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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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SECTION OFFICER (Judl.)

FORM NO. 4

(SEE RULE 42)

CENTRAL ADMINISTRATIVE TRIBUNAL
COAHATI BENCH.

ORDER SHEET

Orig. App./ Misc. Petn/ Cont. Petn/ Rev. Appl.

31/2004

In O.A.

Name of the Applicant(S) Sri Ajay Kumar Pandey

Name of the Respondent(S) Union of Indis mops.

Advocate for the Applicant Mr. M. Chanda, Mr. G.N. Chakraborty,
Mr. S. Choudhury and Mr. S. Nath

Counsel for the Railway/ C.G.S.C.

OFFICE NOTE

DATE

ORDER OF THE TRIBUNAL

17.2.2004

Heard Mr.M.Chanda, learned counsel for the applicant and also Mr.A. Deb.Roy, learned Sr.C.G.S.C. for the respondents.

The O.A. is admitted. Issue notk to the parties, returnable by four weeks.

List on 23.3.2004 for order.

Member

bb

23.3.2004

List on 6.4.2004 for orders.

Member (A)

mb

Steps taken.

NS
17/2/04

Notice & order dt. 17/2/04 sent to D/Section for issuing to respondents nos - 1 to 5.

17/3/04

Notice issued vide
NO. 577-571 dated
24.3.04

JS

No. written statement
has been filed.

24
10/4/04

A/D card return
from respondent
no-1.

22/6/04

15-9-04

Notice duly served
on R.A. 1.

16.9.04

No. W/S has been filed

5/11/04

- 1) No W/S has been filed.
- 2) Notice duly served on
A-1.
- 3) Service is awaited by
A-no. 2, 3, 4 & 5.

5/11/04

14 + 12 = 26
W/S filed by the
Respondents.

JS

6.4.2004 On the plea of counsel for the
respondents four weeks time is
given to the respondents to file
written statement.

List on 11.5.2004 for orders.

K.P. Pichler
Member (A)

mb

11.5.2004 Present : The Hon'ble Sri M.K. Gupta,
Judicial Member.

The Hon'ble Sri K.V. Prah-
ladan, Member (A).

Adjourned for filing reply as
requested by the learned Sr. C.G.S.C.
List on 10.6.2004.

K.P. Pichler
Member (A)

JS
Member (J)

pg

On the request of Mr. A.K. Chou-
dhury, Addl. C.G.S.C appearing on
behalf of Mr. A. Deb Roy, Sr. C.G.S.C.,
matter is adjourned to 8.11.04 for
filing written statement.

K.P. Pichler
Member

R
Vice-Chairman

8.11.2004

The matter is being adjourned
for the past six months for filing
written statement. Thrice the matter
has already been adjourned for filing
written statement. Last and final
adjournment is granted in the matter
for filing written statement on behalf
of the respondents. In case written
statement is not filed on the next
date and the matter and the matter is
to be again adjourned, costs of ad-
journment shall be borne by the res-
pondents and it shall be recovered
from the personal pocket of the respondents.

R

Notes of the Registry

Date

Order of the Tribunal

Contd.

8.11.2004

officer who is required to file the written statement. ^{over} Stand over to 13.12.2004.

Notice dated served on Respondents No. 1

[Signature]
Member (A)

[Signature]
Vice-Chairman

bb

13.12.04

Inspite of order dated 8.11.04 the written statement has not been filed to-day. The matter is accordingly adjourned to subject to, however, payment of costs of Rs. 500/- ^{which} shall be borne by the Respondents and it shall be recovered from the personal pocket of the officer who is required to file written statement. The payment/deposit of costs is condition precedent for to-day adjournment and if the costs are not paid the Respondents shall not be permitted to file written statement. Stand over to 18th January, 2005.

[Signature]
Vice-Chairman

lm

16.12.04

Learned Sr.C.G.S.C ~~stake~~ Sri A. Deb Roy states that by mistake he had over written the date as 14.12.04 instead of 13.12.04 and since the written statement has already filed order dated 13.12.04 may be recalled. In view of ~~that~~ what is stated by learned Sr.C.G.S.C order dated 13.12.04 for payment of cost of Rs.500/- is recalled. The matter is already fixed on 18.1.2005.

[Signature]
Vice-Chairman

pg

Service still awaited for Respondents
...2,3,4, 5.

NO N/S has been filed by the Respondents
[Signature]
10/12

14-12-04

W/S filed by the Respondents.

[Signature]
Order dt. sent to D/Section for issuing to Sri A. Deb Roy, Sr.C.G.S.C.
GNY-5.

[Signature]
15/12/04

18.1.05.

The learned counsel for the applicant seeks time to file rejoinder. Rejoinder be filed before the next hearing with advance copy to the learned counsel for the Respondents. Stand over to 9th March, 2005 for final hearing.

K. Prasad
Member

R. Sivarajan
Vice-Chairman

7-3-05

No Def Order for Seen

By 12d

lm

9.3.2005 present: The Hon'ble Mr. Justice G. Sivarajan, Vice-Chairman.

The Hon'ble Mr. K. V. Prahladan, Member (A).

Mr. A. K. Chaudhuri, learned Addl. C.G.S.C. it is submitted, is not keeping well and therefore adjournment is sought. Post on 17.3.2005 for hearing. No further adjournment shall be granted.

K. Prasad
Member

R. Sivarajan
Vice-Chairman

10.3.05

Rejoinder submitted by the Applicant.

Case is ready for hearing.

bb

17.3.05. Present: Hon'ble Mr. Justice G. Sivarajan, Vice-Chairman.

Hon'ble Mr. K. V. Prahladan, Member (A)

At the request of learned counsel for the Respondents case is adjourned to 24.3.05. for hearing.

K. Prasad
Member

R. Sivarajan
Vice-Chairman

lm

24.3.2005 At the request of Ms. U. Das, learned Addl. C.G.S.C. for the respondent the case is adjourned to 14.4.2005 for hearing.

K. Prasad
Member (A)

R. Sivarajan
Vice-Chairman

mb

Office Notes	Date	Order of the Tribunal
	13.5.2005	<p>At the request of Mr. S. Nath, learned on behalf Mr. M. Chanda, learned counsel for the applicant the case is adjourned to 25.5.2005.</p> <p><i>K. P. Das</i> Member</p> <p><i>V. Jaiswal</i> Vice-Chairman</p>
<p>3.6.05</p> <p>Mr. MU Sharma, ALJSC submitted Memo of Appearance on behalf of Respondent.</p>	20.5.2005	<p>No Division Bench. List on 6.6.2005.</p> <p><i>K. P. Das</i> Member</p>
<p>by</p> <p><i>The Advocate General</i> 14/6/05</p> <p>Received Usha Das Addl CLJC 14/6/05</p>	06.06.2005	<p>Heard counsel for the parties. Judgment delivered in open Court, kept in separate sheets.</p> <p>The O.A. is disposed of in terms of the order.</p> <p><i>K. P. Das</i> Member</p> <p><i>V. Jaiswal</i> Vice-Chairman</p>
<p>14.6.05</p> <p>Copy of the Judgment handed over to the L/Advocates for the parties.</p> <p>sh</p>	bb	

CENTRAL ADMINISTRATIVE TRIBUNAL :: GUWAHATI BENCH.

O.A. No 31 of 2004.

DATE OF DECISION: 06.06.2005

Sri Ajay Kumar Pandey

APPLICANT(S)

Mr. M.Chanda

ADVOCATE FOR THE
APPLICANT(S)

- VERSUS -

U.O.I. & Ors.

RESPONDENT(S)

Ms. U.Das, 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 judgment?
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.

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CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original Application No. 31 of 2004.

Date of Order: This, the 06 th Day of June, 2005.

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

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

Sri Ajay Kumar Pandey
S/o Sri Sitaram Pandey
HT/0090 Hindi Teacher
3rd Assam Rifles
C/o 99 APO.

... Applicant.

By Advocates S/Shri M.Chanda, G.N.Chakraborty, S.Choudhury &
S.Nath.

- Versus -

1. The Union of India
Represented by the Secretary
to the Government of India
Ministry of Home Affairs
New Delhi.
2. The Director General of Assam Rifles
Shillong - 793 011
Meghalaya.
3. The Secretary to the Govt. of India
Ministry of Finance
New Delhi.
4. The Commandant
6, Assam Rifles
C/o 99 APO.
5. The Commandant
3(NH) Bn Assam Rifles
C/o 99 APO.

... Respondents.

By Ms. Usha Das, Addl. C.G.S.C.

