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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 0.9.1.2004.....

R.A/C.P No.....

E.P/M.A No.....

1. Orders Sheet. O.A-0.9.1.2004..... Pg..... 1 to.....
2. Judgment/Order dtd. 23/02/2004..... Pg..... 1 to..... 3 disposed
Common order. O.A-73,89-2004
3. Judgment & Order dtd..... Received from H.C/Supreme Court
4. O.A... 0.9.1.2004..... Pg..... 1 to..... 43.....
5. E.P/M.P..... Pg..... to.....
6. R.A/C.P..... Pg..... to.....
7. W.S..... Pg..... to.....
8. Rejoinder..... Pg..... to.....
9. Reply..... Pg..... to.....
10. Any other Papers..... Pg..... to.....
11. Memo of Appearance.....
12. Additional Affidavit.....
13. Written Arguments.....
14. Amendement Reply by Respondents.....
15. Amendment Reply filed by the Applicant.....
16. Counter Reply.....

SECTION OFFICER (Judl.)

FROM No. 4
(SEE RULE 42)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORDER SHEET

Original Application No:- 09/12004

Contempt Petition No: _____

Review Application No: _____

Name of the Applicant(s): NAKHEDFI, ARING

Name of the Respondant(s): U.O.I. 2085.

Advocate for the Appellant:- Mr A.M. Singh, A.S. Singh
Mr R. Singh

Advocate for the Respondat:-

CHSC

Notes of the Registry	date	Order of the Tribunal
application is in but not in time condonation Petition is led / not filed C F or Rs. 50/- deposited in IPO/BDO No. JTG 379437 dated.... 9/1/04.	13.1.2004	<p>Heard Mr. A. M. Singh, learned counsel for the applicant.</p> <p>The O.A. is admitted. Issue notice to the parties.</p> <p>Fix it on 23.2.2004 for order.</p>
<i>1/1/04</i> <i>12/1/04</i> <i>1/1/04</i>		<i>Icr D</i> Member
Steps taken comply order dated 13/1/04.	bb 23.2.2004	<p>Present: The Hon'ble Shri Shanker Raju, Member (J).</p> <p>The Hon'ble Shri K. V. Prahладан, Member (A).</p> <p>The O.A. is disposed of by a speaking and reasoned order passed separately treating the O.A. as representation.</p>
Order dt. 13/1/04, D/Section for repy to respondent to 4.	bb	<i>Icr D</i> Member (A) <i>h</i> Member (J)

✓

14.3.04

copy of the
judgment has been
sent to the office
for issuing the
same to the
applicants as well
as to the add.
CGSC.

BS

Received copy
Bishesh Pathak
14/3/04

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application Nos.7, 8 & 9 of 2004.

Date of Order : This, the 23rd Day of February, 2004.

THE HON'BLE SHRI SHRANKER RAJU, JUDICIAL MEMBER.

THE HON'BLE SHRI K.V.PRAHLADAN, ADMINISTRATIVE MEMBER.

O.A.7/2004:

Shri Dilip Vitthalrao Nagpurkar
aged 35 years
S/o Shri V.M.Nagpurkar
by occupation a Veterinary Field Assistant
of Assam Rifles, No.1 Dog Unit Assam Rifles
Head Quarters Arunachal & Assam Range
resident of 214 Chandan Nagar, P.O: Januman Nagar
Dist: Nagpur, Maharashtra. Applicant.

- Versus -

1. The Union of India
through the Secretary
to the Government of India
Ministry of Home Affairs.
2. The Ministry of Finance
through its Secretary
Government of India, New Delhi.
3. The Director General of
Assam Rifles, at Shillong-793001.
4. The Deputy Inspector General of Assam Rifles
Arunachal and Assam Range
Assam Rifles. Respondents.

O.A.8/2004:

Smt.Hijam Medhabari Meitei
W/o L.Loken Singh
Veterinary Field Assistant of Assam Rifles
resident of Yaiskul Chingakham Leirak
P.O: & P.S: Imphal (West)
Imphal West District, Manipur. Applicant.

- Versus -

1. The Union of India
through tis Secretary to the
Government of India
Ministry of Home Affairs.
2. The Ministry of Finance
through its Secretary
Government of India
New Delhi.
3. The Director General
Directorate of Assam Rifles
Shillong-793001.
4. The Commandant, 21st Assam Rifles. Respondents.

O.A.9/2004:

Shri Nakhedei Aring
S/o Nakhedei Hongai
Veterinary Field Assistant of Assam Rifles
Posted at 13th Assam Rifles
Resident of View Land, Ukhrul
P.O: Ukhrul, Dist: Ukhrul, Manipur. Applicant.

- Versus -

1. The Union of India
through the Secretary to the
Government of India
Ministry of Home Affairs.
2. The Ministry of Finance
through its Secretary
Government of India
New Delhi.
3. The Director General
Directorate of Assam Rifles
Shillong - 793 001.
4. The Commandant, 13th Assam Rifles
C/O 99 APO. Respondents.

Advocates Mr.A.M.Singh, A.S.Singh & Th.R.Singh for the applicants in all three O.A.s.

Mr.A.Deb Roy, Sr.C.G.S.C. for the respondents in O.A.7 of 2004 and Mr.B.C.Pathak, Addl.C.G.S.C. for the respondents in O.A. Nos. 8 & 9 of 2004.

ORDER

SHANKER RAJU, MEMBER(J):

As the question of facts and law involved in these three O.A. are identical, these are disposed of by this common order.

1. The applicants, who are Veterinary Field Assistants, have sought upgradation of pay scale of Rs.4,500-7,000/- in parity with Compounder (BSF) or at least to Rs.4,000-6,000/- in parity with those of other paraveterinarians w.e.f.1.1.1996.
2. As transpired, from the pleadings that the Assam Rifles by an order dated 24.4.2001 on implementation of upgraded pay to the Veterinary Field Assistants from 1.1.1996, sought approval of the Ministry of Home Affairs, which is yet to be accorded to them. In O.A.No.65 of 2002 in S.M.Singh vs. Union of India & Others disposed on 11.12.2002 directions were given to take steps to implement the

undertaking. The applicants in all the three O.A.s are covered by the aforesaid decision passed by this Bench.

3. None appears for the applicants. We have heard Mr.A.Deb Roy, learned Sr.C.G.S.C. for the respondents in O.A.No.7 of 2004 and Mr.B.C.Pathak, learned Addl.C.G.S.C. for the respondents in O.A.Nos.8 and 9 of 2004.

4. The post of Veterinary Field Assistant in Assam Rifles is also a technical post with minimum qualification of metric with diploma. It is also not in dispute that on the recent decison of DGAR it is admitted that the pay scale of other equivalent grade with the VFA/AR have been revised to Rs.4,000-6,000/-. The applicants being equal in all respects cannot be discriminated in the matter. However, as even the Ministry of Home Affairs is in the seize of matter and have not taken a final decision, having regard to an order passed in O.A.s.269/2003 & Others in C.S.Singh and Others vs. Union of India & Others disposed on 21.1.2004 by this Bench wherein directions were issued to the applicants to move fresh comprehensive representations and the respondents to dispose of the same by taking into consideration and observations made by the Tribunal in O.A.65/2002, these O.A.s are disposed of with a direction to the respondents to treat the present O.A.s as representations of the applicants and the same may be disposed of specially by respondent No.1 and a final decision may be taken within two months from the date of receipt of the copy of this order in so far as the upgradation of the applicants are concerned. With due regard to the observations made in O.A.65 of 2002 the O.A.s are disposed of accordingly. No order as to costs.

Copy of the order be kept in each file.

Sd/MEMBER (J)

Sd/MEMBER(Adm)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

12th JAN/2004

ORIGINAL APPLICATION NO. 09 OF 2004.

Shri Nakhedei Aring.

Applicant.

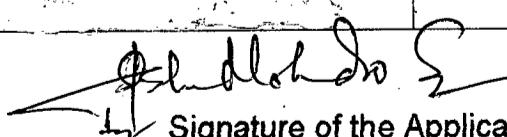
- Versus -

The Union of India and others.

Respondents

INDEX

Sl. No.	Nomenclature of documents	Brief description of documents	Page From To
(1)	(2)	(3)	(4)
1.	Application	Application filed by the Applicant	1 - 15
2.	Affidavit	Affidavit of the Applicant	16 - 17
3.	ANNEXURE A/1	Certificate for passing HSLC Exam.	18
4.	ANNEXURE A/2	Certificate for passing Veterinary Science and Animal Husbandry Course.	19
5.	ANNEXURE-A/3	Letter of the DG AR dated 13/05/1986.	20
6.	ANNEXURE-A/4	Appointment order dated 10/07/1986.	21
7.	ANNEXURE A/5	Relevant page showing pay scale of the veterinary staffs of the Central Civil Service (Revised Pay) Rules, 1997 First Schedule of Part "A".	22
8.	ANNEXURE A/6	Relevant portion of Section 30 of India Veterinary Council Act, 1984.	23
9.	ANNEXURE A/7	Relevant portion containing the pay scale of Compounder, Central Forest Service	24
10.	ANNEXURE A/8	Letter of DGAR dated 15/09/1998.	25 - 33
11.	ANNEXURE A/9	Letter of DGAR dated 31/03/1998	34 - 35
12.	ANNEXURE A/10	Chart duties.	36 - 37
13.	ANNEXURE A/11	Relevant page containing Appendix-II of the hand Book of ICAR.	38
14.	ANNEXURE A/12	Order of the Hon'ble CAT dated 11/12/2002 passed in O.A. No.65 of 2002.	39 - 41
15.	ANNEXURE A/13	Decision of the DGAR in the matter of pay anomalies taken on 24/04/2001.	42 - 43


Signature of the Applicant

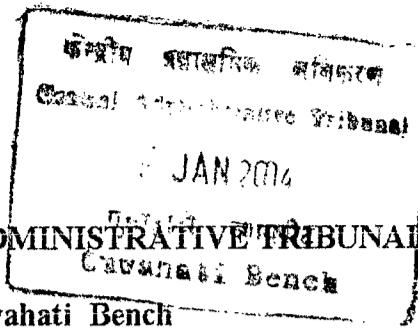
For use in Tribunal's office.

