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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 173/2004.....

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SECTION OFFICER (Judl.)

Kahl's
10.11.17

FORM No. 1
(SEE RULE 42)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUJARATI BENCH

ORDER

Case No. 173/04
Petitioner/Complainant/Respondent

In O.A.

Name of Applicant(s) Kishal Koli

Name of Respondent(s) U.O.I. Govt.

Name of the Applicant Mr. A. Ahmed

Name of the Railway/Concerned A.K. Choudhury

OFFICE NO.

DATE

NAME OF THE TRIBUNAL

10.08.2004

Heard Mr.A.Ahmed, learned counsel
for the applicant.

The O.A. is admitted, call for
the record, returnable by four weeks.

List on 13.9.2004 for orders.

Dy. Registrar

Member (A)

bb

13.9.04

Steps taken with
enclosures.

Mr A.Ahmed, learned counsel for
the applicant is present. Mr A.K.
Choudhury, learned Addl.C.G.S.C states
that the matter is under active consi-
deration of the Government and as
such further time be given to file
written statement.

List the matter on 3.11.2004.

Vice-Chairman

Member

Notice & order dt. 10/8/04,
sent to D/Section
for issuing to resp.
Nos 1 to 4, by regd.
with A/D post.

16/8/04.

17.5.04

Notice issued vide
D.Nos. 1258 to 1261.

2/11/04

- 1) A/D cards not
received back
from The Respondents.
Nos. 1 to 4.
2) No. W/S filed
etc.

O.A. 173 of 2004

3.11.04. Present: Hon'ble Mr. R.K. Batta, Vice-Chairman
(J).
Hon'ble Mr. K.V. Prahladan, Administrative
Member.

Mr. A. Ahmed learned counsel for the
applicant is present. None for the Respon-
dents.

It appears that service is not complete.
Stand over to 6th January, 2005 for filing
written statement.


Member


Vice-Chairman

lm

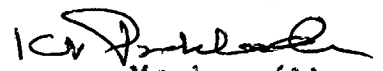
5-1-05

No W/S has been filed.

SIR - attached

06.01.2005

List on 08.02.2005 for filing
written statement.


Member (A)

mb

8.02.05. None appears for the Respondents.
Written statement has not been filed.
Adjourned to 28.3.04 for filing written
statement.


Member (J)

lm

28.3.2005

List the case on 2.5.2005 along with
O.A. 285.2004 for hearing.


Vice-Chairman

bb

27.5.05.

Post the matter on 16.6.05 for
hearing.


Member

lm

16.6.2005

At the request of Mr. A. Ahmed,
learned counsel for the applicant, the
case is adjourned. The respondents will
produce records also. No further adjourn-
ment shall be granted. Post on 22.7.2005


Member


Vice-Chairman

mb

W/S has been
filed.

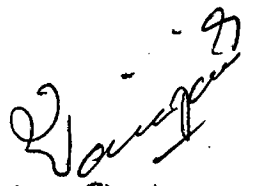
20
15.6.05

22.7.05

Heard counsel for the parties. Hearing concluded. Judgment delivered in open Court, kept in separate sheets.

The application is disposed of in terms of the order. No costs.


Member


Vice-Chairman

pg

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

O.A. No. 173 & 285 of 2004.

DATE OF DECISION: 22.07.05

Shri Kushal Ch. Kalita

APPLICANT

Mr. A. Ahmed

**ADVOCATE FOR THE
APPLICANT(S)**

- VERSUS -

U.O.I & Others

RESPONDENT(S)

Mr. A.K. Chaudhuri, Addl. C.G.S.C.

**ADVOCATE FOR THE
RESPONDENT(S)**

THE HON'BLE MR. JUSTICE G. SIVARAJAN, VICE CHAIRMAN.

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

1. Whether Reporters of local papers may be allowed to see the judgments?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the judgment?
4. Whether the judgment is to be circulated to the other Benches?

Judgment delivered by Hon'ble Vice-Chairman.

G. Sivarajan

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 173 & 285 of 2004.

Date of Order: This, the 22nd Day of July, 2005.

THE HON'BLE MR. JUSTICE G. SIVARAJAN, VICE CHAIRMAN.

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

Shri Kushal Ch. Kalita,
Upper Division Clerk,
Office of the Regional Drugs Testing Laboratory,
Directorate General of Health Services,
Government of India,
Sixmile, Panjabari,
Guwahati-781037.

... Applicant in both the O.As.

By Advocate Mr A. Ahmed.

- Versus -

1.Union of India,
represented by the Secretary to the
Government of India, Ministry of Health and
Family Welfare, New Delhi-1.

2.The Director General of Health Services,
Ministry of Health and Family Welfare,
Nirman Bhawan,
New Delhi-110011.

3.The Secretary,
Union Public Service Commission,
Dholpur House, Shahjahan Road,
New Delhi-11.

4.The Drugs Controller General of India,
Ministry of Health and Family Welfare,
Nirman Bhawan,
New Delhi-110011.

5.The Government Analyst,
Office of the Regional Drugs Testing Laboratory,
Directorate General of Health Services,
Government of India,
Sixmile, Panjabari,
Guwahati-781037.

... Respondents.

By Mr A.K.Chaudhuri, Addl.C.G.S.C.

.....

ORDER (ORAL)**SIVARAJAN I.(V.C)**

The applicant in both these cases is one and the same, namely, Shri Kushal Ch. Kalita. The applicant was initially appointed as a LDA at Assam State Health Department on 24.7.71. He was later on promoted as UDA on 4.11.77. Later this State Drug Testing Laboratory was taken over by Government of India as per order dated 20.8.2002 and the applicant was absorbed as UDC in Regional Drugs Testing Laboratory (RDTL), Guwahati. The applicant at the time of his absorption in RDTL was drawing Rs. 7850/- as basic pay. The applicant had completed 27 years service as UDA. His case is that though he is serving in the post of UDC, being the seniormost person among UDCs he is entitled to promotion to the next higher post of Office Superintendent. He has also a case that he has not been given pay protection on absorption in RDTL. A duly constituted selection committee of the UPSC which considered his case did not select him for promotion to the post of Office Superintendent. In O.A.285/2004 the applicant challenges the order dated 3.11.04(Annexure-L) issued by the Deputy Director, Administration (Drugs), New Delhi. The applicant also challenged the proceeding of the DPC dated 18.10.1004 referred to in the said communication. In O.A.173/04 the applicant seeks for a direction to the respondents to give pay protection to the applicant from the date of take over by the Central Government with all consequential benefits and also for direction to give promotion to the post of Office Superintendent.



2. The respondents have filed written statements denying the claim of the applicant for promotion. It is stated that maximum pay protection has also been given to the applicant as UDC under the Central Government. It is stated that the UPSC had selected Smt S.L.Devi, Junior Superintendent of GMSD, Guwahati as Office Superintendent in the RDTL on 1.12.2004 as per order of 25.11.2004 and she joined duty in the said post on 1.12.2004. It is also stated that the applicant has become eligible for 2nd financial upgradation under the existing ACP Scheme in a scale of pay in between UDC and Office Superintendent in the RDTL.

3. Mr A.Ahmed, learned counsel for the applicant submits that since the applicant had completed 27 years of service in the post of UDA now UDC and since the applicant is eligible for being considered for promotion to the post of Office Superintendent, particularly when the 4th respondent recommended the case of the applicant for promotion to the said post in the communication dated 31.1.03 (Annexure-G) in O.A.285/04 the respondents were not justified in denying promotion to the applicant. He also submitted that the UPSC did not consider the case of the applicant in the proper perspective. Counsel further submits that the applicant's pay should be protected from the date of take over by the Central Government.

• Mr A.K.Chaudhuri, learned Addl.C.G.S.C on the other hand submits that the pay of the applicant was fixed at Rs.7850/- in the new scale of Rs.4000-6000/- giving the maximum increments.

4. We have considered the rival contentions of both sides. The case for promotion of the applicant to the post of Office Superintendent was duly considered by DPC and was rejected as per




Annexure-L communication. Admittedly the criteria for the post of Office Superintendent is seniority cum merit. The authority did not find him eligible for the said post. Here it must be noted that as per the contention in the written statement in between the post of U.D.Clerk and Office Superintendent there is an intermediary post with a lesser scale of pay and that the person promoted to the post of Office Superintendent viz. Smt S.L.Devi was a junior Superintendent. Hence it cannot be said that there is non consideration of the case of the applicant. As regards the protection of pay of the applicant from the date of taking over his old establishment by the Central Government his case was considered in terms of the ACP scheme which was introduced by the Government of India. During the pendency of this application by communication No.A-11016/13/2004-D dated 22.6.05 issued by the Directorate General of Health Services (Drug Section) the applicant was granted financial upgradation benefit under the ACP Scheme in the scale of Rs.5500-9000/- i.e. equivalent to the post of Office Superintendent in terms of Government of India, Ministry of Personnel & Training O.M. dated 9.8.99. The applicant will be eligible for financial upgradation with effect from 1.1.02, the date of taking over SDTL as RDTL by Government of India. Thus, though the claim for promotion to the post of Office Superintendent was found against the applicant was granted financial upgradation in the scale of pay of Rs.5500-9000/- which is the scale of pay of Office Superintendent that too from the date of absorption of SDTL in RDTL by the Government of India i.e. from 01.01.2002.

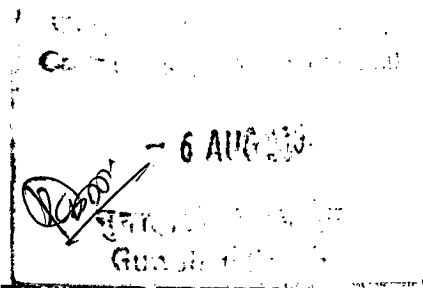


5. In these circumstances the applicant cannot have any further grievance now. Both the applications are accordingly disposed of.

In the circumstances no order as to costs.


(K.V.PRAHLADAN)
ADMINISTRATIVE MEMBER


(G.SIVARAJAN)
VICE CHAIRMAN



**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI.**

**(AN APPLICATION UNDER SECTION 19 OF THE CENTRAL
ADMINISTRATIVE TRIBUNAL ACT 1985)**

ORIGINAL APPLICATION NO. 173 OF 2004.

BETWEEN

Shri Kushal Ch.Kalita

... Applicant

-Versus-

The Union of India & Others

... Respondents

LIST OF DATES AND SYNOPSIS

Annexure-A is the photocopy of letter No. HLA306/91/199 dated 31st May 1997.

Annexure-B is the photocopy of letter No.Z.14012/3/94-DC/D dated 6th November 1997.

Annexure-C is the photocopy of the letter No.DTL/Convert/RTDL/14/95/1280 dated 19th November 1997.

Annexure-D is the photocopy letter No.RDTL/Estt./2002/378 dated 2nd September 2002.

Annexure-E is the photocopy of Notification dated 7th September 2002.

Annexure-F is the photocopy of the representation dated 8-11-2002 submitted by the Applicant before the Respondent No.4.

Annexure-G is the photocopy of the letter No.RTDL/Estt/01/02/359 Dated 31st January 2003.

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Annexure-H is the photocopy of the letter No.Z20024/1/2003-D dated 4.4.2003.

Annexure-I is the representation submitted by the Applicant before the Respondent No.4 on 23.01.2004.

Annexure-J is the photocopy of the letter No.A.12026/11/2002-D dated 25-3-2004.

The Application is not made against any particular order. But against the discriminatory treatment made by the Respondents against the Applicant in respect of his Pay Scale and granting him a Lower Pay Scale after permanent absorption of the Applicant under the Respondents. Whereas earlier Higher Pay Scale was granted him by the State Government. Due to non-fixation of appropriate Pay scale by the Respondents the Applicant is incurring financial losses each and every month. As such he has filed this Original Application before this Hon'ble Tribunal praying for up-gradation of his Pay Scale.

RELIEF SOUGHT FOR:

That the Hon'ble Tribunal may be pleased to direct the Respondents to give pay protection to the Applicant from the date of take over by the Central Government with all consequent financial benefit which is entitled to the Applicant.

That the Hon'ble Tribunal may be pleased to direct the Respondent to give promotion to the Applicant in the post of Office Superintendent with all consequent financial and service benefit which is entitled to the Applicant.

To Pass any other relief or relieves to which the applicant may be entitled and as may be deem fit and proper by the Hon'ble Tribunal.

To pay the cost of the application.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI

(AN APPLICATION UNDER SECTION 19 OF THE CENTRAL
ADMINISTRATIVE TRIBUNAL ACT 1985)

ORIGINAL APPLICATION NO. 173 OF 2004.

