary and allowances are not directly paid by ICAR. There is no employee-employer relationship between the KVK employees of KVK and the ICAR. The pay, salary, and allowances are to be governed by the MOU and the grant received from ICAR.

Considering the submissions made by learned counsel for the respective parties, considering the nature of the dispute between the parties and the issue involved in the case, purely as an interim measure, it is directed that the effect and implementation of the impugned notification/order dated 18-03-2025 and order dated 08-04-2025 shall remain stayed, till the next date of hearing.

The respective respondents are directed to file their reply in the case within 04 weeks, and then within a further period of 02 weeks, the petitioners shall file their rejoinder, if they want to file the same.

List the case thereafter along with WPS No. 3288/2025.

Sd/-
(Ravindra Kumar Agrawal)
Judge