Date of filing :

Registration No. :

Presented by
Parashuram Shendre
Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
Guwahati Bench



Original Application No. 09 of 2004.

Shri Nakhedei Aring, aged about 41 years, S/o Nakhedei Hongai, by occupation a Veterinary Field Assistant of Assam Rifles, now posting at 13th Assam Rifles, a resident of View Land, Ukhrul, P.O. Ukhrul, District : Ukhrul, Manipur.

Applicant.

- Versus -

1. The Union of India through the Secretary to the Government of India, Ministry of Home Affairs.
2. The Ministry of Finance through its Secretary, Government of India, New Delhi.
3. The Director General, Directorate of Assam Rifles, at Shillong – 793001.
4. The Commandant, 13th Assam Rifles, C/o 99 APO.

Details of Applications :-

1. Particulars of the order against which the application is made :-
Against the inaction of the Respondents in implementing the Central Civil Services (RP) Rules, 1997 in the other words for non implementation of the Central Civil Services (Revised Pay) Veterinarians (Veterinary Staffs) of the Assam Rifles which has been nomenclatured as Veterinary Field Assistants (VFA).

Presented by
J. Sengupta & Sons
Advocates

Nakhedei Aring

2. Jurisdiction of Tribunal :-

The applicant declares that the subject matter of the present case where he wants redressal is within the jurisdiction of the Central Administrative Tribunal, Guwahati Bench.

3. Limitation :-

The subject matter of the present case is as regards to unequal treatment in implementing the CGS (Revised Pay) Rules, 1997. It is a case of continuing cause of action which arises every month. Hence, the applicant begs to submit the application is very much within time. Limitation Period prescribed in Section 21 of the Administrations Tribunal Act.

4. Fact of the case :-

(A) The Applicant is a bonafide citizen of India and belongs to Scheduled Tribe of India having permanent residence View Land, Ukhrul, P.O. Ukhrul, District – Ukhrul, Manipur. The Applicant passed High School Leaving Examination in the year 1980 under the Board of Secondary Education, Manipur. Thereafter, the Applicant completed Veterinary Science and Animal Husbandry Course from the School of Veterinary & Animal Husbandry, Government of Assam.

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The Assistant Director (A) Directorate General of Assam Rifles, Shillong-11 issued a public advertisement in various National News Papers for appointment to the post of Veterinary Field Assistant (VFA for short) in the Directorate of Assam Rifles.

(B) In response to the said advertisement the Applicant applied to the post of Veterinary Field Assistant and the Directorate of Assam Rifles issued a letter being No.II.14015/2-75/VFA/A-2(ME)/109 dated 13th May, 1986 with a direction to report for facing interview for the said post. On satisfaction of the Applicant's overall performance, the Selection Board selected the Applicant by the Selection Board vide appointment order issued by Lt. Director, AR for Director General, Assam Rifles being No.II.14015/48-75/VFA/ME dated 10th July, 1986 in the scale of Rs.260-8-300-EB-8-340-10-380-EB-10-430/-p.m. plus other allowances as admissible under the existing Rules from time to time and posted at 10th Assam Rifles.

True copies of (i) Certificate for passing HSLC Examination, (ii) Certificate for passing Veterinary Science & Animal Husbandry, (iii) Letter of the DG.AR dated 13/05/1986 and (iv) Appointment order dated 10/07/1986 are enclosed herewith and marked as Annexures-A/1, A/2, A/3 and A/4 respectively.

Nakshetra Singh
C. The present post of the applicant i.e. Veterinary Field Assistant (VFA) and other posts known as Animal Husbandry Assistant, Compounder, Dresser, Stockman, Stock Asstt. Vaccinator and Milk Recorder etc. are categorised as paraveterinarians posts. They provide auxiliary support in Veterinary and Animal Husbandry practices.

The minimum required qualification of such post is matriculation with diploma or certificate or experience of one or two years as the case may be.

Section 30 of the Indian Veterinary Council Act, 1984 also provides the minimum qualification and nature of works to be done by such posts. The relevant portion is hereby reproduced for easy reference.

Sec. 30(b) Práctise Veterinary Medicine in any State :-

Provided that the State Government may, order, permit a person holding a diploma or certificate of veterinary supervisor, stockman or stock assistant (by whatever name called) of any state or any veterinary institution in India to render under the supervision and direction of a registered Veterinary practitioner, minor veterinary services.

Explanation :- "Minor veterinary services" means the rendering of preliminary veterinary aid, like vaccination, castration, and dressing of wounds, and such other types of preliminary aid, like vaccination, castration and dressing of wounds, and such other types of preliminary aid the treatment of such ailments as the State Government may, by notification in the Official Gazette, specify in the behalf.

Therefore, duties and nature of works of all such posts are to do minor veterinary services which provides auxiliary support in Veterinary and Animal Husbandry Service like vaccination, castration, dressing of wounds or treatment of ailments etc.

D. That, initially, the pay scale of the said group of post (i.e. Veterinary Staffs/or Paraveterinarian Post) were placed at the pay range from Rs.950-1500/- to 1200-2040/-. But now as per 5th pay commission report, the Central Government revised the pay scale of the said Veterinary Staffs/or paraveterinarian post equally to the pay scale of Rs.4000 to 100-6000/- by naming the posts such as Stockman/Compounder/Stock Asstt./Animal

Nature of Posts

Husbandry Asstt./Dresser etc. All the concerned Department under Central Service have implemented the said revision of pay, but in case of the post of VFA of Assam Rifles, the Directorate General Assam Rifles failed to implement such revision of pay by taking the chance of nonmentioning the nomenclature of VFA in the column of Veterinary Staffs of the Central Civil Service (Revised Pay) Rules, 1997. Instead of Implementing the Pay scale given in the First Schedule of Part "B" of the said Civil Science (RP) Rules 1997 i.e. 4000-100-6000/- by taking analogy of the post of veterinary staffs as described in Section 30 of the Indian Veterinary Council Act. 1984, where it is clearly stated that what ever name may be called, but the DGAR implemented The C.G.S.(RP) Rules 1997 in Schedule "A" i.e. Rs.3200-4900.

True copy of the relevant page showing pay scale of the veterinary staffs of the Central Civil Service (Revised Pay) Rules, 1997 First Schedule of Part "A" Relevant Portion of Section 30 of India Veterinary Council Act, 1984 are enclosed herewith and marked as Annexures-A/5 and A/6 respectively.

It will not be out of place to mention here that the post of Veterinary Compounder attach to Central Forest Service was initially fixed at the pay scale of Rs.800-1150/- less than the pay scale of VFA, Assam Rifles. But with the new pay revision the pay scale of the said Vety. Compounder of Forest Service is revised to Rs.4000-6000/-

The Petitioner begs to submit that the Compounder of BSF is also enjoying the pay scale of Rs.1400-2300/- pre revised and after revised Rs.4500-125-7000/- per month. It is also begged to submit that the nature of

Nakshetra Singh

work of Compounder B.S.F. is only to maintain pharmaceutical works under supervision of a Register Veterinary Doctors. Whereas the nature of works of the Petitioner's post i.e. VFA of Assam Rifles include all the functions and operation of Vety. And Animal Husbandry works such as treatment, minor veterinary works maintaining pharmaceutical works. Inspection of animal health, checking of meat supply to Troops, accompany with troops in field works without supervision of any Doctors/Register Veterinary Practitioner. It is also begged to submit that there is no Post of Doctors in Assam Rifles whereas B.S.F. has having Register Veterinary Doctors/Practitioner. In other words, the Veterinary Field Asstt. of A.R. are more workload and responsible than the Compounder of BSF.

The Assam Rifles had submitted a proposal to Ministry of Home Affairs to streamlines the pay structure of VFA Assam Rifles with Compounder B.S.F./ITBP vide DGAR letter No.A/PERS/5th pay/98 dated 15 September, 1998 and letter No.II.14015/5th CPC/98/A-II/ dated 21st March, 1998.

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True copies of relevant portion containing the pay scale of Compounder, Central Forest Service and letter of DGAR dated 15/09/1998 and 31/03/1998 are enclosed as Annexures- A/7, A/8 and A/9 respectively.

E. That, on approach being made by the applicant, the Directorate General Assam Rifles issued an official notification dated 15/09/1998 1984 (at Annexure-A/12) under heading of "Silent Feature of Pay Scale of Assam Rifles Personnel". It is stated at para No.20 of the said notification that the Directorate had taken up a case to upgrade the basic pay of VFA to Rs.4000-

6000/- and further stated that Ministry of Home Affairs is inclined to such proposal.

F. That, as stated above the duties and nature of works of the VFA and other posts like Stockman/Compounder/Stock Asstt./Animal Husbandry Asstt./Dresser etc. are only minor veterinary service rendering preliminary veterinary aids like vaccination, castration, dressing of wound etc. Therefore, the nature of works or work allocation of all the veterinary staffs (or para – veterinarian post) are almost same in view of the Section 30(b) of the said Act. 1984. But in ground reality the VFA in Assam Rifles are more onerous and than the other veterinary staffs of other Departments.