BETWEEN

Shri Kushal Ch. Kalita
Upper Division Clerk
Office of the Regional Drugs Testing Laboratory,
Directorate General of Health Services,
Government of India,
Sixmile, Panjabari-781037

...Applicant

-AND-

1. The Union of India represented by the Secretary to the Government of India, Ministry of Health and Family Welfare, New Delhi-1.
2. The Director General of Health Services.
Ministry of Health and Family Welfare
Nirman Bhawan,
New Delhi-110011.
3. The Drugs Controller General India,
Ministry of Health and Family Welfare
Nirman Bhawan,
New Delhi-110011.
4. The Government Analyst,
Office of the Regional Drugs Testing Laboratory

Filed by
Shri Kushal Ch. Kalita
Applicant
through
Chaitanya Kumar
Advocate



Directorate General of Health Services,
Government of India,
Sixmile, Panjabari-781037

... Respondents

1) DETAILS OF THE APPLICATION PARTICULARS OF THE ORDER AGAINST WHICH THE APPLICATION IS MADE:

The Application is not made against any particular order. But against the discriminatory treatment made by the Respondents against the Applicant in respect of his Pay Scale and granting him a Lower Pay Scale after permanent absorption of the Applicant under the Respondents. Whereas earlier Higher Pay Scale was granted him by the State Government. Due to non-fixation of appropriate Pay scale by the Respondents the Applicant is incurring financial losses each and every month. As such he has filed this Original Application before this Hon'ble Tribunal praying for up-gradation of his Pay Scale.

2) JURISDICTION OF THE TRIBUNAL

The Applicant declares that the subject matter of the instant application is within the jurisdiction of the Hon'ble Tribunal.


3) LIMITATION

The Applicant further declares that the subject matter of the instant application is within the limitation prescribed under Section 21 of the Administrative Tribunal Act 1985.

4) FACTS OF THE CASE:

Facts of the case in brief are given below:

4.1) That your humble Applicant is a citizen of India and as such he is entitled to all rights and privileges guaranteed under the Constitution of India.



4.2) That your Applicant begs to state that he was appointed as Lower Division Assistant under the Assam State Health Department on 24-07-1971. He was promoted to Upper Division Assistant on 04-11-19⁷⁷7. He was awarded by two advanced increment on the basis of result of Accounts Training by the State Government with effect from 20-11-1992 vide Government O.M.(T)18/64/179 dated 18-01-1969. His service was confirmed as Upper Division Assistant in the State Drugs Testing Laboratory, Guwahati under the Assam State Health Department. The First Stagnation increment was drawn by him in the Pay Scale of Rs.3850-90-4480-120-4600-EB-120-5200-175-6600-250-7350/- vide DHS order No.DTL/Esstt/01/04/237 dated 17-11-2000, raising his Pay Scale from Rs.7600/- to Rs.7850/- p.m.w.e.f.01-11-2000. The Second Stagnation increment in his Pay Scale was Rs.3850-90-4480-120-4600-EB-120-5200-175-6600-250-7350/- vide DHS order No. DTL/Esstt/01/04/237 dated 17-11-2000, by raising his Pay Scale from Rs.7600/- to Rs.7850/- p.m. w.e.f. 01-11-2000.

4.3) That your Applicant begs to state that the Union of India proposed to State Government of Assam for setting up a Regional Drug Testing Laboratory under the Control of Director General of Health Services, Ministry of Health and Family Welfare i.e. Respondent No.2. They also proposed for permanent absorption of the Officers and Staff of the State Drugs Testing Laboratory, Guwahati in the Regional Drugs Testing Laboratory, Guwahati under the Central Government vide their letter No.HLA306/91/175 dated 04-06-1996. The Commissioner and Secretary to the Government of Assam, Health and Family Welfare (A) Department vide their letter No.HLA306/91/199 dated 31st May 1997 addressed to the Respondent No.2 stating that they have no objection for permanent absorption of the Officers and Staff of the State Drugs Testing Laboratory, Guwahati in the Regional Drugs Testing Laboratory, Guwahati under the Central Government. In the said letter dated 31st May 1997 it has been clearly stated by the State Government that "The State Govt. feels that at the time of permanent absorption of the Staff of the State Drug Testing Laboratory in the Regional Drugs Testing Laboratory all employee of the State Drugs Testing Laboratory be accommodated in the new post created by the Government of India and their Pay Scales should not lower than the existing one under the State

Government". The Respondent No.2 i.e. Director General of Health Services vide his letter No.Z.14012/3/94-DC/D dated 6th November 1997 addressed to the Commissioner and Secretary to the Government of Assam, Health and Family Welfare (A) Department inquired the status of Officer and Staff of State Drugs Testing Laboratory, Government of Assam, Guwahati. In the above said letter of the Respondent No.2 in the Annexure paragraph-2 stated that " Out of 16 posts held by different categories of Staff only Shri K.C.Kalita, UD Assistant-Cum-Accountant i.e. the Applicant has been shown as permanent staff it is desirable that the status of the other employees whether regular or temporary may clearly be specified. In case, they are eligible for permanent status, the same may be accorded and facts communicated to this Directorate". The Government Analyst, Assam State Drugs Testing Laboratory, Guwahati vide his letter No.DTL/Convert/RTDL/14/95/1280 dated 19th November 1997 addressed to the Commissioner and Secretary to the Government of Assam, Health and Family Welfare (A) Department had submitted the detail information of Pay Scale and Status of its employees to the State Government as inquired by the Government of India in reference to their letter No.Z.14012/3/94-DC/D dated 6th November 1997. In the said information of statement the total Salary of your Applicant was shown as Rs.7331/- for the month of November 1997.

Annexure-A is the photocopy of letter No. HLA306/91/199 dated 31st May 1997.

Annexure-B is the photocopy of letter No.Z.14012/3/94-DC/D dated 6th November 1997.

Annexure-C is the photocopy of the letter No.DTL/Convert/RTDL/14/95/1280 dated 19th November 1997.

4.5) That your Applicant begs to state that the Respondent No.4 vide his letter No.RDTL/Estt./2002/378 dated 2nd September 2002 has informed the Ministry of Health and Family Welfare, New Delhi about the existing staff position of State Drugs Testing Laboratory under Government of Assam and also the post created by the Government of India for the Regional Drugs Testing Laboratory. It may be stated as per the above-mentioned letter there are fourteen (14) posts exist in the State Laboratory and the Government of India has also created fourteen (14)



posts for Regional Drugs Testing Laboratory. The Government of India has also created one new post of Office Superintendent in the pay scale of Rs.5500-9000/- whereas earlier there were no posts of Office Superintendent in the State Laboratory.

Annexure-D is the photocopy letter No.RDTL/Estt./2002/378 dated 2nd September 2002.

4.6) That your Applicant begs to state that the State Drugs Testing Laboratory Equipments, Officer and Staff under the State Government of Assam was handed over to the Government of India and absorbed in the Regional Drugs Testing Laboratory (under the Director General Of Health Services, Ministry of Health and Family Welfare) w.e.f. 1.10.2002 as per Government Notification No.Z-14012/3/94-DC (DMS & PFA) dated 20.08.2002 and Assam Govt. Notification No.HLA/306/91/256 dated 01.09.2002. Pursuance of Government of India order communicated vide letter No.Z-14012/3/94-DC/DMS & PFA dated 20.08.2002 the Governor of Assam vide his notification dated 7th September 2002 handed over the State Drugs Testing Laboratory, Panjabari, Guwahati-37 along with its existing staff machinery and equipments w.e.f. 1.10.2002.

Annexure-E is the photocopy of Notification dated 7th September 2002.

4.7) That your Applicant begs to state that he was absorbed in the Regional Drugs Testing Laboratory under the Director General of Health Services, Government of India as Upper Division Clerk in a lower Pay Scale of Rs.4000-100-6000/- whereas at the relevant time he was drawing a fixed pay of Rs.7900/- per month as on 01-10-2002 under the State Government of Assam. It is worth to mention here that the annual increment of your Applicant under the State Government was due from 1st November 2002 at Rs.250/- per month in his previous pay scale where he was going to draw his basic pay at Rs.8100/-p.m. w.e.f.01-11-2002 but after absorption in the Regional Drugs Testing Laboratory against the Upper Division Clerk Pay Scale of Rs. 4000-6000/-. He was getting only Rs.100/- as annual increment w.e.f. 01-11-2002 and

accordingly your Applicant is loosing @ Rs.100/- p.m. as basic pay since November 2002 after absorption in Regional Drugs Testing Laboratory against a post of lower pay scale.

4.8) That your Applicant begs to state that after anomaly in his pay scale after absorption under Central Government he immediately filed a representation on 8-11-2002 before the Respondent No.4. The Respondent No.4 issued a letter No.RDTL/Estt/01/02/359 Dated 31st January 2003 which was addressed to the Respondent No.2 regarding anomaly in the pay scale of the Applicant and also for absorption of Applicant in the post of Office Superintendent to avoid the pay anomaly etc. The extract of the said letter is given below for kind perusal of this Hon'ble Tribunal.


"Sri K.C.Kalita is working as UDC in the RTDL (GOD) was a permanent staff of the State Government and he has completed more than 25 years as UDC in the Health Department as well as he has rendering his services from the day of inception of the State Drugs Testing Laboratory, Govt. of Assam On 01/10/2002 the laboratory has renamed as Regional Drugs Testing Laboratory under the Ministry of Health & F.W Govt. of India accordingly all the existing staff of the State Laboratory has been absorbed against the post created by the Govt. of India which is commensurate with the existing post held by the individual. Accordingly their pay etc. has been fixed as per rules admissible. Particularly in the case of Sri K.C.Kalita UDC who has completed more than 25 years of service in a post of UDC in the State Govt. has also attain a scale pay of Rs.7850/- p.m. which exceed the maximum pay scale of UDC Rs.4000-6000/- post created by Govt. of India for RTDL. Considering the fact of present position and also to protect the pay scale of Sri Kalita this office proposed he may be absorbed against the post of Office Superintendent which is lying vacant with a pay scale of Rs.5500-9000/- in RTDL. As such his pay has been fixed at Rs.7900/- p.m. so that he can draw his salary regularly until a clarification received from the Directorate. In this connection you may kindly to refer our earlier communication to agree with the proposal to absorb Sri Kalita as office superintendent to avoid the pay anomaly etc. At present there is none in the office of the RTDL as office superintendent and nor any other Sr. Ministerial Staff for the post except

Sri Kalita. And it is therefore Sri Kalita entrusted supervise office establishment as Office Superintendent without financial involvement awaiting Govt. approvals. In the meantime we received a circular from the Directorate General of Health Services vide No.A.12026/11/2002-D dated 3/1/2003 for the post of Office Superintendent of RTDL on deputation. In view of this I am recommending and forwarding herewith the bio-data of Sri K.C.Kalita UDC RTDL (GOI) to absorb him as Office Superintendent as Sri Kalita has fulfill all the norm and criteria for the post as mention in the circulation".

Annexure-F is the photocopy of the representation dated 8-11-2002 submitted by the Applicant before the Respondent No.4.

Annexure-G is the photocopy of the letter No.RTDL/Estt/01/02/359 Dated 31st January 2003.

4.9) That your Applicant begs to state that the office of the Respondent No.2 vide their letter dated 4-4-2003 had informed the Respondent No.4 that the case of Sri K.C. Kalita UDC is under consideration. Your Applicant lastly submitted another representation dated 23-01-2004 before the Respondent No.4 praying for his pay protection etc. The Respondent No.2 vide his letter dated 25-03-2004 addressed to the Secretary, Union Public Service Commission has nominated Dr.S.R.Gupta, Joint Drugs Controller (India) as the Departmental Representative for the selection of Office Superintendent in Regional Drugs Testing Laboratory, Guwahati. The schedule of the Selection Committee meeting was fixed on 10th April 2004 at 9 AM in the Regional Drugs Testing Laboratory, Sixmile, Guwahati-37. Your Applicant also offered himself as a candidate for the post of Office Superintendent. Accordingly his relevant ACR's were sent to the Head Office. But surprisingly the Selection Committee meeting for selection of Office Superintendent was postponed indefinitely. Till now the Respondents have not take any steps for selection of the post of Office Superintendent nor they have fixed any date or time of the reschedule selection committee meeting to select the Office Superintendent. As such your Applicant is compelled to approach this Hon'ble Tribunal for seeking justice in this matter.



Annexure-H is the photocopy of the letter No.Z20024/1/2003-D dated 4.4.2003.

Annexure-I is the representation submitted by the Applicant before the Respondent No.4 on 23.01.2004.

Annexure-J is the photocopy of the letter No.A.12026/11/2002-D dated 25-3-2004.