ORDER (ORAL)

SIVARAJAN, J. (V.C.) :

The applicant was originally appointed as Hindi Teacher (Graduate) in the pay scale of Rs.1200-2040/- on 17.8.1989 and he was posted as such at Mizoram under 6 Assam Rifles. The applicant is

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presently working at Zunhe Boto under 3 Assam Rifles. According to the applicant, since he was appointed as Hindi Teacher (Graduate) in the year 1989 he is entitled to the scale of pay of Rs.330-10-380-EB-12-500-EB-25-560/- initially and on the basis of revision of scales of pay based on Pay Commission's report approved by the Government the revised scale corresponding to this scale of pay to be given to the applicant. According to the applicant, instead of scale of pay of Rs.1200-2040/- he should have been placed in the scale of pay of Rs.1400-2600/- corresponding to the pre-revised scale of pay of Rs.330-560/- and as a result of 4th Pay Commission accepted by the Central Government the scale of pay should have been enhanced to Rs.5000-8000/- and later as a result of the 5th Pay Commission Report and the Government order dated 3.8.2001 (Annexure-II) his pay should have been revised to Rs.5500-9000/- with retrospective effect i.e. on 1.1.1996.

2. The applicant has filed this O.A. seeking for a declaration that he is entitled to get the pay scale of Rs.1400-2600/- from the date of his initial appointment i.e. 17.8.1989 and further revised scale of pay of Rs.5500-9000/- w.e.f. 1.1.1996. The applicant seeks for a direction to the respondents to grant the aforesaid pay scales from the aforesaid dates including arrears and thereafter consider his case for grant to next higher scale of pay of Rs.6500-10500/- w.e.f. 17.8.2001 i.e. on which ^{the} ~~date~~ the applicant had completed 12 years of service in accordance with the provisions of Assured Career Progression (ACP) Scheme.

3. The respondents have filed their written statement. It is stated in Paragraph 5 of the said written statement that with regard to

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Paragraph 4.4. of the application that according to the 4th Pay Commission recommendation the following categories of teachers pay scales were revised in the schools of Central Government; (a) Primary Teachers - 1200-2040/-; (b) Trained Graduate Teachers - 1400-2600/- and (c) Post Graduate Teachers - (Not applicable). It is further stated that on similar lines Assam Rifles Teachers were also granted revised pay scales; Junior Teachers who fulfills the qualification criteria were granted Primary Teacher's scale and Senior Teachers who fulfills the criteria were granted Trained Graduate Teacher's scale and as Hindi Teachers pay scales were not equated with any of the pay scales of Primary Teacher and Trained Graduate Teacher, Hindi Teacher's trained were granted Senior Teacher's scale of Rs. 1400-2600/- and Hindi Teacher's untrained (without B.Ed) were granted normal replacement scale of Rs.1200-2040/- as the pay scales of Hindi Teachers of Rs.290-560/- and Rs.330-560/- (pre-revised) were merged into Rs.1200-2040/-; therefore with effect from 1986 Hindi Teachers both Graduate (untrained) and under graduate were eligible for the pay scale of Rs.1200-2600/-. It is further stated that only Hindi Teachers trained (B.Ed) were granted the higher pay scale of Rs.1400-2600/- as per part B of First Schedule of 4th CPC report item 5 and hence the applicant who is a graduate is not entitled to the pay scale of Rs.1400-2600/- at the time of appointment and that he is entitled to the pay scale of Rs.1200-2040/-. It is further stated that the applicant having joined service as untrained Hindi Teacher was eligible for the pay scale of Rs.1200-2040/- only which was correctly given to him and that only trained teachers possessing B.Ed degree were given Rs.1400-2600/- pay scale and further there is no provision for promotion of Hindi Teacher to Senior Teacher since both the posts are



entirely separate categories of posts. It is also stated that after 5th Pay Commission recommendation he was entitled to Rs.4000-6000/- (revised) pay scale and subsequently his pay scale was further revised to Rs.4500-7000/- pay scale. The applicant thus though a graduate Hindi Teacher since he was not in the pay scale of Rs.5000-8000/- he cannot be granted the revised scale of Rs.5500-9000/- and that in compliance of Government of India orders all the Hindi Teachers who were drawing the pay scale of Rs.5000-8000/- were granted the revised scale of pay of Rs. 5500-9000/-. However, it is stated that only the personnel who were drawing the pay scale of Rs.5000-8000/- were given the scale of Rs.5500-9000/-. There is a further statement that the respondents have duly considered representations received and all the eligible personnel have been granted the pay scale of Rs.5500-9000/-. Presently there are only two categories of Hindi Teacher, Graduate and undergraduate and new entrants are being appointed as such, it is stated. In Paragraph 17 of the written statement it is stated that only those Hindi Teachers who were trained and holding B.Ed degree were given pay scale of Rs.5000-8000/- and subsequently the revised pay scale of Rs.5500-9000/-. In Paragraph 19 of the written statement it is further stated as follows:-

"19. That with regard to statements made in Para 5.5 to 5.9 of the application, the respondents beg that the accordingly to the 4th pay commission recommendation, applicant was entitled the pay scale of Rs.1200-2040/- (pre-revised) which was revised to Rs.4000-6000/- and subsequently to Rs.4500-7000/-. Though the applicant is a graduate Hindi Teacher but not in the existing scale of Rs.1400-2600/- in the 4th pay commission he cannot be granted the revised scale of Rs.5500-9000/- without the approval of Ministry of Home Affairs. A fresh case is being taken up with Ministry of Home Affairs to grant the scale of similarly affected teachers. Only on confirmation from Ministry of Home Affairs the scale of 5500-9000/- can be given to the applicant. If Ministry of Home Affairs

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approves the pay scale of Rs.5500-9000/- then applicant will be further given the ACP Scheme accordingly."

4. We have heard Mr. M. Chanda, learned counsel for the applicant and Ms. U. Das, learned Addl.C.G.S.C. appearing for the respondents. Mr. Chanda took us to the Rules regarding appointment to the post of Hindi Teachers i.e. Rules - 'Assam Rifles Teaching Staff Recruitment Rules, 1980' and submitted that the qualifications prescribed for appointment for Hindi Teachers are contained in the Schedule thereto (Annexure -A to the Rejoinder). Counsel submitted that the scale of pay of Hindi Teacher was Rs.330-560/- for Graduate and Rs.290-560/- for undergraduate. Counsel also pointed out that B.Ed degree was not a qualification prescribed in the case of Hindi Teacher whereas training qualification was required only to Senior Teacher and Junior Teacher. Counsel also took us to an order dated 8.6.2001 (Annexure-II) which deals with revision of pay scales of Teaching Staff in Assam Rifles to show that the existing scale of pay of Junior Teacher i.e. 4000-6000/- has been revised to Rs.4500-7000/- and in the case of Senior Teacher the existing scale of Rs.5000-8000/- has been revised to Rs.5500-9000/- but in the case of Hindi Teacher Graduate his scale of pay initially under the Recruitment Rules was higher than that of Senior Teacher and Junior Teacher and no specific order of revision for scale of pay of Hindi Teacher Graduate was made. Counsel also submitted that the applicant had made representations (Annexure-3 Series) which were returned to the applicant by communication dated 26.2.2001 by the 4th respondent stating that the case of pay scale of Teaching Staff has already been taken up with the Ministry vide DGAR letter dated 10.11.2000 and the same will be under consideration and the applicant's case can be reviewed only after clarification is received from Ministry of Home



Affairs. Counsel in short submits that there is no specific grading of Hindi Teacher Graduates and Hindi Teacher undergraduates in the Recruitment Rules and that there is no further requirement for training qualification for appointment to the post of Hindi Teacher. Counsel also took us to a decision of this Tribunal dated 15.12.2000 passed in O.A.13 of 1999 in the case of similarly situated employee and submitted that the respondents were directed to give the scale of Rs.5500-9000/- with other consequential benefits. Counsel submits that since the case of the applicant is similar to applicant in the aforesaid case the same reliefs must be granted to the applicant also. Counsel further took us to the advertisement made by the respondents for the post of Hindi Teacher (Annexure-B to the Rejoinder) in support.

5. Ms. U. Das, learned Addl. C.G.S.C. appearing for the respondents submits that the respondents have clearly stated while returning the representations to the applicant that the matter regarding granting higher scale of pay of Rs.5500-9000/- has been referred to the Ministry and a clarification is awaited. Counsel also took us to the specific statement made in that behalf in Paragraph 19 which we have already extracted. Counsel accordingly submits that the matter may be relegated to the respondents for taking an appropriate decision in the matter.