Charter of duties of VFA, Assam Rifles :-

APPX

(Ref to DGAR letter No.I.14015/C-

Duty/VFA/Med-4 dated 4th Aug., 99

CHARTER OF DUTIES OF VETERINARY FIELD

ASSISTANT : ASSAM RIFLES.

1. Charter of duties of Field Assistant are as under :-

- Regular medical inspection to be conducted, to ensure fitness of Animals, the Veterinary Field Assistant and proper record of such inspections be maintained.
- Regular medical examination and treatment of sick Animals held at Battalion.
- Regular medical examination of Animals available in Dairy farm, Poultry farm and Piggery farm etc. in the Battalion.
- Veterinary Field Assistant always accompany the Animal transport when they carry lead from one place to another.

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- (e) Examination of MOH (Meat of Hoof) and inspection of dressed meat issued to the troops.
- (f) Veterinary Field Assistant ensures that eggs supplied by contractor dare fresh, of good average size and weight of 12 eggs is not be less than 500 gms. Individual egg weighing less than 40 gms is not be accepted.
- (g) Veterinary Field Assistant also ensures that Poultry live is healthy and wall nourished.

A true copy of chart of duties is enclosed herewith and marked as Annexure-A/10.

G. The Service of the VFA in Assam Rifles with one year certificate course on Diploma in the Veterinary Science is also a Technical Post. In the Hand Book of Indian Council of Agricultural Research (ICAR), it is clearly pointed out that Field Assistant in Veterinary is also a Technical post vide Appendix-II of the said Hand Book of ICAR.

True copy of the relevant page containing Appendix-II of the Hand Book of ICAR is enclosed herewith and marked as Annexure-A/11.

It may also be relevant to mention that one similarly situated with the present Applicant, Shri S. Manimacha Singh, VFA of Assam Rifles filed a writ-petition No.798 of 1999 with a prayer to include VFA of Assam Rifles in the category of "OTHER TECHNICIANS" in CCS(RP) Rules, 1997 and the same is reproduced hereunder :-

"XXII OTHER TECHNICIANS"

- (a) Post requiring matriculation with some experience as minimum qualification for direct recruitment Rs.4000-100-6000/-"

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H. That, during the pendency of the aforesaid W.P.(C) No.798 of 1999, the DGAR, Shillong again reconsidered the matter of the pay scale of VFA and notified another office decision under the heading of "Progress of Anomalies Cases" and in that at para No.7 it is stated that in 5th CPC of the post of VFA and equivalent grade in other organisation has been revised by a single scale of Rs.4000-6000/- A case has been taken up with MHA to accord approval for implementation of revised scale to the post of VFA in A.R. Case is under progress. From this it is crystal clear that the DGAR also admitted that the other equivalent post/grade of other organisation or department have benefited with the said revision of pay of Rs.4000-6000/- and that DGAR is also willing to implement such revision of pay in case of VFA, AR. But the applicant cannot understand as to why the DGAR still remain silent, it may be the intention to wait the decision of a competent court or tribunal as the applicant already started filing a writ-petition before this present application (case) before this Hon'ble Tribunal.

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In pursuance of the order of the Hon'ble Gauhati High Court dated 31/12/2001 passed in W.P.(C) No.798 of 1999, an Original Application being No.O.A. No.65 of 2002 was filed before the Hon'ble Central Administrative Tribunal, Guwahati Bench and the same was disposed of on 31/12/2002 with the following direction :-

"We have heard Mr. A. M. Singh, learned counsel for the Applicant and also Mr. A.K. Choudhury, learned Addl. C.G.S.C. for the respondents at length. Considering the facts and circumstances we are of the opinion that the matter requires no further adjudication from our end. The Government has taken a decision in principle and in view of the pendency of the Court proceeding the authority did not

take any step for implementation of the matter. In view of the clear statement made by the respondents we dispose of this application with a direction on the respondents to implement the undertaking as expeditiously as possible, preferably within a period of three months from the date of receipt of this order.

The application thus stands disposed of. There shall, however, be no order as to costs."

It is also pertinent to mention that the direction of the Hon'ble CAT does not confine to the Applicant of O.A. No.65 of 2002 only, in fact, it extends to all the VFAs of Assam Rifles.

True copies of the order of the Hon'ble CAT dated 11/12/2002 passed in O.A. No.65 of 2002 and decision of the DGAR in the matter of pay anomalies taken on 24/04/2001 are also enclosed herewith and marked as Annexure-A/12 and A/13 respectively.

5. Grounds for relief with legal provision :-

(a) The Veterinary establishment in any organisation or Directorate or Institute, there exist a certain post or posts which normally nomenclature as VFA or stockman or Animal Husbandry or Veterinary Compounder or Vaccinator or Dresser or Field Assistant (Whatever name may be called). Their main work is to render minor veterinary service like vaccination, castration, dressing of wounds treatment of animal. So works of every such post (which is termed as paraveterinarian post) either of the Directorate of Assam Rifles or B.S.F. or other Organisation are to be treated as same in

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view of the Section 30 (b) of the Indian Veterinary Council Act, 1984. And moreso the minimum qualification of such post is matriculation with diploma or certificate or experience as indicated in the said Section 30(b) of the said Act. 1984 ; so also as discussed in para No.55.284 of the 5th Central Pay Commission by taking these different nomenclatured of post into one ground as paraveterinarian post, the pay scale was recommended to revise equally to Rs.4000-6000/- so that there may not arise any question of pay anomaly. The Central Govt. also accepted and approved the recommendation and revised the pay scale of such post to Rs.4000-6000/- by reflecting under the heading "XXIV-Veterinary Staffs"(c) of the CCS(RP) Rules, 1997. But the Directorate of Assam Rifles failed to implement the same without any cogent reason and denied the right of the applicant to enjoy the said revised pay scale.

(b) The Pay Commission also discussed about other posts of Technicians for which minimum educational qualification is only matriculation with some experience and recommended to revise the pay scale to Rs.4000-6000/- equally to those of paraveterinarians post, and the same is approved by the Central Government and included in the CCS(RP) Rules, 1997 and reflected in part B or column No."XXII-OTHER TECHNICIANS" for convenient the same is reproduced herein :

(a) The present Applicant also similarly situated with the Petitioner of O.A. No.65 of 2002.

(b) VFA of Assam Rifles is also a technical post and the minimum qualification is matriculation with diploma or certificate (vide A/8 and Section 30(b) of the Indian Veterinary Council Act., 1984). Looking

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in this angle too, the pay scale of VFA/AR is sought to have revised to Rs.4000-6000/-

(c) That, on the recent decision of DGAR (vide Annexure-A/18) it is clearly stated and admitted that the pay scale of other equivalent post/grade with the VFA/AR have already been revised to Rs.4000-6000/-. So, it can be concluded that the DGAR had already expressed their willingness to revise the said pay scale of VFA equally with other counterparts.

(d) That, the VFA/AR and its counterparts (or equivalent posts) in different organisation or Directorate or Institute are all same and equal either in the nature of works or in looking to the minimum educational qualification. So, the principle of equal pay for equal works is applicable in the present case as enumerated in Article 39(d) of the Constitution of India.

6. Details of the remedies exhausted :

The Applicant declares that there is no remedy available to her or provided under the relevant Service Rules except by way of the present application.

7. Matter not previously filed or pending with any other Court :

No such application has been filed in any other Court or Tribunal.

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8. **Reliefs sought :**

- (i) Respondents be directed to upgrade the pay scale of VFA (Assam Rifles) to Rs.4500-7000/- in parity with Compounder (BSF) or at least to Rs.4000-6000/- in parity with those of other paraveterinarians w.e.f. 01/01/1996 ;
- (ii) to direct the Respondent to consider for changing the nomenclature of the present Petitioner's post of VFs either to Veterinary Assistant or Assistant Veterinarian or Animal Husbandry Asstt. or Compounder.

9. **In the Interim :-**

Any appropriate interim order be passed in the interest of justice. Pendency may not be a bar to extend the benefit of order of the Hon'ble CAT dated 31/12/2002 passed in O.A. No.65 of 2002.

Signature of the Applicant.

Dated/Imphal,

The 10th Jan, 2004.

By :-

A. Sachdeva

Naklodei Aring

Advocate.

10. The application is being submitted by hand through the Applicant's duly appointed counsel.

11. Particulars of Postal Orders filed in respect of the application fee :-

2
12. List of enclosures :

- (1) Application in triplicate.
- (2) Affidavit
- (3) Postal Order No. JTG 379437 dated 9.1.04
in favour of the payee, the Registrar, CAT, Guwahati Branch,
Guwahati.
- (4) 5 extra copies of the application for 5 Respondents.
- (5) Index in Form-1.
- (6) Receipt Slip.
- (7) Vakalatnama.

VERIFICATION

I, Nakhedei Aring, aged about 41 years, S/o Nakhedei Hongai, by occupation a Veterinary Field Assistant of Assam Rifles, now posting at 13th Assam Rifles, a resident of View Land, Ukhrul, P.O. Ukhrul, District : Ukhrul, Manipur, do hereby verify that the contents of paragraph Nos.1,4 & 9 are true to personal knowledge and contents of Para Nos.2 and 3 are believe to be true on the legal advice and the contents of the para No.5,6,7 and 8 are true and correct excepting those legal points and those legal points are based on the information of my counsel which I also verify believe to be true.

Dated/Imphal,

The 10th Jan, 2004.

By :-

A. Saikia

Advocate.

To

The Registrar,

Central Administrative Tribunal,

Guwahati Bench, Guwahati.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWALIATI BENCH

ORIGINAL APPLICATION NO. _____ OF 2004.

Shri Nakhedei Aring.

Applicant.

- Versus -

The Union of India and others.

Respondents.