4.10) That your Applicant begs to state that due to non-consideration of his case for up gradation and protection of his pay scale which was earlier granted by the State Government, he has been suffering from heavy financial loss. As such the action of the Respondents are arbitrary, unjust, unfair, illegal, discriminatory and violative of the principle of natural justice and doctrine of equality.

4.11) That your Applicant begs to state that the cause of action arises each and every day, every month for non-fixation of appropriate pay scale in favour of the applicant. As such the case of the applicant is well within the period of limitation prescribed under section 21 of the Administrative Tribunal Act 1985.

4.12) That your Applicant begs to state that his demand of protection of pay is genuine and the Respondent No.4 has repeatedly requested the authority concern to promote him to the post of Office Superintendent for protection of his pay scale which was earlier drawn by the Applicant. But the reason best known to the Respondents, they have not taken any steps to settle this matter for last two years and they are unnecessarily dragging this matter for long day.

4.13) That your applicant submits that the Respondents have acted with a mala-fide intention only to deprive the application from his legitimate right.

4.14) That your applicant submits that the action of the Respondents is highly illegal, improper, and whimsical and also against the fair play of Administrative justice.

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4.15) That your application submits that the Respondents have violated the fundamental rights of the Applicant.

4.16) That this application is filed bonafide and for the interest of justice.

5) GROUNDS FOR RELIEF WITH LEGAL PROVISION:

5.1) For that, due to the above reasons narrated in detail the action of the Respondents are in prima facie illegal, malafide, arbitrary and without jurisdiction.

5.2) For that, the non consideration for granting the entitled pay scale to the Applicant from the initial stage of take over by the Central Government and granting him a lower scale from onwards is arbitrary, unjust, illegal, mala-fide and bad in law.


5.3) For that, the action of the respondents is arbitrary, mala-fide and discriminatory with an ill motive.

5.4) For that the Respondents ought to give the pay protection to the Applicant at the time of taking over the State Office by the Central Government.

5.5) For that, the Respondent No.4 have categorically stated that the Applicant deserve higher pay and promotion to the post of Office Superintendent as per his earlier pay and experiences.

5.6) For that, the Respondents are delaying the matter without any cause or causes for last two years by depriving the genuine demand of the Applicant.

5.7) For that, the Applicant is the only one permanent and senior most Office staff at the time of taking over the State office by the Central Government. As such the Central Government in whimsical and arbitrary manner cannot deny the legitimate demand of the Applicant.



5.8) For that the Respondents have violated the Article 14,16 & 21 of the Fundamental rights guaranteed under the Constitution of India.

5.9) For that being a model employer the Respondents cannot deny the benefit of pay protection to the instant Applicant. As such the Respondents should extend this benefit to the instant Applicant without approaching this Hon'ble Tribunal.

The Applicant craves leave of this Hon'ble Tribunal advance further grounds the time of hearing of this instant application.

6) DETAILS OF REMEDIES EXHAUSTED:

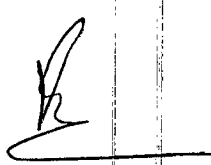
That there is no other alternative and efficacious and remedy available to the applicant except the invoking the jurisdiction of this Hon'ble Tribunal under Section 19 of the Administrative Tribunal Act, 1985.

7) MATTERS NOT PREVIOUSLY FILED OR PENDING IN ANY OTHER COURT:

That the applicant further declares that he has not filed any application, writ petition or suit in respect of the subject matter of the instant application before any other court, authority, nor any such application, writ petition of suit is pending before any of them.

8) RELIEF SOUGHT FOR:

Under the facts and circumstances stated above the applicant most respectfully prayed that Your Lordship may be pleased to admit this application, call for the records of the case, issue notices to the Respondents as to why the relief and relieves sought for the applicant may not be granted and after hearing the parties may be pleased to direct the Respondents to give the following relieves.



- 8.1) That the Hon'ble Tribunal may be pleased to direct the Respondents to give pay protection to the Applicant from the date of take over by the Central Government with all consequent financial benefit which is entitled to the Applicant.
- 8.2) That the Hon'ble Tribunal may be pleased to direct the Respondent to give promotion to the Applicant in the post of Office Superintendent with all consequent financial and service benefit which is entitled to the Applicant.
- 8.3) To Pass any other relief or relieves to which the applicant may be entitled and as may be deem fit and proper by the Hon'ble Tribunal.
- 8.4) To pay the cost of the application.

9) **INTERIM ORDER PRAYED FOR:**

At this stage applicant does not seek any interim relief but if the Hon'ble Tribunal may deem fit and proper may pass any order/orders.

- 10) Application is filed through Advocate.

11) **Particulars of I.P.O.:**

I.P.O. No. 116/389646

Date of Issue 2.6.04

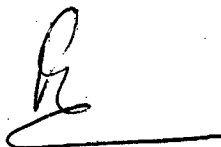
Issued from Gunaahadi Post Office.

Payable at Gunaahadi

12) **LIST OF ENCLOSURES:**

As stated above.

Verification



VERIFICATION

I, Shri Kushal Ch.Kalita, Upper Division Clerk, Office of the Regional Drugs Testing Laboratory, Directorate General of Health Services, Government of India, Sixmile, Panjabari-781037 do hereby solemnly verify that the statements made in paragraph nos. G-1, G-2, G-6, G-9, G-10,

G-11 ————— are true to my knowledge, those made in paragraph nos. G-3, G-4, G-5, G-7, G-8 —————

are being matters of records are true to my information derived there from which I believe to be true and those made in paragraph 5 are true to my legal advice and rests are my humble submissions before this Hon'ble Tribunal. I have not suppressed any material facts.

And I sign this verification on this the 9th day of August 2004 at Guwahati.


(Shri Kushal chandra Kalita)
...DECLARANT



- 13 -

GOVERNMENT OF ASSAM
HEALTH & F.W.(A) DEPARTMENT
DISPUR : GUWAHATI-6

No.HLA.306/91/199

Dated, Dispur, the 31st May 1997

From : Shri P.P.Varma, IAS
Commissioner & Secretary to the
Government of Assam.

To : The Drugs Controller General (India)
Directorate General of Health Services,
Nirman Bhawan, New Delhi-110 001

Sub. : Permanent absorption of staffs of State Drugs Testing Laboratory, Guwahati in the
Regional Drugs Testing Laboratory, Guwahati.

Ref. : Your D.O.No.Z.14012/3/94-DC dated 18.07.96

Sir,

With reference to above, I am to state that the State Government under Health & F.W.Deptt. have already communicated to the Drugs Controller of India their no objection for permanent absorption of the officers and staff of the State Drugs Testing Laboratory, Guwahati in the Regional Drugs Testing Laboratory, Guwahati under the Central Government vide their letter No.HLA.306/91/175 dated 4.6.96.

The Ministry of Health & F.W. Government of India, New Delhi have created posts for the Regional Drugs Testing Laboratory, Guwahati vide their letter No.Z.14012/3/91-DC(DMS & PFA) dated 11.04.96. From the lists & the posts and scales thereof, it appears that the existing posts under the State Government in the State Drugs Testing Laboratory differ in nomenclature and pay scales. The numbers of post created by the Government of India are less in number than the posts available in the State drugs Testing Laboratory. A list of posts created by the Ministry Health & F.W. for the Regional Drugs Testing Laboratory and the State Government posts in the State Drugs Testing Laboratory along with their pay scales are enclosed herewith which will explain the difference.

(A) The State Govt. feels that at the time of permanent absorption of the staff of the State Drugs Testing Laboratory in the Regional Drugs Testing Laboratory all employee of the State Drugs Testing Laboratory be accommodated in the new posts created by the Government of India and their pay scales should not lower than the existing one under the State Government.

As regards contribution towards the pensionary benefits and other benefits for which these employees are entitled under State Government the same shall be paid by the Government of Assam for the period upto the date of take over by the Government of India.

[Handwritten signatures]

26

- 14 -

Sri P.J. Gogol, Government Analyst, Assam is deputed to ^{sub} out all other relevant points including the above facts.

Yours faithfully,

Choy Gama
Commissioner & Secretary, 1/6/90
Health & F.W. Department.

Attested
[Signature]
Advocate

BY SPEED POST
15 -
No. Z.14012/3/94-DC/D
DIRECTORATE GENERAL OF HEALTH SERVICES
(Drugs Section)
.....

ANNEXURE B

6th November, 1997

To

Shri P.P. Varma, IAS
Commissioner & Secretary
to the Govt. of Assam,
Health & FW (A) Department,
Dispur,
GUWAHATI-6.

Sub: Permanent absorption of staff of State Drugs Testing
Laboratory, Guwahati in the RDTL, Guwahati -
Regarding

Sir,

I am directed to invite your attention to this Directorate's letter No. Z.14012/3/94-DC/D dated 31.7.97 on the subject mentioned above and to say that the issue of absorption of the existing staff in the RDTL, Guwahati, is engaging attention of the Directorate. In this process we have since consulted the Ministry who is the appropriate authority to accord necessary sanction in this and they have desired to have the information as per annexure.

2. As the matter has been pending for such a long time and it is requested that the information is furnished to the Directorate on priority basis. In this connection, it may be stated that an officer of the Directorate being deputed to follow the matter with you shortly. In the meanwhile, you may kindly process the relevant data so that he can collect the same on his visit. In case any further doubt the same may be got clarified without any delay.

Yours faithfully,

3
(DR. ASHWINI KUMAR)
Jt. Drugs Controller(I)

✓
Shri P.J. Gogoi, Govt. Analyst to the Govt. of Assam,
RDTL, Khanpura, Guwahati-22, for immediate follow-up
action.

A. J. Gogoi
P. J. Gogoi

1. According to the commitment given by the Govt. of India only those officials who were in service as on 14.11.95 can be absorbed. The post of Driver is not included in the proposed set-up, and therefore, it will not be possible to absorb him in the Central Govt. service. As such question of his transfer/deputation may be considered by the State Govt. and the decision communicated to this Directorate.
2. Out of the 16 posts held by different categories of staff only Shri K.C. Kalita, UD Assistant-cum-Accountant, has been shown as permanent. As the commitment is only to permanent staff it is desirable that the status of the other employees whether regular or temporary may clearly be specified. In case, they are eligible for permanent status, the same may be accorded and facts communicated to this Directorate.
3. There is a post of Packer and since there is no commitment of absorption, he may also be deployed elsewhere by the State Govt.
4. Clarification of the various employees i.e. Group A, B, C and D as applicable, to the Central Govt. servant or equivalent may also kindly be furnished urgently. For this purpose a copy of the relevant provision in the CCA (CCS) Rules is enclosed herewith to enable you to compare their status with those of Central Govt.
5. A copy of the notification declaring Mr. Gogoi as Govt. Analyst may also be sent to this Directorate.
6. According to the Recruitment Rules for the post of Drug Inspection against which Shri Gogoi is considered for absorption, 8 years experience in research and laboratory testing is essential. Even though Shri Gogoi possesses the requisite qualification he does not have the experience as laid down in the rules. It is, therefore, requested that full service particulars of Shri Gogoi will have to be authenticated and that may also be sent to this Directorate.

Imp
Further to the particular regarding total emoluments conveyed vide your letter no.HLA.306/91/199 dated 31-5-97, it is also required to furnish the details regarding the pay and allowances being drawn by various categories of employees presently working in the Laboratory.

Attended
Done to

GOVERNMENT OF ASSAM
OFFICE OF THE GOVERNMENT ANALYST
STATE DRUGS TESTING LABORATORY
KHANAPARA, GUWAHATI-22.

No.DTI./Convert/RDTL/14/95/ 1280 Dated the Guwahati 19th Nov'97

From: Mr.Parthajyoti Gogoi
Government Analyst, Assam
State Drugs Testing Laboratory
Khanapara, Guwahati-22.

To: The Commissioner & Secretary, to the Govt. of Assam
Health & F.W Department
Dispur, Guwahati-6.

Sub: Permanent absorption of staff of State Drugs Testing
Laboratory Guwahati in RDTL Guwahati.

Ref: Government of India Vide letter No.Z.14012/3/94-DC/D
dated 6th November'97.

Sir,

Kindly to refer above cited letter addressed to you regarding the subject as mention I have the honour the state that all the detail information has already been submitted to the Government of India vide Government Vide letter No.HLA/306/91/199 dated 31st May'97.

As per discussion held with you on the subject I am enclosing the report desired by the Government of India for, kind consideration and necessary action from your end. An officer from the Ministry Health & F.W Govt. of India visiting to the Laboratory on 26th Nov'97 and he will collect the all requied information from the State Government.

An early action of the Government is highly solicited.

Encloser.