6. We have considered the rival submissions. We would at the outset note that admittedly the applicant is a Hindi Teacher Graduate. We said 'admittedly' because it is stated so in the written statement. The only reason for not granting revised higher pay scale of Rs.1400-2600/- and Rs.5500-9000/- is that the applicant has been holding pre-

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revised scale of Rs.1200-2040/-. We have also noticed that as per the Rules regarding the appointment of Teaching Staff in the Assam Rifles which is annexed as Annexure-A to the Rejoinder, to which we have already referred to, there is no specific grading as Hindi Teacher Graduates and Hindi Teacher undergraduates in the sense that the post is only that of Hindi Teacher. Of course, different scales are provided in the case of Hindi Teacher Graduates and Hindi Teacher undergraduates. Holding B.Ed degree is not a requirement under these Rules. However, we have noted that the respondents in their written statement had stated that as per 4th Pay Commission report both the posts of Hindi Teacher Graduate and Hindi Teacher undergraduate had been merged and one common pay scale has been fixed for both posts i.e. Rs.1200-2040/-. We have already adverted to the various documents relied by the counsel for the applicant. We do not have all the required service particulars of the applicant before us. In such circumstances, we are not in a position to finally adjudicate the question as to whether it is due to an anomaly that the applicant has not been given the pay scale of Rs.1400-2600/- and Rs.5500-9000/- or it is by mistake. It would appear from the written statement filed by the respondents that different posts were available in the Assam Rifles such a Primary School Teacher etc. and training B.Ed qualification is also stated to be a requirement for which no details have been furnished before us other than the bald averments made in the written statement. However, it would appear that the respondents had admitted it is due to the anomaly and that it is due to said anomaly such similarly situated employees have not been granted the pay scale of Rs.1400-2600/- and subsequently Rs.5500-9000/- and the same is under consideration by the concerned Ministry.

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7. In these circumstances, we direct the respondents to consider the case of the applicant for granting revised scale of Rs.1400-2600/- with effect from August, 1989 and further revised pay scale of Rs.5500-9000/- with effect from 1.1.1996 and to take a decision thereon as expeditiously as possible at any rate within a period of four months from the date of receipt of this order. Needless to say, the Ministry or the concerned respondents have to consider the case of the applicant with reference to all the materials placed by the applicant and referred to in this order. We note that the case of the Teaching Staff has been pending before the Ministry since 2000 and the respondents are taking the stand that the applicant's case can be reviewed only after clarification is received from the Ministry of Home Affairs. If no clarification is received from the Ministry of Home Affairs even after 4 years the concerned respondents will bring this order to the Government immediately and request for expediting the clarification to comply with the direction issued in this order. The applicant and the respondents will place a copy of this order to the Government and to the concerned respondent within two weeks for compliance.

The Original Application is disposed of as above.


(K.V.PRAHLADAN)
ADMINISTRATIVE MEMBER


(G.SIVARAMAN)
VICE CHAIRMAN

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16th FEB 2004
GUWAHATI BENCH

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI

O. A. No. 31 / 2004

Sri Ajay Kumar Pandey.

... Applicant.

-Versus-

Union of India & Others

... Respondents.

Lists of dates and synopsis of the case

Date

Synopsis of particulars in the application

17.08.1989- The applicant was initially appointed as Hindi Teacher (Graduate) in the pay scale of Rs. 1200-2040/- and posted at Mizoram under 6 Assam Rifles. After some subsequent transfers he is now working at Zunhe Boto under 3 Assam Rifles.

As per 4th Central Pay Commission's (CPC) recommendation, the scale of Sr. Teacher (trained) is Rs.1400-2600/-. As such the applicant is entitled to the scale of Rs.1400-2600/- and not 1200-2040/- since the Hindi Teacher (Graduate) is equivalent to Sr. Teacher (Trained) in Assam Rifles according to the Assam Rifles Teaching Staff Recruitment Rules, 1980. Hence the applicant ought to have been given the scale of Rs.1400-2600/- at the time of his appointment but he was wrongly placed in the scale of Rs.1200-2040/-.

01.01.1996- Following the recommendations of the 5th CPC, the Assam Rifles granted the pay scale of Rs.5000-8000/- to its Sr. Teacher/Hindi Teacher (Graduate). But the applicant was placed in the scale of Rs.4500-7000/- which is the corresponding revised scale of Rs.1200-2040/-

Ajay Kumar Pandey

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03.08.2001- The Assam Rifles further revised the scale of its teachers and the scale of Hindi Teacher (Graduate) was enhanced from Rs.5000-8000/-to Rs.5500-9000/-. But the applicant still remained in the scale of Rs.4500-7000/- whereas some of his batch mates, who were similarly situated, were given the scale of Rs.5500-9000/- w.e.f 01.01.1996. (Annexure-III Series)

10.09.2002- Applicant submitted representation praying for grant of scale of Rs.5500-9000/- to him. He also submitted his earlier application on 14.02.01 but with no effect and both the applications were returned unactioned. (Annexure-III Series)

18.07.2003- Applicant submitted another application but with no response. Applicant is still continuing in the scale of Rs.4500-7000/- which is the scale of Hindi Teacher (undergraduate) whereas the applicant is a graduate Hindi Teacher, whose scale is Rs.5500-9000/- (Annexure-III Series)

Hence this application before the Hon'ble Tribunal.

PRAYERS

8. Reliefs sought for:

Under the facts and circumstances of the case as stated in the application, the applicant most humbly and respectfully prays that Your Lordships be pleased to grant the following reliefs: -

8.1 That it may be declared that the applicant is entitled to get the pay scales of Rs.1400-2600/-from the date of his initial appointment i.e. 17.08.1989 and further revised scale of Rs.5500-9000/-w.e.f 01.01.1996. ?

8.2 That the respondents be directed to grant the applicant the pay scales as sought under para 8.1 above refixing his pay accordingly from the initial stage with all consequential service benefits including arrears etc. and thereafter consider his case for grant of next higher scale of Rs.6500-10,500/-w.e.f 17.08.2001 i.e. the day on which the applicant completed his 12 years service in accordance with the

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provisions of the Assured Career Progression Scheme(ACPS) laid down by the Govt. of India.

8.3 Costs of the application.

8.4 Any other relief(s) to which the applicant is entitled as the Hon'ble Tribunal may deem fit and proper.

9. Interim order prayed for.

During pendency of this application, the applicant prays for the following relief: -

9.1 That the Hon'ble Tribunal be pleased to direct the respondents that pendency of this application shall not be a bar for the respondents for considering the representations of the applicant.

Ajay Kumar Pandey

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI

(An Application under Section 19 of the Administrative Tribunals Act, 1985)

Filed by the applicant
through advocate Sri
G.N. Chakravarty on
16-2-2004

Title of the case : O. A. No. 31 /2004

Sri Ajay Kr. Pandey : Applicant

- Versus -

Union of India & Others: Respondents.

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Filed by

[Signature]
Advocate

Date 16-2-2004.

Ajay Kumar Pandey

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH: GUWAHATI

(An Application under Section 19 of the Administrative
Tribunals Act, 1985)

O. A. No. 31 /2004

BETWEEN

Sri Ajay Kumar Pandey.
S/c Sri Sitaram Pandey.
HT/0090 Hindi Teacher.
3rd Assam Rifles.
C/c 99 APO.

...Applicant

-AND-

1. The Union of India,
Represented by the Secretary to the
Government of India, Ministry of Home affairs.
New Delhi.
2. The Director General of Assam Rifles,
Shillong-793011
Meghalaya.
3. The Secretary to the Govt. of India,
Ministry of Finance,
New Delhi.
4. The Commandant
6, Assam Rifles
C/o- 99 APO.
5. The Commandant
3(NH) Bn Assam Rifles,
C/o- 99 APO.

...Respondents.

Ajay Kumar Pandey

DETAILS OF THE APPLICATION

1. Particulars of order(s) against which this application is made.

This application is made not against any particular order but against the discriminatory treatment made by the respondents against the applicant in respect of pay scale, granting him a lower scale of pay whereas higher scale of pay has been granted to others who are having the same qualification and doing the same works as that of the applicant, and as a result of non-fixation of appropriate scale of pay the applicant incurring financial losses each and every month.

2. Jurisdiction of the Tribunal.

The applicant declares that the subject matter of this application is well within the jurisdiction of this Hon'ble Tribunal.

3. Limitation.

The applicant further declares that this application is filed within the limitation prescribed under section-21 of the Administrative Tribunals Act, 1985.

4. Facts of the Case.

- 4.1 That the applicant is a citizen of India and as such he is entitled to all the rights, protections and

Jay Kumar Pandey

privileges as guaranteed under the Constitution of India.