AFFIDAVIT

I, Nakhedei Aring, aged about 41 years, S/o Nakhedei Hongai, by occupation a Veterinary Field Assistant of Assam Rifles, now posting at 13th Assam Rifles, a resident of View Land, Ukhrul, P.O. Ukhrul, District : Ukhrul, Manipur, do hereby solemnly affirm and state as follows :-

1. That, I am an applicant in the accompanying application. I have
gone through the contents of the present application and as such I am well
conversant with the facts and circumstances of the case. I am presenting this
affidavit in support of the statements made in the said application. These are
true to my knowledge.

2. That, the statements made in the foregoing paragraph Nos.1, 4 and 9 are within my personal knowledge ; and contents of Para Nos.2 and 3 are believe to be true on the legal advice and the contents of the Para Nos.5, 6, 7 and 8 are based on the information received by me from my counsel which I believe the same to be true.

3. That, the documents at Annexure-A/1 to A/14 are the true and correct copies of their originals.

Nakhedei Aring
(Nakhedei Aring)

DEPONENT.

Dated/Imphal,

The 10th Jan, 2004.

Drawn up by :-

A. Sankham Singh

Advocate.

25
18
ANNEXURE - AII AII

No 025652

Board of Secondary Education, Manipur

HIGH SCHOOL LEAVING CERTIFICATE

I Certify that



Roll No. 2695 duly passed the High School Leaving Certificate Examination, 1980 of this Board and was placed in the Third Division.

His/Her date of birth is the 28th March, One thousand nine hundred and sixty two.

Imphal
The 16th February 1981 *S. M. D. S.* *Writing*
ATTESTED TO BE TRUE COPY *Secretary*
Parashuram

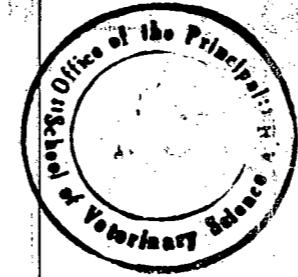
28
19
ANNEXURE - A/2
A/2

GOVT. OF ASSAM.
ANIMAL HUSBANDRY & VETERINARY DEPARTMENT, ASSAM.

School of Veterinary Science & Animal Husbandry
Assam.
GHUNGOOR, SILCHAR.



No. 2482.



Elementary Animal Husbandry & Veterinary Science Examination.

1984-'85
Certified that Shri Nakhedai, Aring having
attended the approved course of studies in the School of Veterinary Sceince and
Animal Husbandry, passed successfully the required Examination held in the month
of May 1985 and was placed in the Second Division.

BOARD OF EXAMINER :—

<u>Dr. A. M. 12/9</u>	Chairman
<u>Dr. K. H. Hall</u>	Member.
<u>Dr. C. C. Chakraborty</u>	Member.
<u>Dr. B. N. Bhattacharya</u>	Member.
<u>Dr. B. N. Bhattacharya</u>	Member.
<u>Dr. B. N. Bhattacharya</u>	Member.

Dated, Ghungoor, Silchar.

The 12/11/1985
SCHOOL OF VETERINARY SCIENCE & ANIMAL HUSBANDRY
The 12/11/1985
ATTESTED

Principal.

Reqd.

Bharat Sarkar
 Government of India
 Grih Mantralaya
 Ministry of Home Affairs
 Mahanideshalaya Assam Rifles
 Directorate General Assam Rifles
 Shillong- 790011

II.14015/2-75/VFA/A-2(ME)/109

17 May '86

Shri Nakkedei Sing
C/2 Laxmi Nakkedei
Sunshine Cottage
Vicu Land, Lekhoul
P.C. Lekhoul, Tezpur, Assam

INTERVIEW FOR THE POST OF VFA

1. Reference your application dated 30th Apr '86.
2. You are hereby directed to report to this directorate for interview at 1000 hrs on 12 Jun '86 for the post of VFA in the scale of pay Rs. 260-8-300-EB-8-340-10-380-EB-10-430/- p.m. plus central rate of DA and other allowances as admissible under the existing rules. You must have in possession of following certificates and these will be required to produced in original at the time of interview.
 - (a) Diploma/Certificate for passing the course from a recognised institution.
 - (b) Matriculation certificate.
3. You must be in between 18 to 25 years of age, Upper age may be relaxed in case of Govt servant and SC/ST candidate at the discretion of the appointing authority.
4. No TA/DA will be admissible.
5. If selected you will be liable to serve anywhere in Assam, Nagaland, Manipur, Mizoram, Arunachal Pradesh and Sikkim or wherever Assam Rifles units may be deployed.

[Signature]
 (M C Bordoloi)

C G O
 for Director General
 Assam Rifles

[Signature]
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(21)

ANNEXURE - A/A

Tele No: PABA 23510/231

Regd

Bharat Sarkar
Government of India

Grih Mantralaya
Ministry of Home Affairs
Mahanideshalaya Assam Rifles
Directorate General Assam Rifles
Shillong - 793011

II.14015/48-75/VFA/ME(A)✓

10 Jul '86

✓ Shri Nakhedei Aring
C/O David Nakhedei
Sunshine Cottage
View Land, Ukhrul
P.O. Ukhrul (Manipur)

APPOINTMENT VFA

1. You are hereby selected for appointment temporarily until further orders as Veterinary Field Assistant in the scale of pay Rs.260-8-300-EB-8-340-10=380-EB-10-430 p.m. plus other allowances as admissible under the existing Rules from time to time. The appointment is purely temporary subject to production of the following certificates and may be terminated with one month notice from either side.

(a) A Medical fitness certificate from a civil surgeon or equivalent at the time of joining.

(b) Educational and other certificates as proof of age and qualification etc in original.

(c) A character certificate from a class I officer or 1st class Magistrate at the time of joining the duty.

(d) No TA/DA will be admissible for your joining the duty.

2. You are liable to serve anywhere in India.

3. Your appointment is subject to satisfactory police verification and antecedent.

4. You will report for duty to the Commandant 21 Assam Rifles, C/O 99 APO on or before 31 Jul '86 alongwith certificates mentioned in this order.

Shri
(J K Roy)
Major
JAD(A)
for Director General Assam Rifles

Copy to :-

1. HQ Manipur Range Assam Rifles
C/O 99 APO
2. Commandant 21 Assam Rifles
C/O 99 APO
3. Medical Branch - for info
4. Personal File
5. Office copy

Shillong
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31
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ANNEXURE A/5

A-36 COMPILATION OF FIFTH CENTRAL PAY COMMISSION REPORT

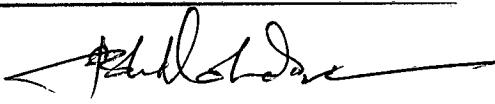
THE FIRST SCHEDULE

(See Rules 3 & 4)

PART - A

Revised scales for posts carrying present scales in Group 'A', 'B', 'C' & 'D' except posts for which different revised scales are notified separately.

SL. NO.	POST/ GRADE	PRESENT SCALE (Rs.)	REVISED SCALE (Rs.)
1.	2.	3.	4.
1.	S-1	750-12-870-14-940	2550-55-2660-60-3200
2.	S-2	775-12-871-14-1025	2610-60-3150-65-3540
3.	S-3	800-15-1010-20-1150	2650-65-3300-70-4000
4.	S-4	825-15-900-20-1200	2750-70-3800-75-4400
5.	S-5	950-20-1150-25-1400 950-20-1150-25-1500	3050-75-3950-80-4590
6.	S-6	975-25-1150-30-1540 975-25-1150-30-1660	3200-85-4900
7.	S-7	1200-30-1440-30-1800 1200-30-1560-40-2040 1320-30-1560-40-2040	4000-100-6000
8.	S-8	1350-30-1440-40-1800-50-2200 1400-40-1800-50-2300	4500-125-7000
9.	S-9	1400-40-1600-50-2300-60-2600 1600-50-2300-60-2660	5000-150-8000
10.	S-10	1640-60-2600-75-2900	5500-175-9000
11.	S-11	2000-60-2120	6500-200-6900
12.	S-12	2000-60-2300-75-3200 2000-60-2300-75-3200-3500	6500-200-10500
13.	S-13	2375-75-3200-100-3500 2375-75-3200-100-3500-125-3750	7450-225-11500
14.	S-14	2500-4000 (proposed new pre-revised scale)	7500-250-12000
15.	S-15	2200-75-2800-100-4000 2300-100-2800	8000-275-13500
16.	S-16	2630/- FIXED	9000/- FIXED
17.	S-17	2630-75-2780	9000-275-9550
18.	S-18	3150-100-3350	10325-325-10975
19.	S-19	3000-125-3625 3000-100-3500-125-4500 3000-100-3500-125-5000	10000-325-15200
20.	S-20	3200-100-3700-125-4700	10650-325-15850


Signature

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ANNEXURE - A/6

27. If the name of any person enrolled on a State veterinary register is removed therefrom in pursuance of any power conferred under this Act, the Council shall direct the removal of the name of such person from the Indian veterinary practitioners register.

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Removal of names from the Indian veterinary practitioners register.

28. Every person registered in the Indian veterinary practitioners register shall notify any transfer of the place of his residence or practice to the Council and the State Veterinary Council within ninety days of such transfer, failing which his right to participate in the election of members of the Council or a State Veterinary Council shall be liable to be forfeited by order of the Central Government either permanently or for such period as may be specified therein.

Person enrolled on Indian veterinary practitioners register to notify change of place of residence or practice.

CHAPTER IV

PRIVILEGES OF REGISTERED VETERINARY PRACTITIONERS

29. Subject to the conditions and restrictions laid down in this Act, every person whose name is for the time being borne on the Indian veterinary practitioners register shall be entitled according to his qualifications to practise as a veterinary practitioner and to recover, in due course of law in respect of such practice any expenses, charges in respect of medicaments and other appliances or any fees to which he may be entitled.