Yours faithfully

Government Analyst Assam
State Drugs Testing Laboratory
Khanapara, Guwahati-22.

TS (Ex. Chaud)

Put up on 25/11/97

15/11/97

File

30

- 18 -

A list of staff working in the State Drugs Testing Laboratory is enclosed in annexure-A. In this connection it is stated that a driver post is very essential in the Laboratory and accordingly a driver was deputed from the directorate on temporary basis for the allotted vehicle. The State Govt. may kindly be moved to Government of India for post of driver on deputation.

All the staff of the State laboratory were regular but not permanent except the post of UDA. The matter was discussed in various levels for an early action. A copy of Directorate letter No. DTL/Esstt./creation/4/94/2117 dated 17th May '95 enclosed herewith may kindly be seen. (Annexure-D).

As proposed by the Government of India.

As enclosed as per annexure-A.

A copy of notification enclosed at annexure-B.

Service particulars of Mr. Gogoi enclosed at annexure-C.

The pay allowances drawn by the various categories of staff were stated at annexure-A.

5

*Attended
Jil
Amala*

Statement showing the detailed information pertaining to the individual Staff member of the
State Drugs Testing Laboratory.

Name of the Staff	Date of Birth	Post held	Existing pay Scale	Present Basic pay	Total Emolument	Date of Appointment	Description of post (S.G.)	Description of post (C.G.)
Mr. Parthajyoti Gogoi	1.03.65	Govt. Analyst	Rs.3375-5200/-p.m	Rs.3700/-	Rs.8324/-p.m	05.07.91	Sr. Grade	Group-B
Mr. Amartyoti Chaimun	8.03.65	Asst. Chemist	Rs.1285/-3075/-p.m	Rs.1345/-	Rs.3647/-p.m	31.03.95	Grade-III	Group-C
Mr. Dilip Sarkar	1.01.66	Asst. Chemist	Rs.1285/-3075/-p.m	Rs.1345/-	Rs.3647/-p.m	31.03.95	Grade-III	Group-C
Mrs. Rinku Kalita	1.03.68	Asst. Chemist	Rs.1285/-3075/-p.m	Rs.1345/-	Rs.3647/-p.m	05.05.95	Grade-III	Group-C
Mr. Arun Das	30.04.64	Asst. Chemist	Rs.1275/-3075/-p.m	Rs.1345/-	Rs.3647/-p.m	27.06.95	Grade-III	Group-C
Mr. Kunal Ch. Kalita	01.01.53	U.D.A.	Rs.1515-2715/-p.m	Rs.2795/-	Rs.7331/-p.m	24.07.71	Grade-III	Group-C
Mr. Bhupawan Patowary	01.02.63	L.D.A	Rs.1065-2095/-p.m	Rs.1285/-	Rs.3571/-p.m	29.12.89	Grade-III	Group-D
Mr. Bipin Kalita	01.02.60	L.D.A	Rs.1065-2095/-p.m	Rs.1145/-	Rs.3216/-p.m	07.05.93	Grade-III	Group-D
Mr. Bijan Bora	01.02.62	L.D.A	Rs.1065-2095/-p.m	Rs.1145/-	Rs.3216/-p.m	07.05.93	Grade-III	Group-D
Mr. Umesh Barman	31.03.66	Watch man	Rs.900-1435/-p.m	Rs.1085/-	Rs.3065/-p.m	10.10.88	Grade-IV	Group-D
Mr. Jogesh Mohanta	01.03.68	Lab Helper	Rs.900-1435/-p.m	Rs.900/-	Rs.2597/-p.m	23.08.90	Grade-IV	Group-D
Mr. Haren Bhukuria	29.11.67	Lab Helper	Rs.900-1435/-p.m	Rs.900/-	Rs.2597/-p.m	23.08.90	Grade-IV	Group-D
Mr. Monoranjan Barmn	31.12.61	Cleaner	Rs.900-1435/-p.m	Rs.1045/-	Rs.3065/-p.m	25.07.87	Grade-IV	Group-D
Mr. Mukesh Ku. Balmiki	07.10.73	Sweeper	Rs.900/-p.m Fixed Pay	Rs.900/-	Rs.900/-p.m	27.04.91	Grade-IV	Group-D

Total = Rs.52,470/-p.m

N.H.

S.G. As per State Government

C.G. As per Central Government.

[Handwritten signatures and initials]

- 20 -

ANNEXURE 32
LOA

GOVERNMENT OF INDIA
OFFICE OF THE REGIONAL DRUGS TESTING LABORATORY
SIX-MILE, PANJABARI, GUWAHATI, 781 037

No. RDTL/Estt. /2002/378

Dated Guwahati the 2nd September 2002

From: Mr. P. J. Gogoi
Govt. Analyst
Officer in Charge
Regional Drugs Testing Laboratory
Guwahati-37

To: Sri J. S. Choudhary IRS
Deputy Secretary to the Govt. of India
Ministry of Health & F.W
Nirmal Dwawari, New Delhi, 110 011.

Sub: Regional drugs Testing laboratory

Sir,

This is reference to the Govt. Order No. Z/14012/3/94-DC/DMS & PFA dated 20th August, 2002. The RDTL will start functioning from 1/10/2002 with the existing staff of the State Drugs Testing laboratory. The existing staff will be absorbed against the post created by the Govt. of India for RDTL. In this connection, I like to present a statement below which will clear the present status of existing posts and the posts created by the Govt. of India. There are 14 posts exist in the State Laboratory and the Govt. of India has created 14 nos. posts for RDTL.

<u>S.No</u>	<u>Existing Post of GOA</u>	<u>Nos.</u>	<u>Post created by GOI</u>	<u>Nos.</u>
1.	Govt. Analyst	1	Dy. Director	1
2.	Astt. Chemist	4	JSA	4
3.		nil	Office Suptd.	1
4.	UDA/UDC*	1	UDC*	1
5.	UDA/UDC**	3	UDC**	2
6.	Laboratory bearer	2	Attendant	3
7.	Cleaner	1		
8.	Watchman	1	Peon	1
9.	Sweeper	1	Safaiwala	1
	Total	14		14

in duplicate

o/c

Sd/-
Attended
to

21 - 2

As mention in the statement, above all the posts can be filled up from the present incumbent except the post mention in the serial 4 & 5 in the table. In the state laboratory we do not have existing post of office suptd. Promoting the present UDA who is already attain the pay scale of office suptd. can fill this post or any efficient personnel can be posted from outside the state to RDTL against the post.

Again, there are three post of LDC/LDA in the state laboratory created in the year 1985 and Govt. of India has created only two post of LDC in the RDTL. This has been informed to the Ministry in various reminders. Out of three incumbents, two has join in the post of LDA/LDC in the same day, they are senior to the other one in the laboratory, and they are in the laboratory since inception. I therefore request you kindly to advice how to adjust the 3 LDC against 2 post of LDC created by the GOI. It is only possible if one of the LDC promoted of UDC and existing UDC is promoted to office suptd.

In this, regards an administrative decision may kindly take and necessary instruction may be given so that order for absorption of staff may be issue. This is for your kind information and necessary action.

Yours faithfully,

(Parthajyoti Gogoi)
Govt. Analyst, Officer-In-Charge
Regional Drugs Testing Laboratory GOI

Memo No. RDTL/Estt. /2002/378-A

Dated Guwahati the 2nd September 2002

Copy to: The Drugs Controller General India for his kind information and necessary action.

(Parthajyoti Gogoi)
Govt. Analyst, Officer-In-Charge
Regional Drugs Testing Laboratory GOI

etc

Attent
A - 1
S - 1

**MENT SHOWING THE NAME OF THE INCUMBENT IN THE DRUGS TESTING LABORATORY PRESENT SCALE OF PAY OF STATE GOVT. WITH ALLOWENCES AND POST
ATED BY THE GOVT. OF INDIA FOR REGIONAL DRUGS TESTING LABORATORY.**

No. of the incumbent	Post held at present	Present pay scale	Present basic pay	D.A	M.A	H.R.A	C.A	Total	Date of birth	Date of appointment	unconditioned post of India for DTL Ghy sed for Dy. Director and Head of institutions	Pay scale of the post	Description of post
1 Mr. Parthajyoti Gogoi M. Pharm. Tech.	Govt. Analyst I/c RDTL GOI	9075-14225	11025	4741	250	1200	120	17336	1/3/65	5/7/91		10000-15200	A
<u>Non gazetted post-Technical post</u>													
1 Mr. Dilip Sarkar B.Sc	Asst. Chemist	3490-8100	4030	1733	250	484	35	6532	1/1/66	31/3/95	Senior Assistant	4500-7000	C
2 Mr. Amarjyoti Chamua B.Sc	Asst. Chemist	3490-8100	4030	1733	250	484	35	6532	8/3/65	31/3/95	Senior Assistant	4500-7000	C
3 Mr. Arun Das B.Sc	Asst. Chemist	3490-8100	4030	1733	250	484	35	6532	30/4/64	25/3/95	Senior Assistant	4500-7000	C
4 Mrs. Pinku Kalita M.Sc	Asst. Chemist	3490-8100	4030	1733	250	484	35	6532	1/3/68	5/5/95	Senior Assistant	4500-7000	C
<u>Ministerial Staff</u>													
1 Mr. Kushal Kalita B.A	UDA	3850-7350	7850	3376	250	942	120	12538	1/1/53	24/7/71	Superintendent on promotion	5500-9000	B
2 Mr. Bipin Kalita 10+2	LDA	2890-5725	3250	1398	250	390	35	5323	2/2/60	7/5/93	LDC	3050-4590	C
3 Mr. Bijan Kr. Bora 10+2	LDA	2890-5725	3250	1398	250	390	35	5323	1/2/62	7/5/93	LDC	3050-4590	C
4 Mrs. Monika Das B.A	LDA	2890-5725	3250	1398	250	390	35	5323	29/12/56	8/12/97	LDC	3050-4590	C
<u>Grade III/IV staff (undermatic)</u>													
1 Mr. Manoranjan Bayan	Cleaner	2450-3670	2950	1269	250	354	25	4848	31/12/61	25/7/87	ent/Sample open.	2650-4000	D
2 Mr. Jogesh Mahanta	Lab. Bearer	2450-3670	2690	1157	250	323	25	4445	1/3/68	23/8/90	ent/Sample open.	2650-4000	D
3 Mr. Balen Thakuria	Lab. Bearer	2450-3670	2690	1157	250	323	25	4445	29/11/62	23/8/90	ent/Sample open.	2650-4000	D
4 Mr. Umesh Ch. Barman	Watch Man	2450-3670	2890	1243	250	343	25	4751	31/3/66	10/10/88	Peon	2550-3200	D
5 Mr. Mukesh Kr. Balmiki	Sweeper	2450-3670	2450	1054	250	294	25	4073	7/10/73	27/11/91	Safaiwala	2550-3200	D

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— 23 —

(u) 35
ANNEXURE DE

ORDERS BY THE GOVERNOR OF ASSAM
HEALTH & FAMILY WELFARE (A) DEPARTMENT

NOTIFICATION

Dated Dispur the 7th September 2002

No.HLA.306/91/256 : In pursuance of Govt of India's order communicated vide letter No.Z-14012/3/94-DC/DMS & PFA dated 20.08.2002 the Governor of Assam is pleased to hand over the State Drug Testing Laboratory Panjabari Guwahati-781 037 along with its existing staff machinery and equipment's w.e.f. 01.10.2002. All assets and liabilities of the laboratory as well as staff will be vested with the Govt. of India from the date of formally taking over of the laboratory. This has reference to the Govt. of India's earlier letter No.Z-14012/7/93-DC (DMS & PFA) dated 14.11.1995.

The pension benefit of the existing staff of the State Drugs Testing Laboratory, handed over by the State Govt. and simultaneously taken over by Govt. of India will be guided by the provision of Assam Service (Pension) rules 1969 and the latest guidelines issued by the Govt. of India's Ministry of Finance (Deptt. of Exptr.) Controller General of Accounts No.14 (5)/86/TA/1112 dated December 5,1989.