- 4.2 That the applicant was initially appointed as Hindi Teacher in the pay scale of Rs. 1200-2040 and joined on 17.08.1989 at Mizoram under 6 Assam Rifles. Thereafter he was posted in sikkim under 17th Assam Rifles w.e.f December, 1993 and then he was again posted back at Mizoram under 6 Assam Rifles w.e.f July, 1998. In April, 2000, he was transferred and posted at Zuno Boto in March, 2002. However following the interchanging of the 3 Assam Rifles and the 15 Assam Rifles, the services of the applicant was placed under the 3 Assam Rifles and was kept at the same station i.e. Zunhe Boto where he is still continuing.

- ✓ 4.3 That it stated that pursuant to the recommendations of the different Central pay Commissions and the approval of the Central Government thereof, the pay structure of the Hindi teachers along with other teaching staff which were in force from time to time were as follows:-

<u>Pay Commissions</u>	<u>Category of teachers</u>	<u>Pay scale(Rs)</u>
1st pay commission:	i) Hindi Teacher-	75-140/-
	ii) Sr. Teacher -	80-125/-
	iii) Junior Teacher-	40-110/-
2nd pay commission:	i) Hindi Teacher-	140-225/-
	ii) Sr. Teacher -	125-200/-
	iii) Junior Teacher-	110-165/-
3rd pay commission:	i) Hindi Teacher-	330-560/-
	(Graduate)	
	Hindi Teacher-	290-560/-
	(Under graduate)	

Jay Kumar Pandey

ii) Sr. Teacher- (Graduate)	330-560/-
Sr. Teacher- (Under graduate)	290-560/-
iii) Junior Teacher	260-400/-

It is evident from the above comparison that the scale of Hindi teacher was higher than that of even the Senior Teachers dividing the period of 1st and 2nd pay commission and was at par with that of the sr. Teachers (Graduate) during the period of 3rd pay commission.

4.4 That the 4th Central Pay Commission while recommending the pay scales of different categories of teaching staff, rationalized the nomenclature of their designations and categorized them into (i) Primary School Teachers, (ii) Trained Graduate Teachers, and Post Graduate Teachers amongst others and as such did not specify the pay scale for Hindi Teachers in clear terms. However basing on the recommendations of the 4th CPC and acceptance of the Government thereof, the Directorate General of Assam Rifles derived and adopted the Central Govt. pay scale in the central pattern following pay scales for different categories of its teachers; -

Sr. Teacher (untrained)	= Rs.1200-2040/-
Sr. Teacher (Trained)	= Rs.1400-2600/-
Hindi Teacher (Untrained)	= Rs.1200-2040/-
Hindi Teacher (Trained)	= Rs.1400-2600/-
Junior Teacher	= Rs.1200-2040/-

Jay Kumar Pandey

- 4.5 That the applicant is a Graduate Hindi Teacher. According to Assam Rifles Teaching Staff Recruitment Rules, 1980, Hindi Teacher (Graduate) is equivalent to the Trained Graduate Senior Teacher of Assam Rifles. In the Notification published by Govt. of India, Ministry of Home Affairs under No. I-12015/1/77-Pers II dated 17.02.1981 also the scales of Sr. Teacher and even non-graduate Hindi Teacher have been shown as Rs.330-560/- (pre-revised). But the applicant being a graduate Hindi Teacher is higher in status than the Sr. Teacher and non-graduate Hindi Teacher is equivalent to Trained Graduate Sr. Teacher only.

(Copy of Notification dated 17.12.1981 is annexed hereto as Annexure-I.)

- 4.6 That it is clearly evident from the facts stated herein above that the applicant being a graduate Hindi Teacher, is only equivalent to the Senior Teacher (Trained) of Assam Rifles and as such is entitled to get the pay scale of Rs.1400-2600/- which came into force w.e.f. 01.01.1986. Since the applicant was appointed as Graduate Hindi Teacher w.e.f. 17.08.1989, he was entitled to get the pay scale of Rs.1400-2600/- at the time of his initial appointment i.e. w.e.f. 17.08.1989.

- 4.7 That unfortunately, the applicant was wrongly given the lower pay scale of Rs.1200-2040/- instead of Rs.1400-2600/- at the time of the appointment. The scale of

Ajay Kumar Pandey

Rs.1200-2040/- was the approved scale for Junior Teachers/Untrained Sr. Teacher and untrained Hindi Teachers in Assam Rifles was not meant for the applicant who is equivalent to Trained Sr. Teacher only.

It is relevant to mention here that the Hindi Teacher is higher in status than even the Sr. Teacher, which is evident from their pay structures shown in para 4.3 above. This also gains support from the fact that there are instances where some senior Teachers were placed to the grade of Hindi Teacher by way of promotion in Assam Rifles; and to cite examples, the names of Shri S.S. Rawat, Shri R.C. Singh and Shri L.R. Thakur are worth mentioning. As such, the lower scale of Rs.1200-2040/- given to the applicant which is meant even for a Junior Teacher is unjustified and wrong since the applicant ought to have been given the higher scale of Rs.1400-2600/- at the time of his initial appointment, which he is legitimately entitled to.

4.8 That subsequently, following the recommendations of the 5th Central Pay Commission and the approval of the Central Government thereof, as per CCS ROP Rule, 1997 the Assam Rifles revised the pay scales of its Teachers w.e.f 01.01.1998 as under; -

- 1) Sr. Teacher/Hindi Teacher = Rs.5000-8000/-
(Graduates)
- 2) Junior Teacher/Hindi Teacher = Rs.4000-6000/-
(Under graduates)

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It is evident from above that the scale of Sr. Teacher and Hindi Teacher (graduate) is same which is Rs.5000-8000/-, effective from 01.01.1996 and as such the applicant is entitled to the scale of Rs.5000-8000/-w.e.f 01.01.1996. But the applicant was wrongly placed at Rs.4500-7000/- instead of Rs.5000-8000/-.

- 4.9 That thereafter, the scales of Teaching Staff in Assam Rifles were further reviewed by the Government. As a result, the scales of Junior Teacher and Senior Teacher were revised as follows vide letter No.II.27013/35/99-PF.IV dated 08.06.2001 issued by the Govt. of India, Ministry of Home Affairs; -

<u>Post</u>	<u>Existing Scale</u>	<u>Revised Scale</u>
Junior Teacher	Rs.4000-6000/-	Rs.4500-7000/-
Senior Teacher	Rs.5000-8000/-	Rs.5500-9000/-

Accordingly, the scales of Hindi Teachers in Assam Rifles were also reviewed and the corresponding scales of Hindi Teachers were revised as follows vide letter No.II.27013/35/99-PF.IV dated 03.08.2001 of Govt. of India, Ministry of Home Affairs; -

<u>Post</u>	<u>Existing Scale</u>	<u>Revised Scale</u>
Hindi Teacher (Graduates)	Rs.5000-8000/-	Rs.5500-9000/-
Hindi Teacher (Under Graduate)	Rs.4000-6000/-	Rs.4500-7000/-

The above mentioned revised scales came into force w.e.f 01.01.1996 and both letters dated 08.06.2001 and

Ajay Kumar Pandey

dated 03.08.2001 were notified by the Director General, AR, Shillong vide No.A/VIII-PS/T/86/Vol-III/654 dated 07.12.2001.

(Copy of the notification dated 07.12.2001 along with the letters dated 08.06.2001 and dated 03.08.2001 are annexed hereto as Annexure-II Series.)

- 4.10 That it is clearly evident from the scales notified by the Respondents themselves as stated in above para that the Findi Teacher (Graduate) is entitled to the scale of Rs.5500-9000/-w.e.f 01.01.1996 but the applicant is still being paid the scale of Rs.4500-7000/- and the discrepancies made in respect of the revised pay scales of the applicant since his initial appointment are summarized below; -

<u>Period</u>	<u>Revised Scales</u> <u>given to the</u> <u>applicant</u>	<u>Revised Scales</u> <u>payable to the</u> <u>applicant</u>
17.08.1989 to 31.12.1995	Rs.1200-2040/-	Rs.1400-2600/-
01.01.1996 to till date	Rs.4500-7000/-	Rs.5500-9000/-

It is relevant to mention here that as per the professed policy of the Govt. of India, the applicant is not only entitled to the scale of Rs.5500-9000/- but has become eligible for even the next higher scale of Rs.6500-10,500/- on completion of 12 years of regular service in terms of Assured Career Progression Scheme(ACPS). As such the applicant is now entitled to

Jay Kumar Pandey

the higher scale of Rs.6500-10,500/- w.e.f 17.08.2001 i.e. the day on which he completed 12 years service in terms of the ACPS.