Privileges of persons who are enrolled on Indian veterinary practitioners register.

30. No person, other than a registered veterinary practitioner, shall—

Right of persons who are enrolled on the Indian veterinary practitioners register.

(a) hold office as veterinary physician or surgeon or any other like office (by whatever name called) in Government or in any institution maintained by a local or other authority;

(b) practise veterinary medicine in any State;

Provided that the State Government may, by order, permit a person holding a diploma or certificate of veterinary supervisor, stockman or stock assistant (by whatever name called) issued by the Directorate of Animal Husbandry (by whatever name called) of any State or any veterinary institution in India, to render, under the supervision and direction of a registered veterinary practitioner, minor veterinary services.

Explanation.—“Minor veterinary services” means the rendering of preliminary veterinary aid, like, vaccination, castration, and dressing of wounds, and such other types of preliminary aid or the treatment of such ailments as the State Government may, by notification in the Official Gazette, specify in the behalf.

(b) be entitled to sign or authenticate a veterinary health certificate or any other certificate required by any law to be signed or authenticated by a duly qualified veterinary practitioner;

(d) be entitled to give evidence at any inquest or in any court of law as an expert under section 45 of the Indian Evidence Act, 1872, on any matter relating to veterinary medicine.


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ANNEXURE-A/7

37 → 2'

A-74 COMPILED OF FIFTH CENTRAL PAY COMMISSION REPORT

(1)	(2)	(3)	(4)	(5)
7.	Range Officer/Forest Ranger	1400-40-1800-EB-50-2300	5500-175-9(XX)	104.10
8.	Asstt Conservator of Forests	2200-60-2300-EB-75-3200 100-3500	6500-200-10500 7500-250-12000	104.10
9.	Fireman	750-12-870-EB-14-940	2610-60-3150-65- 3540	104.11
Andaman and Nicobar Islands :				
Directorate of Fisheries				
12.	Fisheries Development Officer/Asstt. Dir.	2000-60-2300-EB-75-3200	6500-200-10500 7500-250-12000	14.20
13.	Surveyors	1200-30-1560-EB-40-2040	4000-100-6000 4500-125-7000 5000-150-8000	104.21
14.	Plant Operator-cum-Mechanic	950-20-1150-EB-25-1400	4000-100-6000	104.22
15.	Public Works Department Asstt Town Planner	2000-60-2300-EB-75-3200 100-3500	6500-2(XX)-10500 7500-250-12000	104.23
16.	Assistant Shed Master	1200-30-1560-EB-40-2040	4500-125-7000	104.24
17.	Shed Master	1400-40-1800-EB-50-2300	5000-150-8000	104.24
18.	Overseer	950-20-1150-EB-25-1400	3050-75-3950-80- 4590 4000-100-6000	104.25
Health Department				
19.	Pharmacists	1200-30-1560-EB-40-2040	4500-125-7000 5000-150-8000 5500-175-9000	104.28
20.	Lineman-cum-Meter Reader	950-20-1150-EB-25-1500	4000-100-6000	104.29
Forest Department				
21.	Veterinary Compounder	800-15-1010-EB-20-1150	4000-100-6000	104.30
22.	Senior Veterinary Compounder	950-20-1150-EB-25-1400	4500-125-7000	104.30
Dadra and Nagar Haveli :				
Health Department				
23.	Bio-Chemist	1640-60-2600-EB-75-2900	6500-200-10500	104.32
Public Works Department				
24.	Draughtsman Grade I	1400-40-1800-EB-50-2300	5000-150-8000	104.33
25.	Draughtsman Grade II	1200-30-1560-EB-40-2040	4500-125-7000	104.33
26.	Draughtsman Grade III	950-20-1150-EB-25-1500	4000-100-6000	104.33
Lakshadweep :				
Directorate of Health				
27.	Ayurvedic Physician	2000-60-2300-EB-75-3200 100-3500	8000-275-13500	104.36



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(25) (26) 34
ANNEXURE A/8

Mahimukhatahaya Assam Rifles
Commandant General, Assam Rifles
Shillong - 793011

File No : 703076

15 Sept 98

A/Pers/Bill pay 1998.

List A, B, C, D, E & F

SALIENT FEATURES AFFECTING PAY AND ALLOWANCES
ASSAM RIFLES PERSONNEL

General

1. Govt has notified pay scales and various allowances for all Central Para Military Forces (CPMF) and the same have already been circulated to all concerned by this Dte from time to time. However, it is noticed that doubts still exist on various aspects of applicability and entitlement thereof. As a result, the pers are still unaware about their entitlement of monthly pay and allowances.

2. In this info bulletin, certain issues of pay and allowances have further been clarified. Steps taken to resolve existing RK and pay anomalies with the MHA also been covered.

Pay Scales

3. The pay scales after revision under Central Civil Services (Revised Pay) Rules, 1997 wef 01 Jan 96 and on rationalisation of pay scales in respect of CPMF personnel wef 10 Oct 97 are given below:

Rk	Pay scales applicable		Rationalised pay scales wef 10 Oct 97
	wef 01 Jan 1996 to 09 Oct 97	(2)	
Rfn	2750-70-3800-75-4400		3050-75-3950-80-4590
Lnk	2750-70-3800-75-4400 Rs. 15/- as special pay.		Rank of Lnk merged with Rfn and gtd Rs.30/- pm as special pay with the pay scale of Rfn till promoted to Hav.
NK	3050-75-3950-80-4590		RK NK merged with Hav with the pay scale of Hav excluding appt pay.
Hav	3200-85-4900		3200-85-4900 with appt pay of Rs. 50/- pm till promoted to next higher Rk
Sub	5500-175-9000		5400-100-6000
Sub Maj	6500-200-10500		6500-200-10500
			6500-200-10500 + Rs. 200 per month as appt pay.


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(28) (29) 35

Allowances

4. Special Compensatory (Remote Locality) Allowance. The rate of said allowance has been doubled from the existing rates applicable to all difficult and other areas w.e.f. 01 Aug 97. Govt. notification on the subject has also been circulated by this Dte. The cl of difficult and other areas have been circulated with this Dte letter No. A/Pers/5th-Fav/Pant/98/206 dt 27 Aug 98. The rates applicable at various places are given below :-

State	Pay Range				
	Below Rs. 3000/-	Rs. 3000/- to Rs. 4500/-	Rs. 4500/- to Rs. 6000/-	Rs. 6000/- to Rs. 9000/-	Above Rs. 9000/-
<u>Manipur</u>	150	300	450	600	750
<u>Nagaland</u>	40	80	120	160	200
<u>Assam</u>					
(a) Difficult Area	300	500	700	1000	1300
(b) Other Area	250	400	550	800	1050
(c) Throughout Dibrugarh District	150	300	450	600	750
<u>Nagaland</u>	250	400	500	800	1050
<u>Sikkim</u>	300	500	700	1000	1300
<u>Arunachal Pradesh</u>	40	80	120	160	200
(a) Difficult Area	300	500	700	1000	1300
(b) Throughout Arunachal Pradesh except above	250	400	550	800	1050
<u>Tripura</u>					
(a) Difficult Area	250	400	550	800	1050
(b) Throughout Tripura except above.	150	300	450	600	750

5. Special Duty Allowance (SDA). SDA has been revised from 01 Aug 98 vide Min of Fin Letter No. 11(2)/97-E.11(B) dt 22 Jul 98. The rate of 12.5% of basic pay without any ceiling on the quantum. The ceiling of Rs. 1000/- per month currently in force shall no longer be applicable and the condition that the aggregate of the SDA plus special pay/Dedupation Duty Allowance, if any, will not exceed Rs. 1000/- per month is also dispensed with. Other terms and conditions governing the grant of this allowance shall, however, continue to be applicable.

15-7-98

Special Allowance. The SDA has been revised from 01 Aug 98

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applicable

has now been made applicable to Assam Rifles personnel in Sikkim at the same rate and terms/conditions applicable for employees posted in the NE Region.

Ration Money Allowance. This Dte had submitted a proposal to MHA vide our letter No. A/Peng/5th-CPC/1997/143 dated 22 Dec 97 for auth. Ration Money Allowance to Assam Rifles personnel on the lines of 5th CPC recommendation for Regt officers. MHA has sanctioned Ration Money Allowance off from 01 Sep 1998 to non-gazetted CRPF pers and off upto the end of Br Cdr, vide MHA order No. 27012/26/98-PR-I dated 07 Sep 1998. The allow will be applicable on Army Scale of rations based on 1 daily rations of 2000 calorifics. Free ration may be supplied in kind at the Regt where these facilities are presently admissible. The allow will be omitted to Assam Rifles personnel upto date.

(a) Along side the Army.

(b) Ahead of the Army on IP or on the line of actual control.

(c) Under op control of Army.

(d) In CE/Bi/Starburst areas.

B. This Dte has circulated the order vide letter No. A/Peng/5th-CPC/Vol-III/98/163 dated 11 Sep 98.

9. **Other Allowances.** The Govt orders for following allowances have been received:-

(a) **Initial Uniform Grant.** Rs. 6500/- for auth cat only.

(b) **Renewal Uniform Grant.** Rs. 3000/- to be granted after every 7 years for entitled cat.

(c) **Washing Allowance.** Rs. 30/- pm for non-gazetted staff subject to discontinuance of issue of washing soap.

Leave Licence Fee.

(i) 1000/- (ii) 100/- (iii) 12/-/- pm.

Rs. 60/- pm.