Sd/ Sri Alok Perti IAS)
Principle Secretary to the Govt. of Assam
Health & F.W Department

Memo No.HLA.306/91/256-A

Dated 7th September 2002

Copy to :

1. The Secretary to the Govt of India; Ministry of Health F.W, Nirman Bhawan. New Delhi.110 011.
2. The Director General of Health Services Govt. of India, Ministry of Health F.W, Nirman Bhawan. New Delhi.110 011.
3. The Drugs Controller General India, Directorate General of Health Services Govt. of India, Ministry of Health F.W, Nirman Bhawan. New Delhi.110 011.
4. The Accountant General Assam etc. Guwahati- 29. He is requested to transfer the service record and LPC etc to the Pay and Accounts Office, Ministry of Health & F.W 15/1, Chowranghee Square Kolkota in respect of Govt. Drugs Analyst (Sri P.J.Gogoi) and other staff of State Drugs Testing laboratory guwahati-37.
5. Sri. J.S.Choudhary -Dy.Secretary to the Govt of India, Ministry of Health F.W, Nirman Bhawan. New Delhi.110 011 for information.
6. The Commissioner & Secretary to the Govt. of Assam Finance Department (E.C-III) Dispur. Ghy-6 for information and necessary action.
7. The Commissioner & Secretary to the Honb'le Chief Minister Assam for information.
8. The PPS to the Chief Minister for appraisal of Honb'le CM Assam
9. The P.S to the Minister Health & F.W for appraisal of the Hon'ble Minister of Health & F.W Govt of Assam
10. The P.S to the Minister of State Health & F.W for appraisal of Honb'le State Minister of Health & F.W Govt. of Assam
11. The Director of Health Services, Assam, Heangrabari Ghy-36 with a request to issue the service record and LPC of the existing staff of SDTL to the Govt. Analyst/Officer in Charge RDTL Ghy-37.
12. The Govt. Analyst to Govt. of Assam for information and necessary action.
13. The Drugs Controller Assam, Directorate of Health Services. Ghy-36 for information
14. The Dy. Commissioner Kamrup/Guwahati for his kind information.
15. The Treasury Officer Dispur Ghy-6 for Information. He requested not to honour any bill w.e.f. From 01/10/2002 in respect of office of Govt. Analyst, Assam SDTL, Ghy-37
16. The Dy. Director Assam Govt Press Bamuni Maidan, Guwahati -21 requested for publication of the above notification in the next issue of Assam Gazette.

By order etc.,
Principle Secretary to the Govt. of Assam
Health & F.W Department

(2596

ANNEXURE - 2

24-

To The Govt. Analyst V.C.R.D.T.L. & OI, Directorate General
of Health Services, Six miles, ghy-37.

Dated Guwahati-32th08-11-02

Sub- option for retain in old pay till the next increment
due/drawn.

Sir,
I have the honour to state that, as the existing
State Drugs Testing Laboratory has already converted and
declared as the Regional Drugs Testing Laboratory, Govt.
of India, under the ^{control of} Directorate General of Health Services,
Ministry of Health and F.W, Wef. 01-10-02, and accordingly
the existing staff will be absorbed in to the RDTL, GOI.

In view of this I am to state that my present basic
pay is Rs. 7850/- pm on 30-9-02 in the pay scale of
Rs. 3850 - 7350/- under the State Govt. pay structure and
my next stagnation increment due on 1-11-02 which
will come to my basic pay Rs. 7850 + 250 = 8100/- pm
wef. 1-11-02, if I allow to draw the same.

That Sir, I am the only Sr. U.D.AmH. working in the
S.D.T.L. office completed more than 24 yrs. of services in a
same post of U.D.AmH. without any promotion for which
I retained drawing the maximum pay till date.

I think I will be absorbed along with the others staff
in a suitable post with necessary pay protection against
the post created for R.D.O.T.L. & OI, and pay will be fixed
accordingly. In the time of my pay fixation, I may be
allowed to option for retain in the old pay till the next
increment due in the old pay scale as stated above, as
provided under the F.R. 23.

This is for your kind consideration and favourable
orders.

Yours faithfully,

21/11/02

(Sri Krishna Ch. Kalita)
U.D.AmH cum Asst.

Regional Drugs Testing
Laboratory, GOI, Six miles,
ghy-37

Receipt No. 31
Date 21/11/02
Govt. Analyst
Six miles, Guwahati-37

Pl put up

8/10/02
RDTL

Handwritten signatures and initials.

**GOVERNMENT OF INDIA
OFFICE OF THE REGIONAL DRUGS TESTING LABORATORY
DIRECTORATE GENERAL OF HEALTH SERVICES
SIXMILE PANJABARI.781 037**

No. RDTL/Estt/01/02/359

Dated Guwahati the 31st January 2003

From: The Govt Analyst
I/c RDTL/GOI
Guwahati-37

To: The Director General of Health Services
Ministry of Health & F.W
Nirman Bhawan New Delhi-110 011

Sub: Absorption of staff of RDTL

Ref: 1. This office letter No. RDTL/Estt/01/02 Dated Guwahati the 20th November 2002
2. Jt Director CGHS Guwahati letter No.RDTL/2002-03/2690 dated 29/01/03
(copy enclosed)

Sir,

With the reference cited above and letter of the Jt. Director CGHS Guwahati.
(also the Cheque Drawing DDO for Guwahati) which is self explanatory.

In this connection I am to inform you that Sri K.C Kalita is working as UDC in the RDTL (GOI) was a permanent staff of the State Government and he has completed more than 25 years as UDC in the Health Department as well as he has rendering his services from the day of inception of the State Drugs Testing Laboratory Govt of Assam,

On 01/10/2002 the laboratory has renamed as Regional Drugs Testing Laboratory under the Ministry of Health & F.W Govt of India and accordingly all the existing staff of the State Laboratory has been absorbed against the post created by the Govt of India which is commensurate with the existing post held by the individual. Accordingly their pay etc has been fixed as per rules admissible.

Particularly in the case of Sri K. C.Kalita UDC who has completed more than 25 years of service in a post of UDC in the State Govt. has also attain a scale pay of Rs.7850/-p.m which exceed the maximum pay scale of UDC Rs.4000-6000/- post created by Govt of India for RDTL. Considering the fact of present position and also to protect the pay scale of Sri Kalita this office proposed that he may be absorbed against the post of office Suptd. which is lying vacant with a pay scale of Rs.5500-9000/- in RDTL. As such his pay has been fixed at Rs.7900/- p.m so that he can draw his salary regularly until a clarification received from the Directorate. In this connection you may kindly to refer our earlier communication to agree with the proposal to absorb Sri Kalita as office Suptd to avoid the pay anomaly etc.

At present there is none in the office of the RDTL as office Suptd and nor any other Sr. Ministerial staff for the post except Sri Kalita. And it is therefore Sri Kalita entrusted supervise office establishment as office Suptd. without financial involvement awaiting Govt approvals.

In the mean time we received a circular from the Directorate General of Health Services vide No-A.12026/11/2002-D dated 3/1/2003 for the post of Office Suptd of RDTL on deputation. In view of this I am recommending and forwarding herewith the

Handwritten signature and initials

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- 26 -

bio-data of Sri K.C. Kalita UDC RDTL (GOI) to absorb him as office suptd. as Sri Kalita has fulfill all the norm and criteria for the said post as mention in the circulation. ✓

This is for your kind information and necessary action.

Yours faithfully,

(Parthajyoti Gogoi)
Government Analyst I/c RDTL/GOI

Memo No. RDTL/Estt/01/02/360-363

Dated Guwahti the 31st January 2003

Copy to:

1. The Drugs Controller General of India, Directorate General of Health Services, Minsitry of Health & F.W, Nirman Bhawan , New Delhi 110 011 for information and necessary action.
2. Sri J.S.Choudhary IRS Deputy Secretary to the Govt of India, Ministry of Health & F.W. Nirman Bhawan. New Delhi. For information and necessary action. He is also requested kindly to refer to my earlier letter dated 2/9/2002 for necessary action an early date.
3. Sri L.L Kamsuan Dy. Director, Administration (Drugs) Directorate General of Health Services, Nirman Bhawan. New Delhi-110 011 for information and necessary action.
4. The Jt Director CGHS Guwahati Directorate General of Health Services. This is reference to your letter No.RDTL/2002-03/2690 dated 29/01/03 for kind information and necessary action.
- 5.

(Parthajyoti Gogoi)
Government Analyst I/c RDTL/GOI

Jill
Dated

39

- 27 -

No. Z20024/1/2003-D
DIRECTORATE GENERAL OF HEALTH SERVICES
(DRUGS SECTION)

Int 105
ANNEXURE-H

New Delhi, dated 4.4..2003

To
Govt. Analyst,
Regional Drugs Testing Laboratory,
Six Mile,
Guwahati.781037

Sub : - Establishment - Regional Drugs Testing Laboratory Guwahati

Sir,

I am directed to refer to your letter No.RDTL/03/02/616 dated 31.03.03 on the above noted subject and to say that the case of Sh. K.C. Kalita, UDC is under consideration.

Yours faithfully,

L.L. Kamsuan

(L.L. KAMSUAN)

DY. DIRECTOR ADMINISTRATION (D)

RECORDED NO. 192
714103

Attache
Int
Annexure

To,

The Govt. Analyst I/c
Regional Drugs Testing Laboratory
Ministry of Health & F.W.
Sixmile, Guwahati - 37

- 28 -

Pl put up
ANNEXURE - 1
23/01/04

Dated Guwahati - 37 the 23/01/04

Sub: Pay protection etc.

Ref: - Them Dy. Director Administration (D)'s letter No. A-38012/10/2003 - New Drugs dated 25.09.03.

Sir,

I have the honour to state that I have received a copy of letter addressed to Mr. D.P. Borah, Advocate, Guwahati High Court on the subject of denial of proper pay scale to the undersigned vide DGHS's letter No.A-38012/10/2003-New Drugs dated 25.09.03 (a copy of the same enclosed for your ready reference).

In this regards there are several communication were made, stating that I am a permanent and only senior most UDC in the RDTL, Guwahati-37, working in the inception of the organization and completed more than 26 years of services as UDC.

It is aware of you that in pursuance of Govt. of India's order communicated vide No. Z-14012/3/94-DC (DMS & PFA) dated 20.08.02 and your notification No. RDTL/Esstt/01/02/165 dated 22.11.02 all the permanent employee as on the date of taking over the existing State Drugs Testing Laboratory has absorbed against the sanctioned post for the RDTL vide No. Z-14012/3/91-D (DMS & PFA) dated 11.04.96.

Accordingly I was also absorbed against the post of UDC in the RDTL, Ghy-37 in the pay scale of Rs. 4000-100-6000/- and my pay has been fixed @ Rs. 7900/- p.m. whereas I was holding the post of UDA in the State Govt. in the pay scale of Rs.3850-90-4480-120-4600-EB-120-5200-175-6600-250-7350/- and I was drawing Rs. 7850/- as basic pay as on 30.09.02 & I will get the basic pay @ Rs. 7850+250=8100/- in the month of Nov, 2002 just to next month of absorption in the Central Services as I have due to draw the next stagnation increment in the State Govt. scale. As a result I have loss @ Rs. 100/- p.m. in every month in Central Services, since the month of Nov 2002.

In this connection it may be mention here that as it was understood between the GOI and the State Govt. that all the permanent employee of existing SDTL will be absorb in the RDTL Ghy-37 and the Pay Scale of the existing employee should not be lower than the existing one.

But practically it was ignored in my case and I have been deprived from getting proper pay protection etc. in the Central Services, which is very painful to me as it was denied to protect my pay etc. though I have repeatedly requesting to the authority.

Now, I would therefore request you kindly to move the matter with the competent authority stating my genuinity, so that I may not deprived from my prayer.

This is for your kind consideration and favorable orders.

Yours faithfully,

(Sri Kushal Chandra Kalita)
UDC, RDTL

Copy to the Dy. Director Administration (D), Directorate General of Health Services, Ministry of Health & F.W., Nirman Bhawan, New Delhi - 110 011, for information.

Attended
23/01/04

41
- 29 -

ANNEXURE - 1

By FAX
By Special Messenger

NO. A.12026/11./2002-D
DIRECTORATE GENERAL OF HEALTH SERVICES
(DRUGS SECTION)

New Delhi, dated: 25-3-2004

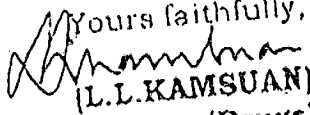
To
The Secretary,
Union Public Service Commission,
Dholpur House, Shahjahan Road,
New Delhi (Attention : Sh. T.K.Gulati, Desk Officer)

Subject: Filling up of one-post of Office superintendent in
RDTL Guwahati by promotion/deputation.

Sir,
I am directed to refer to your letter No.3/40(13)/2003-ADT-1
dated 3.3.2004 on the above noted subject and to say that the
under mentioned officer has been nominated as the Departmental
Representative for the selection of Office Superintendent in
Regional Drugs Testing Laboratory, Guwahati for the Selection
Committee meeting to be held on 10th April, 2004 at 9 A.M. in
Regional Drugs Testing Laboratory, SIXMILE, GUWAHATI-37 ✓


Dr S.R. Gupta,
Joint Drugs Controller (India) ,
Central Drugs Standard Organization (North Zone),
Kamla Nehru Nagar , Ghaziabad (UP). Ph.No 23017258.