4.11 That the applicant most respectfully begs to state that some employees of the same batch of the applicant who were given the pay scales of Rs.1200-2040/- initially were subsequently granted the scale of Rs.5500-9000/- w.e.f 01.01.1996 whereas the applicant is being paid the scale of Rs.4500-7000/- although he is similarly situated and having the same educational qualification etc. as those employees.

4.12 That being aggrieved due to discrimination of pay scales of the applicant as stated in the preceding paragraphs, the applicant approached time and again and eventually submitted one representation to the Respondent No.2 on 14.02.2001 praying for grant of the revised pay scale of Rs.5500-9000/- to him. The same was returned vide one letter No.6043/A-2000/0196 dated 26.02.2001 with the intimation to the applicant that the matter was lying pending for decision before the Ministry of Home Affairs (MHA).

The applicant thereafter submitted another representation on 10.09.2002 to the Respondent No.5 praying again for grant of revised pay scale of Rs.5500-9000/-. But the applicant was informed vide one letter No.II.27013/A-21/2002/988 dated 17.09.2002 that appropriate action in his case would be taken after

Jay Kumar Pandey

receipt of his service book from 15 AR, which is awaited.

Finding no response even thereafter the applicant has submitted another representation on 18.07.2003 but with no response till now.

(Copies of representation dated 14.02.01, dated 10.09.02, dated 18.07.03 and returning letters dated 26.02.01 and letter dated 17.09.02 are annexed hereto as Annexures-III Series.)

- 4.13 That the applicant further begs to submit that the respondent department has published one advertisement in the Employment News dated 15-21 June, 2002 for recruitment of some Hindi Teachers along with others wherein it was specified that the scale of undergraduate Hindi Teachers is Rs.4500-9000/- and that of Graduate Hindi Teacher is Rs.5500-9000/-. This also evidences that the applicant who is a graduate Hindi Teacher is entitled to the scale of Rs.5500-9000/-only and not Rs.4500-7000/-as being paid to him, which is for undergraduate Hindi Teacher only.

(Copy of advertisement is annexed hereto as Annexure-IV.)

- 4.14 That from above, it is evident that the Graduate Hindi Teachers even who are not trained are given the pay scale of Rs.5500-9000/- w.e.f 01.01.1996 but the applicant who is also a graduate and doing the same works, has been placed in a lower scale of Rs.4500-7000/- thus equating him with that of undergraduate

Spy Kumar Pandey

Hindi Teacher/Junior Teacher. Such actions of the Respondents are arbitrary, unjust, unfair, illegal, discriminatory and violative of the principle of natural justice and doctrine of equality.

4.14 That the applicant begs to state that due to non-consideration of his case for grant of revised pay scale of Rs.5500-9000/-of graduate Hindi Teacher as have been granted to other similarly situated persons, the applicant has been incurring financial loss and promotional/service prospects. As such finding no other alternative, the applicant is approaching this Hon'ble Tribunal for protection of his legitimate rights and it is a fit case for the Hon'ble Tribunal to interfere with and to protect the rights and interests of the applicant, directing the respondents to grant the revised scale of Rs.1400-2600/-w.e.f 17.08.1989 and further revised scale of Rs.5500-9000/- w.e.f 01.01.1996 to the applicant with all consequential service benefits.

4.16 That it is stated 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 Tribunals Act, 1985.

4.17 That this application is made bonafide and for the cause of justice.

Ajay Kumar Pandey

5. Grounds for relief(s) with legal provisions.

- 5.1 For that, the applicant being a Graduate Hindi Teacher is entitled to the revised scale of Rs.1400-2600/-w.e.f 17.08.1989 i.e. the date of his initial appointment and further revised scale of Rs.5500-9000/-w.e.f 01.01.1996 in accordance with the scales adopted by the Assam Rifles and not Rs.1200-2040/- and Rs.4500-7000/- respectively which is meant for Jr. Teachers and undergraduate Hindi Teachers only.
- 5.2 For that, the Graduate Teacher who are even untrained and doing the same work as that of the applicant have been granted the pay scale of Rs.5500-9000/- by the respondents w.e.f 01.01.1996.
- 5.3 For that, the persons belonging to the same batch of the applicant and having the same qualification as that of the applicant who were given the scale of Rs.1200-2040/- at the time of initial appointment were subsequently granted the revised scale of Rs.5500-9000/- w.e.f 01.01.1996.
- 5.4 For that, according to the Assam Rifles Teaching staff recruitment rules, 1980 Hindi Teacher (Graduate) is equivalent to the Trained graduate Sr. Teacher in Assam Rifles and as such the applicant being a Hindi Teacher (Graduate) is entitled to the initial scale of Rs.1400-

Jay Kumar Pandey

2600/- which is the scale adopted for the Trained Sr. Teachers.

- 5.5 For that, the applicant is entitled to the scale of Rs.5500-9000/-w.e.f 01.01.1996 in terms of the letter dated 03.08.2001 of the MHA, Govt. of India(Annexure-II Series).
- 5.6 For that, the recent advertisement published by the respondents in Employment News dated 15-21 June, 2002(Annexure-IV) clearly specifies that the scale of Graduate Hindi Teacher is Rs.5500-9000/-.
- 5.7 For that, the applicant has now become eligible for even the next higher scale of Rs.6500-10500/-w.e.f. 17.08.2001 i.e. in completion of his 12 years service as laid down in the Assured Career Progression Scheme (ACPS) framed by the Govt. of India.
- 5.8 For that the non-consideration for granting the entitled scale to the applicant from the initial date of his appointment and granting him a lower scale from then onwards and even thereafter is arbitrary, unjust, illegal, malafide and bad in law.
- 5.9 For that while the appropriate scale of Rs.5500-9000/- has been granted to other similarly situated teachers, non-granting of the same to the applicant and placing him in a lower scale of Rs, 4500-7000/- is discriminatory, violative of the principles of natural

Jay Kumar Pandey

justice and contrary to the provisions of Article 14 and 16 of the Constitution of India.

5.10 For that the applicant failed to get justice in spite of his several approaches to the respondents and even after submission of series of representations for grant of the scale of Rs.5500-9000/- and as such has been incurring great financial loss and other service prospects, in each and every month.

6. Details of remedies exhausted.

That the applicant states that he has exhausted all the remedies available to him and there is no other alternative and efficacious remedy than to file this application.

7. Matters not previously filed or pending with any other Court.

The applicant further declares that he had not previously filed any application, Writ Petition or Suit before any Court or any other authority or any other Bench of the Tribunal regarding the subject matter of this application nor any such application, Writ Petition or Suit is pending before any of them.

8. Relief(s) sought for:

Under the facts and circumstances stated above, the applicant humbly prays that Your Lordships be pleased to admit this application, call for the records of the case and issue notice to the respondents to show cause

Jay Kumar Pandey

as to why the relief(s) sought for in this application shall not be granted and on perusal of the records and after hearing the parties on the cause or causes that may be shown, be pleased to grant the following relief(s):

- 8.1 That it may be declared that the applicant is entitled to get the pay scales of Rs.1400-2600/-from the date of his initial appointment i.e.17.08.1989 and further revised scale of Rs.5500-9000/-w.e.f 01.01.1996.
- 8.2 That the respondents be directed to grant the applicant the pay scales as sought under para 8.1 above refixing his pay accordingly from the initial stage with all consequential service benefits including arrears etc. and thereafter consider his case for grant of next higher scale of Rs.6500-10,500/-w.e.f 17.08.2001 i.e. the day on which the applicant completed his 12 years service in accordance with the provisions of the Assured Career Progression Scheme(ACPS) laid down by the Govt. of India.
- 8.3 Costs of the application.
- 8.4 Any other relief(s) to which the applicant is entitled as the Hon'ble Tribunal may deem fit and proper.
9. Interim order prayed for.

Ajay Kumar Pandey

During pendency of this application, the applicant prays for the following relief:-

- 9.1 That the Hon'ble Tribunal be pleased to direct the respondents that pendency of this application shall not be a bar for the respondents for considering the representations of the applicant.

10.
This application is filed through Advocates.

11. Particulars of the I.P.O.

- i) I. P. O. No. : J)G 378361.
ii) Date of Issue : 16-02-2004
iii) Issued from :
iv) Payable at . :

12. List of enclosures.

As given in the index.

Ajay Kumar Bandyopadhyay

VERIFICATION

I, Sri Ajay Kumar Pandey, S/o Sri Sitaram Pandey, aged about 39 years, working as Hindi Teacher in 3rd Assam Rifles, C/O-99 APO, do hereby verify that the statements made in Paragraph 1 to 4 and 6 to 12 are true to my knowledge and those made in Paragraph 5 are true to my legal advice and I have not suppressed any material fact.

And I sign this verification on this the 16th day of February, 2004.