(iv) OR

(e) **Leave Travel Concession.** Some doubts still exist as to entitlement of LTC is clarified as under:-

Pay Scale

RALE

Entitlement

(i) 2550-3200

Followed

Sleeper class

(ii) 2610-3240

(iii) 3250-3900

(iv) 3900-4550

LTC has been extended w.e.f 01 Oct 98 as under vide DGAR signal NO. A 2419 dated 22 Sep 98:-

- (a) Below Rs. 4100
- (b) Rs. 4100 - Rs. 7999/-
- (c) Rs. 8000 - Rs. 11999/-
- (d) Rs. 16400 - Rs. 18399/-

- Second class sleeper
- First class/AC III tier sleeper
- AC 2 tier sleeper
- AC First class

J. N. Bhattacharya
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Pay Scales	Rank	Entitlement
(i) 6500-10500 to 10650-15650	Sub/Sub Major Asgt. Engineer By Commr	AC 1st Tier sleeper.
(ii) 12000-16500 to 16400-22400	21C Commdt	AC 1st class by train.

(f) Traveling Allowance on Tour. Entitlement is further clarified as per the pay band as under :-

Pay Range	Entitlement
(i) Below Rs. 4100/-	Sleeper class.
(ii) Rs. 4100/- and above but less than Rs. 8000/-	1st class/1st AC 1st Tier sleeper/ AC chair car.
(iii) Rs. 8000/- and above but less than Rs. 16400/-	1st AC sleeper.
(iv) Rs. 16400/- and above.	AC 1st class.

(g) Cashier's Special Pay.

Average monthly cash
disbursed

Dates

(i) Upto Rs. 50,000/-	Rs. 75/- pm.
(ii) Over Rs.50,000/- & upto Rs.2,00,000/-	Rs. 100/- pm.
(iii) Over Rs. 2,00,000/- and upto Rs.5,00,000/-	Rs. 200/- pm.
(iv) Over Rs.5,00,000/- and upto Rs.10,00,000/-	Rs. 250/- pm.
(v) Over Rs.10,00,000/-	Rs. 300/- pm.

(h) Transportation Allow.

Pay scales	Rate
(i) 2550-3200/- to 5500-9000/-	Rs. 75/-
(ii) 6500-10500/- to 7500-12000/-	Rs. 200/-
(iii) 8000-13500 and above	Rs. 400/-

Note. Entitled upto
only those Cat
of pers. who
fulfil terms and
conditions laid down
in Min of Fin letter
No. 21(1)/97/F.II(B)
dt 03 Oct 97 and vide
our letter No. A/1/2A/
27497 dt 24 Oct 97.

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(1/3)

(j) Transportation of Personal Effects. Rates of Other City category now received are as follows:-

Pay Range	Other City Rates (Per KM)
Below Rs. 4100/-	Rs. 4.00
Rs. 4100/- and above but less than Rs. 6500/-	Rs. 4.50
Rs. 6500/- and above Rs. 9,000/- less than Rs. 8000/-	Rs. 5.00
Rs. 8000/- and above Rs. 18,000/-	Rs. 6.00

(k) Children Educational Assistance.

Edn Assistance	Revised Rate	
(i) Children Edn Allowance	Primary, Secondary, Higher & Senior Secondary Classes (I to XII)	100/- pm per child
(ii) Reimbursement of Tuition Fee	Class I to X	40/- pm per child
	Class XI to XII	50/- pm per child
	Class I to XII in r/o physically handicapped and mentally retarded children.	100/- pm per child
	Science Fee	10/- pm
(iii) Hostel Subsidy	Primary, Secondary, Higher Secondary & Sr. Secondary classes (I to XII)	300/- pm per child

10. Consy Allowance. Consy allowance was being given to Assam Rifles pers on Army analogy. Terms and condition for grant of these allowances were also specified in the above order which stated that changes on the rates and eligibility conditions etc for drawal will auto apply to Assam Rifles pers. Min of Def has abolished consy allowance wef 01 Aug 97 vide their letter No. 3(4) 97 D(Pay/Services) dt 08 Jan 98. Therefore, in the Army, consy allowance has now been discontinued and the said allowance is to be ceased wef 01 Aug 97 for Assam Rifles pers.

11. Govt orders on following are still awaited from the MHA:-

(a) CILQ. CILQ on HRA rate has been made applicable for all CPMF pers vide Part B of Min of Fin Resolution dated 30 Sep 97. The rate of CILQ will be according to revised rate of HRA plus licence-fee as applicable to Central Govt employees. Govt Order for calculating HRA and licence fee has already been circulated.

12. Rate of HRA for Central Employees. Rates of HRA

Shankar

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circulated to all Vids. this Due Letter No. 1000/11 dated 21 Dec 97 and R/VM/11 dated 11 Aug 98. The calculation of CILQ of pers will be as under:-

(i) House Rent Allowance (HRA) (Revised)

(a) Staff Quarters

- 15% of actual basic pay drawn.

(b) Gorakhpur, Siwan, Imphal, Mizoram, Kohima, Dimapur and Agartala.

- 7.5% of actual basic pay drawn.

(c) Other Quarters

- 5% of actual basic pay drawn.

(ii) Licence Fee

Revised Rate wef 01 Jul 98

(a) JCOs incl WO

Rs 122/- per month.

(a1) OR

Rs 89/- per month.

(iii) However, MHA notfn is still awaited, till then old rate of CILQ will be in force.

(b) Accumulation of Earned Leave. Ours for enhancement from 240 to 300 days is awaited from MHA.

Proposals Already Projected to MHA

12. Free Air Travel Concession. This Due has pro case to the Ministry for auth free air travel facility to all AR pers posted in state of Tripura and Manipur once in a calendar yr, during Earned Leave, to and from Agartala and Calcutta and Imphal and Calcutta. A case for free air travel for Assam Rifles pers once a year to and from Aizawl and Calcutta is being taken up.

13. Nursing Allowance. A case has been taken up for enhancement of uniform, washing and nursing allowances for med staff of Assam Rifles.

14. Special Compensatory (Counter Insurgency) Allowance (SCA) (CI). A proposal has been submitted to MHA vide this Due Letter No. A/Pens/CI/7-98 dated 06 Aug 98 for authorising SCA (CI) to all pers of Assam Rifles at par with Army's entitlement in add to already auth allowance. The rates recommended by us are as under:-

Entitlement (per month)

Ranks

(a) Second-in-Command and above

Rs 1700/-

(b) Dy. Commdt

Rs 1200/-

(c) Asst. Commdt

Rs 1100/-

(d) JCOs incl WO

Rs 900/-

(e) Havildar

Rs 600/-

(f) Rfn

Rs 500/-

Ashok D
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Cases Being Referred to MHA

The following cases are being referred to MHA:

- (a) **Journey Period.** Journey period with Extra Leave for pers posted to Sikkim, as being granted for pers posted in NE Region.
- (b) **Special Compensatory Allowance (SCA) (Remote Locality).** SCA for pers posted in Manipur to be brought at par with Nagaland rates.
- (c) **Earned Lve.** Earned Lve entitlements for All pers posted in HQ DBAR/Rg to be increased to 40 days.

Status of Cases Pertaining to Anomalies of 5th Central Pay Commission Projected by DGAR to MHA.

16. **Introduction of Warrant Officer (WO) Rank for Technical Categories in Assam Rifles.** In response to this Dte proposal for introducing the rank of WO equivalent to Asst Sub Insp (ASI) rank in BSF, the MHA has issued instr for prep of a Cabinet Note for rationalisation of Tech Cadre in Assam Rifles vis-a-vis other CPOs. Details asked by the Minister have been fwd along with fin implications. The Cabinet Note will be fwd by MHA to Min of Fin for their approval/sanction after comparing our proposals with other CPOs.

17. **Upgradation of Posts of Combatised Clerical Cadre at Par with Other CPOs.** MHA is favourably disposed towards bringing the rank structure of clerical cadre of Assam Rifles at par with BSF. Order is to prepare a Cabinet Note for rationalisation of Clerical Cadre vis-a-vis other CPOs will be given after comparing our proposals with other CPOs.

18. **Re-Designation of Hav/PA to WO/PA.** MHA has given their approval for re-designation of Hav/PA as WO/PA. Order for the same has been given by this Dte. The correct equivalence of Nb Sub for WO/PA is being processed alongwith the clerical cadre proposals (Para 16 referred).

19. **Enhancement of Promotional Prospect of Dtmn Category in the Engineer Set Up of Assam Rifles.** MHA had turned down this Dte proposal of having a rank structure for Dtmn cat in the Engg set up in AR on the plea that there is a ban on creation/upgradation of posts by Min of Fin. However DBAR during his visit to the Ministry convinced the authorities to review the case to give opportunity of career progression to the combatised dtmn cat. MHA is expected to issue orders for constituting a committee recommending the posts requiring promotion/career progression, under which this case will be considered.

20. **Upgradation of Pay Scale for Post of Veterinary Field Assistants (VFA).** This Dte had taken up a case to upgrade the basic pay of VFA's to Rs.4000-100-6000/- per month. MHA is inclined to our proposal. Info has also been sought from BSF regarding VFA's serving with them so that a composite case can be proj. to Min of Fin.

21. **Fixation of Pay under 5th CPC where the Fixation Exceeds Maximum Revised Scale.** This Dte had proposed to MHA that excess amount in such cases should be protected. MHA has intimated through MIR of Fin (5th CPC Implementation Cell) in their letter of 02 Apr '99 have clarified that

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There is no provision for protection of cadre in increment triggered of his replacement pay scale after adding the fitment benefit of 5 percent to the existing emoluments. This case has been turned down by the Ministry.