It has been certified by Dr. S.R. Gupta
Jt. DC(I), that none of candidate is personally known to him
related to him.

Yours faithfully,

(L.L.KAMSUAN)
Dy. Director Admn.(Drugs)
Ph. No. 23019544

Copy to :
1. Dr. S.R. Gupta, Jt. Drugs Controller
(I), CDSCO, (NZ), Kamla Nahru Nagar , Ghaziabad-201002.
He is requested to act as Departmental Representative in the
meeting to selection for the post of Office Superintendent, RDTL,
Guwahati to be conducted at RDTL, SIXMILE, Guwahati-37 to be
held on 10.4.2004 at 9 a.m.

Cont.....2/


J.L. S. to

- 9 MAR 2005

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI
Guwahati Bench

In the matter of: -

O.A. No. 173 of 2004

Sri Kushal Ch. KalitaApplicant

-Versus-

Union of India & Ors..... Respondent

Union of India & Ors
Through -
Mr. Manoj Choudhary
2/12/04

**WRITTEN STATEMENT FOR AND ON BEHALF OF
RESPONDENTS NOS. 1, 2, 3 & 4.**

I, Mr. Parthajyoti Gogoi, Govt. Analyst, i/c, Office of the Regional Drugs Testing Laboratory, Directorate General of Health Services, Six Mile, Guwahati-37, do hereby solemnly affirm and say as follows: -

1. That I am the Govt. Analyst, i/c, Office of the Regional Drugs Testing Laboratory, Directorate General of Health Services, Six Mile, Guwahati-37 and such fully acquainted with the facts and circumstances of the case. I have gone through a copy of the application and have understood the contents thereof. Save and except whatever is specifically admitted in this written statement the other contentions and statement may be deemed to have been denied. I am authorized to file the written statement on behalf of all the respondents.

2. That the respondents have no comments to the statements made in paragraph 1, 2, 3, 4.1 of the application.

3. That the respondents beg to state that the statements made in paragraph 4.2 of the application are matters of record.

4. That with regard to the statements made in paragraph 4.3 of the application, the respondents beg to state that the State Drugs Testing Laboratory was taken over by the Govt. of India and renamed as Regional Drugs Testing Laboratory under Ministry of Health & F.W. in the year 1995 vide Govt. of India Order No. Z.14012/9/93-DC (DMS & PFA) dated 14-11-1995 (annexure-I). However the Govt. of India issued the absorption notification of the existing staff of the State Drugs Testing Laboratory vide Govt. Notification No. Z.14012/3/94-DC (DMS & PFA) dated 20-08-2002 (annexure-II).

5. That with regard to the statements made in paragraph 4.5 of the application, the respondents beg to state that the post of Office Superintendent came into existence in RDTL, Guwahati with effect from 11.04.1996 (**annexure-III**)

6. That the respondents beg to state that the statements made in paragraph 4.6 of the application are matters of record.

7. That with regard to the statements made in paragraph 4.7 of the application, the respondents beg to state that as per the recommendations of the Vth Central Pay Commission the post of UDC was placed in the pay scale of Rs. 4000-6000/- in Central Govt.

In State Govt. Sri Kushal Chandra Kalita was in pay scale of Rs. 3850-7350/- as UDA and he was drawing his basic pay as Rs.7850/- p.m. as on 01.10.2002. Obviously on absorption i.e. after 01.10.2002 (taking over by the Central government) in RDTL Guwahati Sri Kushal Kalita was placed in the Pay Scale of Rs. 4000-6000/- as UDC and he is allowed reaching his existing basics pay Rs.7850/-p.m giving maximum increment.

As per the Ministry of Health. & F.W. order dated 20-08-2002 the permanent Employees as on the date of taking over the said Laboratory were liable to absorb against equivalent post for which Recruitment Rules exists. Their pay was liable to fix as per the Rules as on the date of absorption.

In case of the applicant he has attained is basic pay Rs. 7850/- P.M. as on 01.10.2002 which was not covered in the pay scale of equivalent post of UDC in the RDTL i.e. Rs. 4000-6000/-. To provide salary, provisionally in the RDTL he was given the maximum number of increment to the existing pay scale of UDC so that his pay can be protected to commensurate the basic pay drawn by him in State Govt.

8. That with regard to the statements made in paragraph 4.8 of the application, the respondents beg to state that on the basis of the communication received from the Directorate vide letter No.A.12018/13/98-D dated 29/08/2003 about Recruitment Rules (**annexure-IV**) this office has requested the Directorate for consideration Sri K.Kalita UDA for the post of Office Superintendent in the RDTL Guwahati. The respondent has forwarded the

(32) B 47

application of Sri K.Kalita on the basis of clauses in the Recruitment Rules mention under the column-12 in (a) iv & (b).

His pay was fixed in Central Govt. according to Rules in compliance of the order dated 20-08-2002 issued by the Ministry of Health & F.W. As such there is no anomaly in his pay scale.

9. The proposal for filling up the post of Office Superintendent in RDTL, Guwahati on deputation basis has been sent to UPSC by the Directorate. Selection for the post was conducted by the UPSC only. Sri K.Kalita UDC is one of the candidates for the post. The meeting of the Selection Committee was fixed by UPSC in April 2004 but the same was postponed and next was fixed on 18th October 2004. However the D.P.C. was held on 18-10-2004 by the U.P.S.C. at Guwahati and accordingly name of the selected candidate was forwarded to the Directorate General of Health Services. This office-received communication vides No.A-22011/19/2004-New Drugs Dated 3rd November 2004 that Sri K.Kalita UDC was not selected for the post of Office Superintendent (annexure-V). Smti S.L.Devi Jr. Superintendent of GMSD Guwahati of the Directorate General of Health Services has been selected in the DPC and has joined as office Superintendent in the RDTL on 01/12/2004 vide order No.A.12026/11/2002-D dated 25th December 2004 (annexure-VI).

10. That with regard to the statements made in paragraph 4.9 of the application, the respondent reiterate the statements made in paragraph 8 of the written statement.

11. That with regard to the statements made in paragraph 4.10 of the application, the respondents beg to state that he has become eligible for consideration for grant of IInd Financial Up-gradation under the existing A.C.P. Scheme in a scale of pay in-between UDC and off-suptd in the RDTL.

11. That the respondents have no comments to the statements made in paragraph 4.11 of the application.

12. That with regard to the statements made in paragraph 4.12 of the application, the respondent reiterate the statements made in paragraph 8 of the written statement.

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13 That the respondents have no comments to the statements made in paragraph 4.13, 4.14, 4.15, 4.16 of the application.

14 That the applicant is not entitled to any relief sought for in the application and the same is liable to be dismissed with costs.

VERIFICATION


I, Mr. Parthajyoti Gogoi, presently working as Govt. Analyst, I/C, Office of the Regional Drugs Testing Laboratory, Directorate General of Health Services, Govt. of India, Six Mile, Guwahati-37 being duly authorized and competent to sign this verification do hereby solemnly affirm and state that the statements made in paragraphs 1, 2, 10, 12 - 14 of the application are true to my knowledge and belief, those made in paragraphs 3-9 + 11 being matter of record are true to my information derived there from and those made in the rest are humble submission before the Hon'ble Tribunal. I have not suppressed any material facts.

And I sign this verification on this the

20th day of January 2005


DEPONENT

(PARTHAJYOTI GOGOI)


Govt. Analyst
Officer-in-charge
Regional Drugs Testing Laboratory, G.O.I.,
Sixmile, Guwahati-7810037

Nirman Bhawan, New Delhi.
Dated the 14th November '95.

To

The Commissioner and Secretary to
Govt. of Assam,
Deptt. of Health & F.W.,
Dispur - Guwahati (Assam)

Sub.:— Taking over of land and Building alongwith the staff and Laboratory equipments, all other miscellaneous item of the existing State Drug Testing Laboratory, Guwahati for setting up Regional Drug Testing Laboratory by Govt. of India.

Sir,

With reference to your letter No. HLA/306/91/112 dated 30.12.94 a cheque for Rs. 197/- has already been sent to you for transferring the land and building alongwith laboratory equipments and all other miscellaneous items of the existing State Drug Testing Laboratory, Gauwahati, to the Government of India for setting up a Regional Drug Testing Laboratory under the control of Dte. General of Health Services, Ministry of Health & F.W.

As it has been decided to make the Regional Drug Testing Laboratory at Guwahati functional immediately, Dr. S.C.Srivastava, Deputy Drug Controller (India), Dte. Genral of Health Services alongwith Shri T.K.M.Pillai, Under Secretar (Drug), Ministry of Health & F.W., is authorised to take over the existing land and building alongwith the laboratory equipments and all other miscellaneous items of the existing drug testing laboratory, Guwahati from the State Govt. of Assam on behalf of the Govt. of India.

The State Govt, of Assam may also depute a competent officer to handover the above mentioned items to the authorised representative of Govt. of India.

The handing and taking over will take place on 20th November, 1995 at Drug Testing Laboratory Guwahati.

In order to absorb the permanent staff of the existing State Drug Testing Laboratory, the State Govt. of Assam may kindly issue their 'No objection' resolution for transferring their services to Govt. of India alongwith the option of the individual employee for accepting the employment under Central Government and ~~the expenditure on their salary will be borne by the State Govt.~~

Dr. Srivastava alongwith Sh. T.K.M.Pillai is also authorised to work out the modalities and obtain all other necessary documents from the State Govt. or the individual concerned for processing the case of their absorption against the posts to be created for the Regional Drug Testing Laboratory Guwahati.

Pending creation of the posts for RDTL, Guwahati, the existing permanent staff of the State Drug Testing Laboratory will work under the control of the Central Government and Sh.P.J.Gogoi, Govt. Analyst, State Drug Testing Laboratory Guwahati will be the acting officer-incharge of RDTL, Guwahati for carrying out day-today functions.

Yours faithfully,

Shailaja Chandra
(SHAILAJA CHANDRA)

Joint Secretary to the Govt. of India

AHench.

Attested
Add. C. G. S. O.

Copy to:-

1.

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Director General of Health Services, New Delhi.

Drugs Controller (India), Dte. G.H.S., Nirman Bhawan, New Delhi.

Director, Health Service, Govt. of Assam.

Dr. S.C. Srivastava, DDC(I), - for necessary action.

Sh. T.K.M. Pillai, Under Secretary (Drugs), M/o Health & F.W., New

for necessary action.

Sh. P.J. Gogoi, Govt. Analyst, State Drugs Testing Laboratory, Guw

Spare Copy.

(SHAILAJA CHANDRA)
Joint Secretary Govt. of India

No. Z.14012/3/91-DC (DMS PER)
Government of India
Ministry of Health & Family Welfare

Nirman Bhawan, New Delhi,
Date: 11-4-96.

To

The Director General of Health Services,
New Delhi.

Subject:- Creation of posts at Regional Drug Testing Laboratory
at Guwahati, for the 8th Plan period.

Sir,

With reference to your P.O. No. Z.14012/3/91-DC dated 18.1.96 on the subject mentioned above, I am directed to convey the following details:

S.No.	Name of the post	No. of post	Pay Scale
1.	Dy. Director	1	Rs. 3000-4500
2.	Sr. Scientific Officer Gr. II	1	Rs. 2200-4000
3.	Sr. Scientific Asstt.	2	Rs. 1640-2900
4.	Jr. Scientific Asstt.	4	Rs. 1400-2300
5.	Officer-in-charge	1	Rs. 1640-2900
6.	Laboratory Asstt.	1	Rs. 1370-2040
7.	Lab. Asstt. (J.D. Clerk)	1	Rs. 1200-2040
8.	Lab. Laboratory Asstt.	2	Rs. 975-1540
9.	LL III LDC	2	Rs. 770-1700
10.	Attendant/Sample Opener	4	Rs. 800-1150
11.	Seiwale	1	Rs. 750-940
		21	

2. The expenditure on the creation of the posts mentioned above will be met from the sub-head C 341(7)(7)-Regional Drug Testing Laboratories under Demand No. 20 - Department of Health (P100) during 1996-97.

3. This issues with the approval of Ministry of Finance, vide their No. F.25/4-Coord/96 dated 23.3.96.

Yours faithfully,

(M. KANNAN)
DEPUTY SECRETARY

Attested
Addl. C.G.S. &
C.G.S. &

Copy to:-

1. C.A.O. Ministry of Health & F.W., New Delhi.
2. C.A.O. Mte. G.H.S.
3. Ministry of Finance (Dept. of P.W. & C.), North Block, New Delhi.
4. C.A.O. (P)
5. C.A.O. (S)
6. C.A.O. (R) Section
7. C.A.O. (R) Section

DEPUTY SECRETARY

(34)
8/10/02
Anex-II
(12)
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Z.14012/3/94-DC/DMS & PFA
Government of India
Ministry of Health & Family Welfare
(Department of Health)

648-A, Nirman Bhavan,
New Delhi.
Dated the 20.8.2002.