Ajay Kumar Pandey

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PUBLISHED IN THE GAZETTE OF INDIA PART II SECTION 3 AND
SUB-SECTION 1.

ANNEXURE-I

GOVERNMENT OF INDIA, SHARAT SARKAR
MINISTRY OF HOME AFFAIRS/GRIN MANTRALAYA
NEW DELHI

No. 2 12016/1/77-Para II

Dated Feb 1981

NOTIFICATION

In exercise of the power conferred by the provision in article 309 of the constitution the president hereby makes the following rules regulating the method of recruitment to the post of teaching staff Group "C" in the Assam Rifles under the ministry of Home Affairs namely:

1. Short title and commencement: These rules may be called the Assam Rifles Teaching Staff Recruitment Rules 1980. They shall come into force on the date of their publication in the gazette of India.
2. Number of posts classification and scale of pay: The number of posts classification and scale of pay/attached here to shall be as specified in column 4 of the scheduled annexed here to.
3. Method of Recruitment and limit, qualification etc: The method of Recruitment age limit qualifications and in other matters relating to the said posts shall be as specified in column 5 to 13 of the schedule aforesaid.
4. Qualifications: No persons.
 - a) who has entered in to or contracted a marriage with a person having a spouse living or who having a spouse living, has entered into or contracted marriage with any person shall be eligible for appointment to any of the said posts.
 - b) Provided that if such the central Government may be satisfied that such marriage is permissible under the law applicable to such person and other party to the marriage and that there are other grounds for so doing except any person for the operation of this rules.
5. Power to relax: Where the central Government is of the opinion it is necessary or expedient so to do it any by order for reasons to be recorded in writing, relax any of the provision of these rules with respect to any class category or category.
6. Savings: Nothing in these rules shall affect any relaxation of age limit and other concessions required to be provided for candidates belonging to scheduled castes and scheduled tribe and other special categories of persons in accordance with the orders issued by the central Government from time to time in this regard.

Sd/ x x x x x
(H L Singh)
Deputy Secy to the Govt of India

The manager
Govt of India
Press Maza puri, Ring Road New Delhi.

No. 1 12016/1/77-Para II. dt 17 Feb 1981.

Copy sent to:

1. Department of personnel and AR New Delhi
2. Ministry of Law Legislative Department New Delhi.
3. The Directorate General Assam Rifles, Shillong.
4. The sub ordinate legislative committee Lok Sabha New Delhi.
5. The sub ordinate legislative committee Rajya Sabha Secretariat New Delhi.

*Advised
Suryit Choudhary
Advocate
on 16.2.2009*

Sl. No.	Number of post	Classification	Scale of pay	Whether Selection post or non selection post	Age limit for direct recruitant	Educational and other qualification required for direct recruits	Whether age and educational qualification prescribed for direct recruits will apply in the case of promotion
1	2	3	4	5	6	7	
Senior Teacher	21	General Central i. For Graduates Not applicable Service group "C" S.330-10-380-10 (Non Gazetted S-12-500-12- Non Gazetted) 15-500			25 years (Relaxable up to 35 yrs in the Govt servants)	i. Degree from a recognised university ii. Degree in teacher training iii. At least 5 years experience. iv. Proficiency in teaching through Hindi and English medium.	Not applicable.
Junior teacher	41	ii. For under Graduates. S.260-8-330-10 S-12-500-12-15-560 iii. For metric Untrained- S.260-6-290-10-8-326-8-360-10-8-300-10-400. iv. For under metric untrained. S.260-6-326-10-8-350.					
Hindi/Recruitant xxxxxx	28	-do- S.260-8-326-10-8-350		NA	25 yrs relaxable up to 35 yrs in the case of Govt servant.	i. From university or equivalent or matriculate with normal Basic Language Training. ii. Should be capable of imparting teaching in Hindi/English medium. iii. Pre-university (two yrs course) or equivalent with Hindi as one of the subject or with Diploma/Degree with Hindi from recognised Govt Institute. Proficiency in imparting education in English.	
Hindi/Recruit Teacher	74	-do- 1. Non Graduate. S.330-10-390-12-500-12-25-560 ii. For under Graduate. S.290-8-330-10-320-12-500-15-560.		NA	-do-		

Period of probation if any	Method of recruitment whether by direct recruitment or by promotion or by deputation or transfer and percentage of the vacancies to be filled by various methods.	In case of recruitment by promotion/deputation transfer grades from which promotion transfer to be made	If a departmental promotion committee exists what is its composition	Union public service commission is to be consulted in making recruitment
2 yrs	50% by direct recruitment 50% by promotion filling which direct recruitment	Promotion Jr teacher with 5 yrs service in the grade.	Chairman: DIBAR (HR) Members: 1. Assistant IG (40) DIBAR 2. One officer belonging to Gp A Cat 9 or other Department other than Assam Rifles. Secretary Staff Officer (4) DIBAR	Not applicable

1. The crucial date for determining the age limit mentioned in column 5 of the recruitment rules will in each case be the closing date for receipt of applications from the candidates in India (Other than Andaman and Nicobar Islands and Lakshadweep).

In respect of posts the appointments to which are made through employment exchange the crucial date for determining the age limit will in each case be the date up to which employment exchange are asked to submit the name.

Dec 2001

ANNEXURE-II (Series)

Tele No : 705076

Mahanideshalaya Assam Rifles
Directorate General
Assam Rifles
Shillong - 11

A/VIII-PS/T/86/Vol-III/654 07 Dec 2001

List 'A'

List 'B'

List 'C'

List 'D'

REVISION OF PAY SCALE TEACHING STAFF

1. Further to this Dte A 3191 dated 26 Sep 2001 and Letter No. A/VIII-PS/T/86/Vol-III/2001/638 dated 06 Nov 2001.

2. Copy of MHA's letter No. II.27013/35/99-PF.IV dated 08 Jun 2001 and II.27013/35/99-PF.IV dated 03 Aug 2001 on above subject are fwd herewith for implementation accordingly.

(Satendra Kumar)
Col

DD (A)

for DG Assam Rifles

Encls : As above.

Advised
Suryjit Choudhary
Advocate
on 16.2.2004

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Contd - ANNEXURE-II (Series)

/COPY/

NO.II.27013/35/99-PF.IV
GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF HOME AFFAIRS/GRHE MANTRALAYA

New Delhi, the 8th June, 2001

To

The Director General
Assam Rifles
Shillong-793011

Sub : REVISION OF PAY SCALE OF TEACHING STAFF IN ASSAM
RIFLES - REGARDING

Sir,

I am directed to refer to your letter No. A/VII-
RS/T/86/Vol.III/569 dated 10.11.2000 on the subject cited
above and to convey the sanction of the President to the
upgradation of pay scale of teachers in Assam Rifles
w.e.f 1.1.96 as under :-

Post	Existing Scale	Revised Scale
i) Junior Teacher	Rs.4000-6000/-	Rs. 4500-7000/-
ii) Senior Teacher	Rs.5000-8000/-	Rs. 5500-9000/-

2. The expenditure on this account will be met from
the sanctioned budget grant of Assam Rifles under head
"Salaries".

3. This issues with the approval of Ministry of Finance,
Deptt of Expenditure vide their Dy. No. 70/5/2001-IC
dated 31.5.2001 and Integrated Finance Division of this
Ministry vide their Dy. No. 811/Fin.II/2001 dated 08.6.
2001.

Yours faithfully,

Sd/- xx xx xx
(Nirmala Dev)
Desk Officer

Copy to :-

- (i) Pay & Accounts Officer, Assam Rifles, Shillong
- (ii) Pay & Accounts Officer, MHA.
- (iii) JS(P), MHA (for information).
- (iv) Director(PF), MHA (for information).
- (v) Director (Pers), MHA.
- (vi) Fin.II (MHA).
- (vii) LOAR, MHA.
- (viii) Guard File (PF.IV).

Contd. ANNEXURE-II (Series)

/COPY/

NO. II.27013/35/99-PF.IV
GOVERNMENT OF INDIA/ASSAM RIFLES
MINISTRY OF HOME AFFAIRS/GRH MANTRALAYA

New Delhi, the 3rd August 2001

To

The Director General
Assam Rifles
Shillong-793011

Sub: REVISION OF PAY SCALE OF TEACHING STAFF IN ASSAM RIFLES
REGARDING

Sir,

I am directed to refer to your letter No. A/VII-PS/T/86/Vol.IV/558 dated 15.6.2000 and in continuation of this Ministry's letter of even No. dated 11.6.2001 on the subject cited above and to convey the sanction of the President to the upgradation of pay scale of Hindi Teachers in Assam Rifles w.e.f 1.1.96 as under :-

Post	Existing Scale	Revised Scale
1) Hindi Teacher (Graduates)	Rs. 5000-8000/-	Rs. 5500-9000/-
ii) Hindi Teacher (Under Graduate)	Rs. 4000-6000/-	Rs. 4500-7000/-

2. The expenditure on this account will be met from the sanctioned budget grant of Assam Rifles under head "Salaries".

3. This issues with the approval of Ministry of Finance, Deptt. of Expenditure vide their Dy No. 70/5/2001-IC dated 2.8.2001 and Integrated Finance Division of this Ministry vide their Dy No. 3317/FA(H)/2001 dated 27.7.2001.