22. Anomalies in the Pay Scale of Civ Posts and Equivalent Rank of Combatised Posts. This Dte vide Letter No. A/A-11/5th CPC/APS/98 dt 2 Mar 98 had taken up a proposal for bringing pay equivalence between the combatised and civ posts. MHA has turned down our proposal vid their letter No. 27012/107/98/DR, dated 19 Mar 98, clarifying that 5th CPC has given weightage to X (Risk) factor while making their recommendations. Accordingly combatant pers have been given an edge over the civ counterparts. However, to get over the perceived anomaly civ staff may opt for equivalent combatised posts as given in MHA letter No. 27011/44/98/DR dt 19 Sep 1998.

23. Upgraded Pay Scale for the Posts of Assistants in the Non-Sectt Org of Assam Rifles. This Dte had taken up case with the MHA for upgrading the pay scale of Asstt of Non-Sectt org in Assam Rifles to Rs. 5000-125-8000 per month. The case has been favourably ref by MHA to Min of Fin. The decision of Min of Fin is awaited.

24. Enhancement of Promotional Prospects of Religious Teachers in Assam Rifles. Presently, Assam Rifles is auth 3 Sub and 34 Nb Sub Religious Teachers. To enhance service conditions, this Dte had taken up case with MHA to restructure the Religious Teachers cadre and auth 2 Sub Maj, 18 Sub and 19 Nb Sub. The proposal has not been accepted by the Ministry on the ground that Religious Teacher cadre is peculiar to Assam Rifles on Army analogy. Other CPOs (BSF) do not have this cat. Secondly, this cat does have promotional avenues upto the rank of Sub. Notwithstanding the above, this Dte will take up case of reviewing the service conditions and rank structure in next cadre review as and when ordered by the Govt.

Important Issues Relating to Ex-Assam Rifles Personnel.

25. Grant of Various Concession/Facilities to Ex-Assam Rifles Personnel. This Directorate has approached Chief Secy of all States of Union of India vide DU letter NO ARESA/8/3219 dated 20 Aug 98 to accord same priority to the Ex-Assam Rifles pers as well as dependents of those killed in action for their resettlement/ rehabilitation as is given to Def pers particularly in respect of the following :-

- (a) Preference in providing reempl.
- (b) Preferential allotment of house/plot.
- (c) Grant of loans to purchase house/plot.
- (d) Allotment of land to the landless Ex-Assam Rifles pers during the course of the re-distribution of land in rural areas.
- (e) Grant of scholarship to children of pers killed or wounded/disabled in action.

26. Central Para Military Force (CPMF) Hosp Facilities. CPMF pensioners and their families who are not availing Central Govt Health Services (CGHS) facilities, will be allowed to avail med facilities from all CPMF Hosp irrespective of their may be retired from the CPMF. Detailed Instr on the subject have been circulated vide this Dte.

S. N. S.
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letter NO A/Pers/5th CPC/98/Vol-III dated 23 Mar 98. DGAR Record Branch is issuing Identity Cards to all personnel before proceeding on-pension. Similar Identity Card will be issued to NOEs of deceased personnel. These identity card will be the auth for seeking CPMF Hospital facilities.

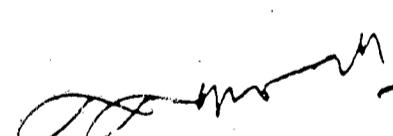
27. Med Allow. The Gazette of India (Extraordinary) No 192 dated 30 Sep 1997 has authorised med allow to pensioners residing in an area not covered by Central Govt Health Scheme. A sum of Rs 100 per month fixed med allow is authorised to all such pensioners for meeting the day to day med expenses that do not require hospitalisation.

28. CSD Facility to Ex-Assam Rifles Personnel. This Dte has taken up a case with the Govt vide letter No A/I-W/7-80/96 dated 30 Mar 93, for extending CSD Canteen and med facilities to Army Ex-Servicemen, to Ex-Assam Rifles pers. The MHA has turned down our proposal vide their letter No 1/29/93-NE.11 dated 27 Sep 93. Notwithstanding the above, this case has again been taken up by this Dte vide our letter No A/I-W/7-80/96 dated 11 Oct 96 with MHA for consideration. The outcome is being pursued.

Conclusion

29. This bulletin brings out certain pay and allow entitlements in addition to those circulated earlier and their applicability in Assam Rifles. It has also addressed certain addl issues of 5th CPC anomalies and the action taken by this Dte to rectify them. This is an info bulletin only and it should not be quoted as auth, for which the relevant Govt Orders should be ref to. Progress on outstanding issues will be circulated to all as and when disposed off by the Ministry.

30. A copy of this hand out will be displayed at prominent places and all pers explained of the correct posn by cdr in the chain. Hindi version of this letter is being fwd separately.



(RS Riwat)
Lt Col
AD (A)
for DG Assam Rifles



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Ref. No : 705550

Shriyat Sarkar
 Government of India
 Grah Mantralaya
 Ministry of Home Affairs
 Mahanideshalaya Assam Rifles
 Directorate General Assam Rifles
 Shillong - 793011

II.14015/5th CPC/98/A-II/

31 March 98

Govt of India
 Ministry of Home Affairs
 (P.F.I)
 New Delhi-01

IMPLEMENTATION OF UPGRADED PAY SCALE FROM 01-1-96
FOR THE POSTS OF VETERINARY FIELD ASSISTANTS IN
THE ASSAM RIFLES

Sir,

1. I am directed to invite Ministry's attention to the approved pay scale appearing at serial No. XXIV (c) in Part 'B' of First Schedule of CCS(RP) Rule 1997, wherein the revised scale of certain common category of Veterinary Staff have been approved by the Govt as under :-

Name of Post	Pre-revised Scale	Revised Scale
Stockman/	Rs. 950-20-1150-25-	
Compounder/	1500/- pm	
Stock Asstt/		
Animal	TO	
Husbandry Asstt/	Rs. 1200-30-1560-	
Dresser	40-2040/- pm	

2. It is submitted that there are 31 sanctioned posts of Veterinary Field Assistants in this Force who have been allowed standard revised Scale with effect from 01-1-96 replacing the pre-revised scale as per Part 'A' of First Schedule of CCS(RP) Rule 1997 as under :-

Name of Post	Pre-revised Scale of Pay	Qualification required as per recruitment Rule	Revised Scale
Veterinary (a) Field Assistant (VFA)	975-25- 1150-EB-30 -1540/-pm	Matric or equivalent with Diploma in Veterinary Science	Rs. 3200-85- 4900/- pm
(b)	950-20- 1150-EB-25 1500/-pm	Non-matric or equivalent with certificate in Veterinary Science.	Rs. 3050-75- 3950-80- 4590/-pm

....2/-

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3. Though the term of the post of Veterinary Field Assistant existing in the Assam Rifles is not included in the posts mentioned at serial XXIV(c) in Part III of First Schedule, the pre-revised Scales of Veterinary Field Assistants in Assam Rifles were within the pre-revised Scales as mentioned against above posts which have been revised by a single scale of Rs. 4000-100-6000/-, the VFAs of Assam Rifles therefore should be eligible for the upgraded scale of Rs. 4000-100-6000/-pm.

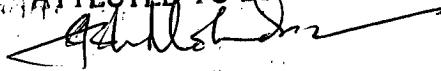
4. It is therefore submitted that the Ministry may kindly accord approval to the implementation of the revised scale of Rs. 4000-100-6000/-pm with effect from 01-1-96 in respect of the post of Veterinary Field Assistants in Assam Rifles.

5. An early reply is highly solicited please.

Yours faithfully,

(R. Chellu)
Colonel
Deputy Director (S)
For Director General Administration

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27 (36) 45
ANNEXURE - A/10

Tele No. : 705095

Mahanideshalaya Assam Rifles
Directorate General Assam Rifles
Shillong - 793011

I.14015/C-Duty/VFA/Med-4

04 Aug 99

List 'A'

List 'B'

List 'C'

List 'E'

**CHARTER OF DUTIES OF VETERINARY FIELD
ASSISTANT : ASSAM RIFLES**

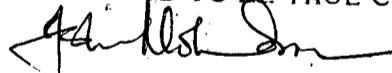
1. Guide lines on charter of duties of Veterinary Field Assistant Assam Rifles is fwd herewith as per appx :tt for your info and necessary action please.

2. Please ack.


(R S Rethi)
Col
Deputy Director (Medical)
for Director General Assam Rifles

Encl : 01 (One) sheet.

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1423 21/8/99

110X
(Ref to DGAR letter No.
I.14015/C-Duty/VF/3/Med-4
dated Aug 99)

CHARTER OF DUTIES OF VETERINARY FIELD ASSISTANT : ASSAM RIFLES

1. Charter of Duties of Veterinary Field Assistant are as under :-

(a) Regular medical inspection to be conducted, to ensure fitness of Animals, by the Veterinary Field Assistant and proper record of such inspections be maintained.

(b) Regular medical examination and treatment of sick Animals held at Battalion.

(c) Regular medical examination of Animals available in Dairy farm, Poultry farm and Piggy farm etc in the Battalion.

(d) Veterinary Field Assistant always accompany the Animal transport when they carry load from one place to another.

(e) Examination of MOH (Meat of Horse) and inspection of dressed meat issued to the troops.

(f) Veterinary Field Assistant ensures that eggs supplied by contractor are fresh, of good average size and weight of 12 eggs is not be less than 500 gms. Individual egg weighing less than 40 gms is not be accepted.

(g) Veterinary Field Assistant also ensures that Poultry live is healthy and well nourished.

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Abdullah S. S.