ORDER

It has been decided to take over the State Drug Testing Laboratory, Sixmile, Panjabari, Guwahati - 781 037 along with its staff, machinery and equipment with effect from 01.10.2002. The aforesaid office will henceforth function as a subordinate office under the control of Directorate General of Health Services, Ministry of Health and Family Welfare and renamed as Regional Drugs Testing Laboratory.

2. The permanent employees as on the date of taking over the said laboratory will be absorbed against equivalent post for which recruitment rules exists. The pay will be fixed as per the rules as on the date of absorption.

Attested
[Signature]
Addl. C. G. S. O.

[Signature]
(J.S. Choudhary)
Deputy Secretary to the Govt. of India.

1840/2002
11/9/02

Imp.
Pl. keep in a separate file
Ar
2/10

Smt MK
24/8

PTO.

Copy to:-

1. PS to HFM
2. PS to MOS
3. PPS to Secretary (Health)
4. PS to Special Secretary (Health)
5. D.G.H.S.
6. PS to JS (DG)
7. Pr. Secretary to the Govt. of Assam (Health & F.W. Department), Guwahati.
8. Govt. Analyst/OSD, Health and Family Welfare, Govt. of Assam, State Drugs Testing Laboratory, Guwahati.
9. PAO, M/o Health & F.W., Nirman Bhavan, New Delhi.
10. PAO, Dte.GHS
11. PAO, Ministry of Health and Family Welfare, 15/1, Chowranghee Square, Calcutta.
12. CDDO, ADG, GMSD, Guwahati.
13. Drug Section/New Drug Section/Drug Control Section of Dte.GHS
14. IF Division
15. Sanction folder.

DD (GHS)

20/5

TA (ADH)

(391) III 10 Annexure II ~~Anex-III~~ 50

No.A.11011/1/2002-D
DIRECTORATE GENERAL OF HEALTH SERVICES
(DRUGS SECTION)

Nirman Bhawan,
New Delhi; dated: 5/7/02

To

The Pay & Accounts Officer,
Dte. G.H.S.,
Nirman Bhawan,
New Delhi.

Sub:- Continuation of temporary Group 'B' 'C' & 'D' post in
R.D.T.L., Guwahati.

Sir,

I am directed to convey the sanction of the Director General of Health Services to the continuation of the following Group 'B' 'C' & 'D' temporary posts on the existing terms and conditions at R.D.T.L., Guwahati for further period of one year from 1.3.2002 to 28.2.2003:-

Sl. No. of the post with scale.	No. of temporary posts.	Letter No. & date of creation of posts.	Letter No. & date of last continuation of posts.
1.	2.	3.	4.
1. Office Superintendent Rs.5500-9000	1	Z.14012/3/91-D (DMS & PFA) dt.11.4.1996	A.11011/10/2001-D 18.9.2001
✓ 2. Jr. Scientific Asstt. Rs.4500-7000	4	-do-	-do-
✓ 3. U.D.C. Rs. 4000-6000	1	-do-	-do-
✓ 4. L.D.C. Rs.3050-4590	2	-do-	-do-
✓ 5. Peon Rs.2550-3200	1	-do-	-do-
✓ 6. Attendant/Sample Opener Rs.2650-4000	3	-do-	-do-
✓ 7. Safaiwal	1	-do-	-do-

Total: 13

III-4077
(40)

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The expenditure involved on the continuation of the above posts will be met from the plan budget of RDTL, Guwahati during the year 2002-2003.

Yours faithfully,

Kumel
(JAGDISH KUMAR)
DIRECTOR ADMINISTRATION

Copy to:-

1. PAO, Min. of Health & F.W. 15/1 Churanghee square, Calcutta.
2. ✓ R.D.T.L., Guwahati (Office Incharge) Khanapara, Guwahati
3. Sanction Register,
4. Drugs Section (DGHS)

Recd No
324
22/1/02

(44) 12 (13/31)

No.Z.14012/3/94-DC/D(Pt.VIII).
DIRECTORATE GENERAL OF HEALTH SERVICES
(DRUGS SECTION)
...

New Delhi, dated: 1/10/02

ORDER

Consequent upon taking over of the State Drug Testing Laboratory, Guwahati as Regional Drugs Testing Laboratory as a Subordinate office under Directorate General of Health Services Ministry of Health & F.W., it has been decided to absorb Group 'C' & 'D' staff against the posts given below w.e.f. the date of absorption as per order No.Z.14012/3/94-DC & DMS & PFA Dated 20.8.2002.

Sl. No.	Post presently held	Post against which to be absorbed	N. of post.
---------	---------------------	-----------------------------------	-------------

I.	Assistant Chemist	Junior Scientific Asstt.	(4)
II.	Lower Division Assistant	Lower Division Clerk	(2)
III.	Watchman	Peon	(1)
IV.	Laboratory Bearer	Attendant/Sample Opener	(3)
V.	Cleaner	Attendant/Sample Opener	
VI.	Sweeper	Safaiwala	(1)
VII.	Upper Division Assistant	Upper Division Clerk	(1)

(J.S. CHOWDHURY)
DEPUTY SECRETARY.

To

1. PPS to Secretary (Health)
2. PS to Special Secretary (Health)
3. PS to DG
4. Principle Secretary to Govt. of Assam (Health & F.W. Department), Guwahati.
5. Govt. Analyst/ODS. Health & F.W., Govt. of Assam, State Drugs Testing Laboratory, Guwahati.

Attended
[Signature]
Addl. C. G. S. & G.

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- 8/1/84

Anex-IV

(14)

52

No. A. 12018/13/98-D
DIRECTORATE GENERAL OF HEALTH SERVICES
(DRUGS SECTION)

New Delhi, dated

29/8/03

To
The Dy. Director,
Office of the Regional Drugs Testing Lab.
Sixmile, Khanapara,
Guwahati-37.

Sub : Recruitment Rules for the post of Office Superintendent.

Sir,

Enclosed please find herewith 20 copies of Recruitment Rules for the post of office Superintendent in RDTL, Guwahati for your record.

Yours faithfully,

Abhijit Bakshi

(ABHIJIT BAKSHI)

SECTION OFFICER (D)

ROOM No. 547 'A'

NIRMAN BHAWAN,

TEL. 3022200-Ext. 2767

OB
In concn p.l
pl

L

PK Chakrabarti

EXTRACT FROM THE GAZETTE OF INDIA : PART II, SECTION 3, SUB SEC. (i)

Appearing on Page Nos. : 166—170

Dated : 19-1-2002

स्वास्थ्य और परिवार कल्याण मंत्रालय
MINISTRY OF HEALTH & FAMILY WELFARE

अधिसूचना

नई दिल्ली, 31 दिसम्बर, 2001

सा.का.नि. 22—राष्ट्रपति संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, प्रादेशिक शोध-परीक्षण प्रयोगशाला गुवाहाटी में कार्यालय अधीक्षक के पद पर भर्ती की पद्धति का विनियमन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात्—

1. संक्षिप्त नाम और प्रारम्भ—(1) इन नियमों का संक्षिप्त नाम प्रादेशिक शोध-परीक्षण प्रयोगशाला गुवाहाटी (कार्यालय अधीक्षक) भर्ती नियम, 2001 है।

(2) वे राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. पद-संख्या, वर्गीकरण और वेतनमान—उक्त पद की संख्या, उसका वर्गीकरण और उसका वेतनमान यह होगा जो इन नियमों से उपावृद्ध अनुसूची के स्तम्भ 2 से स्तम्भ 4 में विनिर्दिष्ट है।

3. भर्ती की पद्धति, आयु-सीमा, अर्हताएं आदि—उक्त पद पर भर्ती की पद्धति, आयु-सीमा, अर्हताएं और उनसे संबंधित अन्य बातें व होंगी जो उक्त अनुसूची के स्तम्भ 5 से स्तम्भ 14 में विनिर्दिष्ट है।

4. निरर्हता—वह व्यक्ति—

(क) जिसने ऐसे व्यक्ति से जिसका पति या जिसकी पत्नी जीवित है, विवाह किया है, या

(ख) जिसने अपने पति या अपनी पत्नी के जीवित रहते हुए किसी व्यक्ति से विवाह किया है,

उक्त पद पर नियुक्ति का पात्र नहीं होगा।

परन्तु यदि केन्द्रीय सरकार का यह समाधान हो जाता है कि ऐसा विवाह ऐसे व्यक्ति और विवाह के अन्य पक्षकार को लागू स्वीय विधि के अधीन अनुज्ञेय है और ऐसा करने के लिए अन्य आधार हैं तो वह किसी व्यक्ति को इस नियम के प्रवर्तन से छूट दे सकेगी।

5. शिथिल करने की शक्ति—जहां केन्द्रीय सरकार की यह राय है कि ऐसा करना आवश्यक या समीचीन है, वहां वह उसके लिए जो कारण है उन्हें लेखबद्ध करके तथा संघ लोक सेवा आयोग से परामर्श करके, इन नियमों के किसी उपबंध को किसी वर्ग या प्रवर्ग के व्यक्तियों की बाबत आदेश द्वारा शिथिल कर सकेगी।

6. व्यावृत्ति—इन नियमों की कोई बात ऐसे आरक्षण, आयु-सीमा में छूट और अन्य रियायतों पर प्रभाव नहीं डालेगी, जिनका केन्द्रीय सरकार द्वारा इस संबंध में समय-समय पर निकाले गए आदेशों के अनुसार अनुसूचित जातियों, अनुसूचित जनजातियों, भूतपूर्व सैनिकों और अन्य विशेष प्रवर्ग के व्यक्तियों के लिए उपबंध करना अपेक्षित है।

अनुसूची

पद का नाम	पदों की संख्या	वर्गीकरण	वेतनमान
1	2	3	4
कार्यालय अधीक्षक (2001)		साधारण केन्द्रीय सेवा, समूह "ख", अराजपिन्नत, अनुसूचित-वीथ	5500-175-9000 रु.
कार्यभार के आधार पर परिवर्तन किया जा सकता है।			

योग्यता के आधार पर चयन या सीधे भर्ती किए जाने वाले व्यक्तियों के लिए आयु सीमा सेवा में जोड़े गए वर्षों का फायदा केन्द्रीय सिविल सेवा (पेंशन) नियम 1972 के नियम 30 के अधीन अनुज्ञेय है या नहीं

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लागू नहीं होता

लागू नहीं होता

लागू नहीं होता

सीधे भर्ती किए जाने वाले व्यक्तियों के लिए अपेक्षित शैक्षिक और अन्य ग्रहण

सीधे भर्ती किए जाने वाले व्यक्तियों के लिए विहित आयु और शैक्षिक ग्रहण प्रोन्नत व्यक्तियों की दशा में लागू होंगे या नहीं

परिवीक्षा की अवधि, यदि कोई हो

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लागू नहीं होता

लागू नहीं होता

प्रोन्नति किए जाने वाले व्यक्तियों के लिए दो वर्ष।

भर्ती की पद्धति : भर्ती सीधे होगी या प्रोन्नति द्वारा या प्रतिनियुक्ति/आमेलन द्वारा तथा विभिन्न पद्धतियों द्वारा भरे जाने वाले पदों की प्रतिशतता

प्रोन्नति/प्रतिनियुक्ति/आमेलन द्वारा भर्ती की दशा में वे श्रेणियां जिनसे प्रोन्नति/प्रतिनियुक्ति/आमेलन किया जाएगा

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प्रोन्नति/प्रतिनियुक्ति

प्रोन्नति/प्रतिनियुक्ति — (I) केन्द्रीय सरकार के अधीन ऐसे अधिकारी —

(क) (i) जो नियमित आधार पर सदृश पद धारण किए हुए हैं, या

(ii) जिन्होंने उन पदों पर या समतुल्य पदों पर तीन वर्ष नियमित सेवा की है, या

(iii) जिन्होंने 4500-7000 रु के या समतुल्य वेतनमान वाले पदों पर छह वर्ष नियमित सेवा की है, या

(iv) जिन्होंने 4000-6000/- रु के या समतुल्य वेतनमान वाले पदों पर दस वर्ष नियमित सेवा की है, और