Yours faithfully,

Sd/- xx xx xx
(Nirmala Dev)
Desk Officer

Copy to :-

- (i) Pay&Accounts Officer, Assam Rifles, Shillong.
- (ii) Pay & Accounts Officer, MHA.
- (iii) JS(P), MHA (for information).
- (iv) Director(PF), MHA (for information).
- (v) Director (Pers), MHA.
- (vi) Fin.II (MHA).
- (vii) LOAR, MHA
- (viii) Guard File (PF.IV)

Sd/- xx xx xx

(Nirmala Dev)
Desk Officer

10th Feb 2001

GAR

ANNEXURE-III (series)

To

The Directorate General
Assam Rifles, A Branch
Shillong, Meghalaya

(Through proper channel)

SUB : FOR APPROVAL OF HIGHER PAY SCALE OF Rs. 5500-9000.

Respected Sir,

Most respectfully I beg to submit the following facts for your kind consideration :-

1. That sir, I was appointed as a Hindi Teacher and joined my duty on 17th August 1989 at the pay scale of Rs. 1200-30-1560-40-2040/-
2. The said pay scale was revised pay scale of a Junior teacher for the pre-revised pay scale of Rs 260-400, though the pay scale of Hindi Teacher was not equivalent to the pay scale of a Junior Teacher, rather the pay scale of Hindi Teacher was equivalent to the pay scale of senior Teacher in accordance with the Assam Rifles Teaching Staff Recruitment Rules, 1980.
3. According to the Assam Rifles Teaching Staff Recruitment Rules 1980 published in the Gazette of India Part-II section 3 and sub section-I, the pre-revised pay scale of a Hindi Teacher was Rs. 330-560, which was equivalent to the pay scale of a Senior Teacher and thus, in the year 1989 when I joined my duty as a Hindi Teacher, I should have been paid the revised pay scale of Rs 1400-2600, which was then payable to a senior teacher.
4. After the implimentation of 5th Central Pay Commission Report, I am getting my pay at the scale of Rs. 4000-6000, which is the revised general corresponding pay scale of the pre-revised pay scale of Rs 1200-2040. Revised scale for pre-revised scale of 1200-2040 is 4500-7000
5. In view of the facts stated above, I should have been paid the pay scale of Rs. 1400-2600 when I joined my duty in the year 1989 and now after the implimentation of 5th central pay commission report I am entitled to get my pay at the scale of Rs. 5500-9000.
6. That it is important to mention here that a letter bearing No A/VII-PS/T/86 dated 11 May 87 was issued from your honour's office for implimentation of 4th central pay commission report which speaks that the category of Hindi teachers does not have any equivalence in the category of teachers recommended for higher pay scale was fixed in accordance with the said letter similar to the pay scale of a junior teacher but I beg to impress your honor's attention that the decision taken in that letter in respect of Hindi Teachers was the contrary to Assam Rifles Teaching Staff Recruitment Rules, 1980 and this rule will prevail upon the said letter dated 11 May 1987.

A. Dasgupta
Surjit Choudhary
Advocate
on 26/2/01.

7. That it is further submitted that according to the said letter dated 11 May 1987, the category of senior teacher of Assam Rifles was presumed to be equivalent to the trained graduate teacher and after the implimentation of 4th pay commission report, the revised pay scale of trained graduate was fixed Rs 1400-2600 in that letter which has been now revised at the rate of 5000-8000 after the implimentation of 5th central pay commission report which is general corresponding scale of pre-serviced scale 1400-2600. Revised scale of trained graduate teacher is 5500-9000 and accordingly I am also entitled to get the said pay scale of Rs. 5500-175-9000.

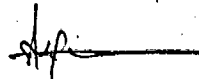
8. That sir, in addition to the aforesaid facts, it is also submitted that charter of duties as prescribed in Appendix 'C' for senior teacher and Hindi teacher (not performing the duties of H.M) are same and also inview of this fact the category of Hindi teacher can not be by furcated from the category of senior teacher.

9. That, on the basis of the facts stated above I am entitled to get the present revised pay scale published separately in part 'B' in 5th pay commission report Rs. 5500-175-9000 and this is the demand of justice.

10. You are therefore requested to consider my case sympathetically and be further pleased to grant or fix my pay scale at the rate of Rs. 5500 -9000. And for this, I shall be grateful to you sir.

Thanking you in anticipation

Yours faithfully



Dated : 14 th Feb 2001

(A K Pandey)
Hindi Teacher
6 Assam Rifles
C/O 99 APO

To,

The Commandant
6 Assam Rifles
C/O 99 APO

Sub : PRAYER FOR APPROVAL OF THE SCALE OF Rs. 5500-9000 AS PER MHA ORDER DATED 08 JUN 2001

(Through proper channel)

Sir,

1. Most humbly and respectfully I beg to state the following few lines for your kind consideration and favourable action please.

2. That Sir, I am working as a Hindi Teacher in Assam Rifles since 17th Aug 1989. After the implimentation of 5 CPC Report, my pay scale has been revised at the scale of Rs. 4000-6000 and fixed on 01-01-96 at Rs. 4300/-.

3. Sir, according to Assam Rifles Teaching Staff Recruitment Rules 1980, Hindi Teacher (graduate) is equivalent to the 2 Trained graduate Senior Teacher of Assam Rifles. Trained Graduate Senior Teacher got the revised scale of Rs. 5000-8000 from 01-01-96. Now, president of India has pleased to upgrade the pay scale of Teachers in Assam Rifles vide MHA letter No. II.27013/3/35/99-PF IV dt 08 Jun 2001 and II.27013/3/35/99-PF IV dt 03 Aug 2001. As per said letter pay scale of Hindi Teacher (graduate) is Rs. 5500-9000. Thus I am entitled for this scale.

4. Sir, more than a year has passed away but the honour office did not impliment the said letter, when I was posted out to 15 AR, then my IPS was prepared on the basis of existing pay in the scale of Rs. 4500-7000 ignoring my educational qualification. Sir, up to 01-01-96 I have completed more than six years of my service, so I must get at least two increment an initial scale. Thus, this IPS is wrong in this aspect also. Where as many unit like 15 AR, 5 AR, 19 AR, 31 AR etc has rectified the pay scale of Hindi Teachers (graduate) from 4000-6000 to 5500-9000 in accordance with said letter dt 08 Jun 2001.

5. Sir, latest advertisement sent to unit vide DGAR letter No. A/V-1/91/Rect/Vol-IV/067 dt 6th May 2002 also shows the pay scale of Hindi Teacher (graduate) Rs. 5500-9000. Then what is wrong with me? Why not I am entitled of that scale? On the basis of facts stated above, I am also entitled to get present revised pay scale of Rs. 5500-9000.

6. I, therefore, request your honour to consider my case sympathetically and grant me the present revised pay scale of Rs. 5500-9000.

For this act of your kindness I shall remain ever grateful to you Sir.

Thanding you Sir,

Yours faithfully,

(H1-0090 Hindi Teacher)
A K Pandey, 3 AR, C/O 99 APO

Dated : 10th Sep 2002

Copy to :-

1. DGAR (A Branch), Shillong -II- Advance copy.
2. 6 Assam Rifles, C/O 99 APO
3. 15 Assam Rifles, C/O 99 APO
4. 3 (NH) Bn Assam Rifles, C/O 99 APO

Recd
10/9/02
Head Clerk
3rd AR
C/O 99 APO

To,

Directorate General of Assam Rifles

'A' Branch

Shillong-11: Meghalaya.

Subject:- Prayer for abrogation of anomaly in my pay scale.

(Through proper channel)

Respected Sir,

1. With profound respect and humble submission, I supplicate to pen the following grievances for your perusal, kind consideration and Judicious action please.

2. That Sir, I was appointed in the post of Hindi teacher and joined duty on 17th August 1989 in the pay scale of Rs 1200-2040. At the time of my appointment, I was graduate. From the very beginning, I have been suffering from infliction of injustice on account of my pay scale. I humbly request your honour to pay kindly attention on the following facts delineated from various angles as to how the injustice has been thrust upon me.