1423 21/8/99

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ANNEXURE-A/II

Appendix II

Classification of Technical Posts into Various Groups

GROUP I--FIELD/FARM TECHNICIANS

1. Farm Superintendent
2. Superintendent (Dairy)
3. Dairy Farm Superintendent
4. Farm Manager
5. Dairy Manager
6. Dairy Cattle Manager
7. Assistant Farm Superintendent
8. Assistant Superintendent (Dairy)
9. Junior Farm Manager
10. Junior Garden Superintendent
11. Junior Manager
12. Junior Superintendent
13. Asstt. Farm Management Officer
14. Assistant Manager
15. Field Officer
16. Field Supervisor
17. Assistant Field Assistant
18. Field Assistant
19. Junior Field Assistant
20. Junior Field Assistant-cum-Curer
21. Curer
22. Fieldman
23. Senior Farm Assistant
24. Senior Assistant (Farm)
25. Farm Assistant
26. Junior Assistant (Farm)
27. Herbarium Keeper
28. Herbarium Assistant
29. Nursery Assistant
30. Senior Cattle Supervisor
31. Animal House Keeper
32. Horticultural Supervisor
33. Forester
34. Senior Stockman
35. Stockman
36. Veterinary Officer
37. Senior Veterinary Assistant
38. Veterinary Assistant
39. Veterinary Commender
40. Fishing Mate
41. Senior Technical Assistant
42. Technical Assistant
43. Junior Technical Assistant
44. Rice Production Training Asstt.
45. Agricultural Assistant
46. Botanical Assistant
47. Extension Assistant
48. Entomological Assistant
49. Horticultural Assistant
50. Livestock Assistant
51. Meteorological Assistant
52. Physiological Assistant
53. Plant Protection Assistant
54. Seed Exchange Assistant
55. Asstt. (Seed Production)
56. Senior Soil Assistant
57. Stock Assistant
58. Senior Stock Assistant
59. Field Plantation & Store Asstt
60. Junior Survey Assistant

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Abdul Haq

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 65 of 2002.

Date of Order : This the 11th Day of December, 2002.

The Hon'ble Mr Justice D.N.Chowdhury, Vice-Chairman.

The Hon'ble Mr K.K.Sharma, Administrative Member.

Shri Soraism Manimacha Singh,
Veterinary Field Assistant of
Assam Rifles now posted at
A.R.Thoubal, a resident of Chingamakha Maisnam
Leikai, Imphal West District, Manipur ...Applicant

By Advocate Sri S.M.Singh.

- Versus -



1. Union of India,
through the Secretary to the
Government of India,
Ministry of Home Affairs,
New Delhi.
2. The Ministry of Finance,
through its Secretary,
Govt. of India, New Delhi.
3. The Director General,
Directorate of Assam Rifles,
Shillong-793001.
4. The Deputy Inspector General,
MP Range, Assam Rifles,
Imphal.
5. The Commandant,
7th Assam Rifles,
Thoubal. ...Respondents

By Sri A.K.Choudhury, Addl.C.G.S.C.

O R D E R

CHOWDHURY J. (V.C)

The issue relates to upgradation of pay scale of
Veterinary Field Assistant serving in Assam Rifles to
Rs.4000-6000/- in parity with those other counter parts.

2. Mr A.M.Singh, learned counsel appearing for the applicant stated that the applicant was agitating the matter in different forums and failing to get any remedy he moved the Imphal Bench of Gauhati High Court in Writ Petition(Civil) No. 798 of 1999. Finally by order dated 31.12.2002 the Writ Petition was disposed of directing the applicant to move the appropriate forum to seek his remedy. Hence this application before the Tribunal for redressal of his grievances. Mr Singh also pointed out to the reply submitted by the respondents in which it was indicated that the authority took a decision advising the Assam Rifles to process the proposal of cadre restructuring of the post of Veterinary Field Assistants in the manner indicated by the Ministry of Home Affairs in its communication dated 17.12.99. The relevant text of the said communication is



reproduced below :

(i) DD(Pers) BSF has intimated that a proposal for cadre restructuring of Veterinary staff is being processed by them. ITBP is also processing the proposal on the same lines. Assam Rifles was advised by Dir.(Pers), MHA, to process the proposal for cadre restructuring of the post of VFA.

(ii) To maintain uniformity in educational qualification and pay scales as recommended by the Fifth Pay Commission, Assam Rifles was advised to process the proposal in consultation with the BSF and ITBP, so that a similar proposal on uniform lines is formulated.

(iii) As the posts of Veterinary staff in BSF and ITBP are combatised while in Assam Rifles VFAs are civilians, to maintain the uniformity in the rank structure, Assam Rifles were advised to propose the combatisation of these posts as well.

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(iv) Since the matter is already subjudice, any decision for upgradation of pay scales in Assam Rifles can be taken after finalisation of the Court case."

Mr. A.M. Singh, learned counsel for the applicant has also drawn our attention to the communication sent by the Ministry of Home Affairs dated 31.3.1998 indicating its mind for implementation of upgradation of the pay scale of Veterinary Field Assistants in the Assam Rifles. The said communication clearly indicated the decision of the authority for revising the pay scale.

3. We have heard Mr A.M. Singh, learned counsel for the applicant and also Mr A.K. Choudhury, learned Addl. C.G.S.C. for the respondents at length. Considering the facts and circumstances we are of the opinion that the matter requires no further adjudication from our end. The Government has taken a decision in principle and in view of the pendency of the Court proceeding the authority did not take any step for implementation of the matter. In view of the clear statement made by the respondents we dispose of this application with a direction on the respondents to implement the undertaking as expeditiously as possible, preferably within a period of three months from the date of receipt of this order.

*Certified to be true Copy
Arrived in office
However, be no order as to costs.*

*T. B. D. C.
Section Officer (J)
C.A.T. GUWAHATI RANCHI
Guwahati, 781005
X/26/2005*

Sd/ VICE CHAIRMAN
Sd/ MEMBER (ADM)

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ANNEXURE-A/13

Tele No. 705075

Mahanideshalaya Assam Rifles
Directorate General Assam Rifles
Shillong - 793 001

A/Pers-Pay & Allce/ 2001

24 Apr 2001

List : A
B
C
F

PROGRESS ON PAY ANOMALIES CASES

1. Ref pt 26 (q) of min of AR Cdr Conf Mar 2001 fwd vide this Dte letter No. 11011/11/2001.G(SD)/1214 dt 11 Apr 2001

2. Progress on pay anomalies proposal are given in the succeeding paragraphs for info.

3. **Rank and Pay Combatant Clk.** To bring parity in ranks and pay with other CPOs, a case was taken up with MHA during 1997. After protracted correspondence and several mtgs held at MHA it has now been decided that entry grade of Stenos and combatant clks would be ASI (WO in AR) and Hav/Clk respectively in the scale of pay Rs. 4000-6000/- and Rs. 3200-4900/- in all CPMFs. This entry grade will be applicable to the new entrants only and the existing staff in the Steno and ministerial cadre will continue to wk in the same level where they are at present. This Dte has further taken up a case with MHA that unless the existing cadre in redesignated one step up, the new policy cannot be implemented in AR. MHA's decision on the matter is still awaited.

4. **Rank and Pay of Tech Cadre.** Pers of RM, Dtmn, Pharma and Compounder of AR with the same intake QR for rect/remusteration are given the rk of Hav whereas their counterparts in other CPOs are given ASI. The MHA had asked to submit proposal indicating cadre to cadre comparison with BSF where the rk of ASI is available in other tech cat also along with fin implication. The proposal along with fin implication has been submitted to MHA and the case is lying with MOF for approval.

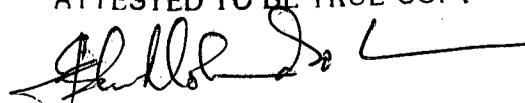
5. **Anomaly in Pay of Tdn.** There are nine cats of tdn of AR such as Cook, Carp, WM etc are being given less pay than their counterparts in other CPOs. Case was taken up that MHA has decided the following pay scale for all CPOs.

(a) Rfn cook, washerman Barber, Carpenter, EBR, Tailor & Painter. Rs. 2610-3540/-

(b) Rfn WC & Safai Rs. 2550-3200/-

The fin implication along with restructuring proposal is being fwd to MHA for approval. It has also been decided by the MHA that the provision for remusteration in Rfn (GD) from above cats will be made in RRs.

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6. Revision of Pay scales of Hon'ry Rk of Nb Sub. After declaration of 5th CPC report, Army has enhanced Rs. 100/- of addl element of pension to NCOs granted hon'ry rk of Nb Sub on retirement from Rs. 30/- wef 01-01-96. On the similar line a case has been taken up with MHA for enhancement of ex- AR Hon'ry NCOs. The case is lying with MOF for consideration.

✓ Implementation of Upgraded Pay Scale from 01-01-96 for the Post of VFAs. In 5th CPC the post of VFA and equivalent grade in other org has been revised by a single scale of Rs. 4000-6000/- a case has been taken up with MHA to accord approval for implementation of revised scale to the post of VFA in AR. Case is under prog.

8. Anomaly in Pay Scale of Civ Dtmn. Dtmn in AR drawing scale of pay as per part A of 1st Schedule of CCS (RP) Rules 1997. In 5th CPC dtmn of other orgs has been gtd Part B of 1st Schedule of CCS (RP) Rules 1997 i.e., Rs. 5000-8000/- Case has been taken up with MHA for applicability of part B Scale to AR dtmn wef 01-01-96. The case is under consideration with MOF.

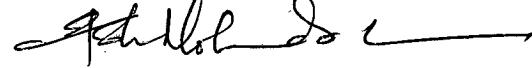
9. Admitting Revised Scale to Teaching Staff as per Part B of 1st Schedule of CCS (RP) Rules 1997. A proposal has been taken with MHA for admitting the Part B Scale of 5th CPC to teachers of AR. Case is under consideration with MHA.

(Satendra Kumar)
Col
DD(A)
For DG Assam Rifles

Copy to :-

List 'D'

List 'F'

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Malik