(ख) जिनके पास प्रशासन, सेवाओं और बजट कार्य में दो वर्ष का अनुभव है।

टिप्पण — 4000-6000/- रु के वेतनमान में ऐसे विभागीय अवर श्रेणी लिपिक जिन्होंने उस श्रेणी में दस वर्ष नियमित सेवा की है, वे अन्य व्यक्तियों के साथ भी विचार में लिए जाएंगे और उनकी/उनके उस पद पर नियुक्ति के लिए चयन की दशा पर वे पद प्रोन्नति द्वारा भरे गए समझे जाएंगे।

पोषक प्रवर्ग के ऐसे विभागीय अधिकारी जो प्रोन्नति की सीधी पंक्ति में हैं, प्रतिनियुक्ति पर नियुक्ति के लिए विचार किए जाने के पात्र नहीं होंगे।

इसी प्रकार प्रतिनियुक्त व्यक्ति प्रोन्नति द्वारा नियुक्ति के लिए विचार किए जाने के पात्र नहीं होंगे।

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प्रतिनियुक्ति की अवधि, जिसके अन्तर्गत केन्द्रीय सरकार के उसी या किसी अन्य संगठन/विभाग में इस नियुक्ति से ठीक पहले धारित किसी अन्य काइर बाह्य पद पर प्रतिनियुक्ति की अवधि है, साधारणतया तीन वर्ष से अधिक नहीं होगी।
प्रतिनियुक्ति द्वारा नियुक्ति के लिए अधिकतम आयु सीमा आवेदन प्राप्त करने की मंजूर तारीख को 56 वर्ष से अधिक नहीं होगी।

यदि विभागीय प्रोन्नति समिति है, तो उसकी संरचना

भर्ती करने में किन परिस्थितियों में संघ लोक सेवा आयोग से परामर्श किया जाएगा

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लागू नहीं होता

संघ लोक सेवा आयोग से परामर्श करना आवश्यक है।

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[फा. सं. ए-12018/13/88-डी]

एफ. के. पाण्डे, अवर सचिव

निर्देशन संश्लेषण से संबंधित विभागीय प्रोन्नति समिति की कार्यवाहियां संघ लोक सेवा आयोग के अनुमोदनात्मक भेजी जाएंगी। किंतु यदि आयोग उनका अनुमोदन नहीं करता है तो विभागीय प्रोन्नति समिति को बैठक संघ लोक सेवा आयोग के अध्यक्ष या किसी सदस्य की अध्यक्षता में फिर से होगी।

NOTIFICATION

New Delhi, the 31st December, 2001

G. S. R. 22.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to the post of Office Superintendent in Regional Drugs Testing Laboratory, Guwahati namely :—

1. Short title and Commencement.—These rules may be called the Regional Drugs Testing Laboratory, Guwahati (Office Superintendent) Recruitment Rules, 2001.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Number of posts, Classification and scale of pay.—The number of the said post, its classification and the scale of pay attached thereto shall be as specified in columns 2 to 4 of the Schedule annexed to these rules.

3. Method of recruitment, age limit, qualifications etc.—The method of recruitment, age limit, qualifications and other matters relating to the said post shall be as specified in columns 5 to 14 of the said Schedule.

4. Disqualifications.—No person—

- (a) who has entered into or contracted a marriage with a person having a spouse living; or
- (b) who having a spouse living, has entered into or contracted a marriage with any other person, shall be eligible for appointment to the said post;

Provided that the Central Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. Power to relax.—Where the Central Government is of the opinion that it is necessary or expedient so to do, it may by order, for reasons to be recorded in writing and in consultation with the Union Public Service Commission, relax any of the provision of these rules with respect to any class or category of persons.

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6. Saving.—Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for Scheduled Castes, Scheduled Tribes, Ex-servicemen and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

SCHEDULE

Name of post	Number of post	Classification	Scale of pay
	1	2	3
Office Superintendent	1* (2001) *Subject to variation dependent on workload.	General Central Service Group-B Non-Gazetted, Ministerial	Rs. 5500-175-9000
Whether selection by merit or selection-cum-seniority	Age limit for direct recruits	Whether benefit of added years of service admissible under rule 30 of the Central Civil service (Pension) Rules, 1972	Educational and other qualifications required for direct recruits
5	6	7	8
Not applicable	Not applicable	Not applicable	Not applicable
Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees	Period of probation, if any	Method of recruitment, whether by direct recruitment or by promotion or by deputation/absorption and percentages of post to be filled by various methods	In case of recruitment by promotion/deputation/absorption grade from which promotion/deputation/absorption to be made
9	10	11	12
Not applicable	2 years for promotees	Promotion/Deputation	Promotion/Deputation : (1) Officers under the Central Government.— (a) (i) holding analogous posts on regular basis; or (ii) with 3 years regular service in posts or equivalent; or (iii) with 6 years regular service in posts in the scale of pay of Rs. 4500-7000 or equivalent; or (iv) with 10 years regular service in posts in the scale of pay of Rs. 4000-6000 or equivalent; and (b) Possessing 2 years experience in administration, accounts and budget. Note : The departmental Upper division clerk in the scale of Rs. 4000-6000 with 10 years regular service in the grade will also be considered with others and in the event of his/her selection for appointment to the post, the same shall be deemed to have been filled by promotion.

(19) 19 58

EXTRACT FROM THE GAZETTE OF INDIA : PART II, SEC. 3, SUB-SEC. (i)

Appearing on Page No. 1246—1247

Dated 24-5-2003

स्वास्थ्य और परिवार कल्याण मंत्रालय
MINISTRY OF HEALTH AND FAMILY WELFARE

अधिसूचना

नई दिल्ली, 25 अप्रैल, 2003

सा० का० नि० 212.—राष्ट्रपति, संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, प्रादेशिक औषधि परीक्षण प्रयोगशाला, गुवाहाटी (कार्यालय अधीक्षक) भर्ती नियम, 2001 का संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. (1) इन नियमों का संक्षिप्त नाम प्रादेशिक औषधि परीक्षण प्रयोगशाला, गुवाहाटी (कार्यालय अधीक्षक) भर्ती (संशोधन) नियम, 2003 है।
(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।
2. प्रादेशिक औषधि परीक्षण प्रयोगशाला, गुवाहाटी (कार्यालय अधीक्षक) भर्ती नियम, 2001 की अनुसूची के स्तंभ 12 के अधीन शीर्षक "प्रोन्नति/प्रतिनियुक्ति" के अन्तर्गत खंड (क) के मद (ii) के स्थान पर निम्नलिखित मद रखी जाएगी, अर्थात् :—
"(ii) जिन्होंने 5000-8000 रु. के या समतुल्य वेतनमान वाले पदों पर 3 वर्ष नियमित सेवा की है, या"।

[फा० सं० ए०-12018/13/98-डी]

नीता केजरीवाल, अवर सचिव

पाद टिप्पण : मूल नियम सा०का०नि० 22 तारीख 31 दिसंबर, 2001 को प्रकाशित किए गए।

NOTIFICATION

New Delhi, the 25th April, 2003

G.S.R. 212.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules to amend the Regional Drugs Testing Laboratory, Guwahati (Office Superintendent) Recruitment Rules, 2001 namely :—

1. (1) These rules may be called the Regional Drugs Testing Laboratory, Guwahati (Office Superintendent) Recruitment (Amendment) Rules, 2003.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the schedule of Regional Drugs Testing Laboratory, Guwahati (Office Superintendent) Recruitment Rules, 2001, in column 12 under the heading "Promotion/Deputation" in clause (a), for item (ii), the following item shall be substituted, namely :—

"(ii) with three years' regular service in posts in the scale of pay of Rs. 5000-8000 or equivalent; or"

[F. No. A-12018/13/98-D]

NITA KEJERI WAL, Under Secy.

Footnote : The principal rules were published vide G.S.R. 22 dated the 31st December, 2001.

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The Departmental officer in the feeder category who are in the direct line of promotion shall not be eligible for consideration for appointment on deputation.

Similarly, deputationists shall not be eligible for consideration for appointment by promotion.

(Period of deputation including period of deputation in another ex-cadre post held immediately preceding this appointment in the same or some other Organisation/Department of the Central Government shall ordinarily not to exceed three years. The maximum age limit for appointment by deputation shall be not exceeding 56 years as on the closing date of receipt of applications.)

If Departmental Promotion Committee exists, what is its composition

Circumstances in which Union Public Service Commission is to be consulted in making recruitment

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Not applicable

Consultation with Union Public Service Commission necessary.

Note: The proceeding of the Departmental Promotion Committee relating to confirmation shall be sent to the Commission for approval. If however, these are not approved by the Commission, a fresh meeting of the Departmental Promotion Committee prescribed by the Chairman or a Member of the Union Public Service Commission shall be held.

[F. No. A. 12018/13/98-D]

F. K. PANDE, Under Secy.

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Annex-V

(37)

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g/luc
g
03/11/04
By FAX

No. A.22011/19/2004-New Drugs
DIRECTORATE GENERAL OF HEALTH SERVICES

Nirman Bhawan: New Delhi-110011,
Dated the 3rd November, 2004.

To

✓ The Govt. Analyst,
Officer Incharge,
Regional Drugs Testing Laboratory,
Sixmile, Guwahati-781037.

Subject: O.A. No. 173/04 Shri Kushal Ch. Kalita, UDC of RDTL, Guwahati as
Applicant - Versus - UOI & Others respondent.

Sir,

I am directed to refer to your letter No. RDTL/CAT/09/04/2035, dated the 20th October, 2004 addressed to the Addl. Central Govt. Standing Counsel, CAT, Guwahati and copy endorsed to this Directorate on the subject mentioned above and to say that the candidature of Shri Kushal Ch. Kalita, U.D.C. for the post of Office Superintendent, RDTL, Guwahati was examined by the duly constituted D.P.C. through the U.P.S.C. on 18.10.2004. and that he has not been selected for the same. Further, the case for grant of A.C.P. to the applicant is being examined in this Directorate. The factual position of the case may be brought to the notice of the Hon'ble CAT accordingly under intimation to this Directorate urgently. ✓

Yours faithfully,

(Signature)

(L.L. KAMSUAN)
Dy. Director Admn. (Drugs)

Receipt No. 592
Date 03.11.04
Regional Drugs Testing Laboratory
Govt. of India
Sixmiles, Guwahati-37

Attested
(Signature)
Addl. C. G. S. O.

22

Receipt No. 608
 Date 30.11.04
 Regional Drugs Testing Laboratory
 Govt. of India
 Sixmiles, Guwahati-37

No. A.12026/11/2002-D
 DIRECTORATE GENERAL OF HEALTH SERVICES
 (DRUGS SECTION)

New Delhi, dated 25.11.2004

To,

The Joint Director, CGHS & Incharge,
 Government Medical Store Depot,
 A.K. Azad Road, Gopinath Nagar, Guwahati-781016.

Subject :- Offer of appointment to Smt. S.L. Devi, Asstt to the post of
 Office Superintendent in the Regional Drugs Testing Laboratory,
 Guwahati on deputation basis.

Sir,

I am directed to refer to your letter No. Admn./198/9386 dated 6.3.2003 forwarding the application of Smt. S.L. Devi Assistant for the above post and to state that on the recommendation of Union Public Service Commission, the Director General of Health Services is pleased to offer of appointment to Smt. S.L. Devi, Assistant in Government Medical Store Depot, Guwahati for appointment to the post of Office Superintendent in Regional Drugs Testing Laboratory, Guwahati on deputation basis on the terms & conditions mentioned below:

1. The appointment is on deputation basis for a period of three years from the date she assumes the charge of post.
2. The pay scale of the post is Rs. 5500-175-9000/-. The initial pay of Smt. S.L. Devi will be fixed in accordance with the rules.
3. She will be entitled to draw Dearness & other allowances including Deputation (Duty) allowances of the corresponding status at the place of duty as under rules.
4. The other conditions of service will be governed under the relevant rules & orders of the government issued from time to time.

In case the offer of appointment on the above terms & conditions is acceptable to Smt. S.L. Devi, Assistant, her consent may be obtained in writing & sent to this Directorate immediately & she may be asked to join duty at RDTL, Guwahati within 15 days under intimation to this Directorate.

Yours faithfully,

(Signature)

(L.L. Kamsuan)

Deputy Director of Admn (D)

Copy to :

1. The Govt. Analyst, I/C Regional Drugs Testing Laboratory, Six Mile Panjabari, Guwahati-781016.
2. Secretary UPSC w.r.t their letter No. 3/40(13)/ 2003-ADT-1 dt. 5/10/04.
3. Smt. S.L. Devi, Asstt, GMSD, Guwahati. A.K. Azad Nagar, Guwahati-781016

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(Signature)
 ADD. C. G. S. CH