3. Sir, there are three (3) categories of teachers in Assam Rifles viz (i) Hindi teacher (ii) Senior teacher and (iii) Junior teacher. Based on the approval of central government for central pay commissions recommendation, the under mentioned category-wise and period-wise pay-scale were in force.

S.No	Pay commission	Period	Category	Pay-scale
1.	1st	01.01.1956 to 31.12.1965	i. Hindi Teacher ii. Senior Teacher iii. Junior Teacher	Rs 75-140 Rs 60-125 Rs 40-110
2.	2nd	01.01.1966 to 31.12.1975	i. Hindi Teacher ii. Senior Teacher iii. Junior Teacher	Rs 140-225 Rs 125-200 Rs 110-165
3.	3rd	01.01.1976 to 31.12.1985	i. Hindi Teacher (graduate) Hindi Teacher (under graduate) ii. Senior Teacher (graduate) Senior Teacher (under graduate) iii Junior Teacher	Rs 330-560 Rs 290-560 Rs 330-560 Rs 290-560 Rs 260-400

4. It explicitly shows that during the prevalence of 1st and 2nd central pay commission's period, the pay scale of Hindi teacher was higher than the pay-scale of senior teacher, consequently, few Senior teacher (so far in my knowledge) e.g-S/T S.S.Rawat, S/T R.C.Singh, S/T L.R.Thakur were promoted to the rank of Hindi teacher. This fact can be corroborated from the gradation list of Hindi teachers.

5. Sir, I would like to mention the category-wise strength of teachers and their purpose of appointment in each battalion for further comparison.

S.No	Category	Strength	Purpose of appointment
------	----------	----------	------------------------

- | | | |
|----|------------------------|--|
| 1. | Hindi Teacher 3(three) | Basically to impart education to troops.
(Based on advancement in the field of education, during the time of recruitment they happened to be = 1st phase- class-Vpass, 2nd phase - class- VIII pass, at present, class-X pass) |
| 2. | Senior Teacher 1(one) | To impart education to children. |
| 3. | Junior Teacher 2(two) | To impart education to children. |

The total strength of Senior teacher and Junior teachers i.e. 3(three) in each battalion suggests that they are for imparting education up to lower-primary level.

6. It is further stated that the pay-scale of Hindi teachers and Senior teachers of Assam Rifles, incorporated in the gazette of India of 1980 (in its part-II, Section-3 and Sub-section II) meant as manual and recruitment rules for appointment and pay-scales for teachers of Assam Rifles are analogous/ at par.

7. This pay-scale of Rs 1400 -2600 for Hindi teachers/ Senior teachers (operative during 4th Central pay commission's period) was derived from the 3rd central pay commission's pay-scale of Rs 330-560 (for graduate Hindi teachers).

8. Thus, in the year 1989, when I joined my duty as Hindi teacher, I should have been paid the pay-scale of Rs 1400-2600 which was derived from the pre-revised pay scale of Rs 330-560 meant / applicable for graduate Hindi teachers.

9. It is imperative to mention here that a letter bearing No-A/VII-PS/T/86 dated 11th May 1987, circulated from your directorate to all units for implementation of the pay-scales approved by Central Government on the recommendation of 4th C.P.C; vividly manifests that the category of Hindi teacher does not have any equivalence with other categories of teachers.

10. I humbly request your honour to pay kindly attention on the matter that the pay-scale given to me (i.e. 1200-2040) at par with the pay scale of Junior teacher (extracted from 3rd C.P.C's pay scale of Rs 260-400) is absolutely contradictory to the theme/ version of the content of ibid letter.

11. Now, after the implementation of 5th C.P.C's report, the pay scale approved by the ministry of home affairs vide their letter No II.27013/35/99-PF IV of dated 03 Aug.2001 and the same dittoed and riveted by your signal No 3191 of dated 26th Sep.2001 for graduate Hindi teachers of Assam Rifles, is Rs 5500-9000.

12. In conformity with the above orders, other units revised the pay- scale of graduate Hindi teachers serving with them at Rs 5500-9000, Few of them (so far in my knowledge) are Mr G.S. Singh (5 A.R.), Mr A.B. Singh (17 A.R.), Mr P.L. Limbu (19 A.R.), Mr A. Ram (19 A.R.), Mr R.C. Malakar (31 A.R.), Mr R.P. Sunar (5 A.R). It is further clarified that the educational qualification and pre-revised pay-scale of these Hindi teachers are analogous/ congruent to that of mine.

13. I came to know from reliable sources that even new appointees in the post of Hindi teachers (who are graduate) are given the pay scale of Rs 5500-9000. Nevertheless, still, I have been given the pay scale of Rs 4500-7000.

14. I was transferred from 6 A.R to 15 A.R. on March 2002, Due to interchange of the location of 15 A.R and 3 A.R, at present, I am serving with 3 A.R.

15. It is irony on my part that inspite of several requests submitted in black and white to 6 A.R and 3 A.R. for re-fixation of my pay in the scale of Rs 5500-9000, my case has been rolling.

16. Viewing from above perspective, you are beseechingly prayed to do needful for abrogation of anomaly and inconsistency prevailing in my pay-scale from the beginning.

I shall be highly gratified for your kind and judicious action.

Thanking you Sir in anticipation.

Dated :- 18th July 2003.

Yours faithfully,

(HT/ 0090)

Hindi Teacher

A.K. Pandey

3 A.R.

C/O 99APO.

Copy to :-

- (1) D.G Advance copy (for early action please)
- (2) D.G. A.R.- A' Branch
- (3) Nagaland Range
- (4) 3 A.R.

Recd
18/7/03

21st Feb 2001

- 22 -
- 29 -

6 Assam Rifles ✓
C/O 99 APO


6043/A-2000/0196

21 Feb 2001

Assam Rifles Middle School
6 Assam Rifles

APPLICATION : RETURNING OF

1. Ref your letter No 6270/School/2001/001 dated Feb 2001.
2. Application regarding approval of higher pay scale submitted by Shri AK Pandey, Hindi Teacher is returned herewith unactioned as detailed case of Pay Scale of teaching staff has already been taken up with Ministry vide DGAR letter No A/VII-PS/1/86/Vol-II/569 dated 10 Nov 2000 and same will be under exam/consideration. Case can only be reviewed once reply/decision recd from MHA.
3. You are requested to info indl accordingly.


(Naresh Chand)
Capt
Adjt.
for Comdt

Encl : Six

- 35 -

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3(NH) Bn Assam Rifles
c/o 99 APO

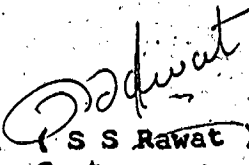
II.27013/A-21/2002/286

17 Sep 2002

Shri A K Pandey
Hindi Teacher (ME School)
3(NH) Bn Assam Rifles
c/o 99 APO

APPLICATION FOR FIXATION OF PAY IN SCALE
OF PAY RS. 5500-9000

1. Ref your application on the subject dt 10 Sep 2002.
2. As per existing policy initial pay scale of Rs. 5500-9000/- is applicable to graduate Hindi Teachers. You have not mentioned your educational qualification in your application hence your application is returned herewith.
3. It is further info you that your TOS to 15 AR and SOS to 3 AR was not published/entries made in your service book. Therefore your service book sent to 15 AR for its completion and early return. Your edn qualification will be scrutinized from service book on receipt from 15 AR and appropriate action will be taken.


(S S Rawat)
Capt
Adjt
for Comdt.

Encl : As above.

LSK/*

Directorate General Assam Rifles**Shillong-11****Recruitment of Senior Teacher, Junior Teacher, Hindi Teacher in Assam Rifles.**

1. Applications are invited for filling up the post of Senior Teacher, Junior Teacher and Hindi Teacher in this Department on the following terms and conditions :-

(a) Senior Teacher

(i) Number of Vacancies - 3 (Three) one for SC, one for ST and one for General

(ii) Qualifications - (i) Degree from recognised university, (ii) Degree in Teachers Training, (iii) At least 5 years teaching experience. (iv) Proficiency in teaching through Hindi and English medium.

(iii) Age - 35 years (relaxable upto 5 years in case of Govt. Servants and teachers of recognized schools and women candidates).

(iv) Pay - Rs. 5500-175-9000/- pm plus other allowances as admissible from time to time.

(b) Junior Teacher

(i) Number of vacancies - 6 (six) One for SC, one for ST, two for OBC and two for General

(ii) Qualifications - (i) Intermediate or 10+2 or equivalent examination from a recognized board of education or University.

(ii) Junior Basic Training/Teachers Training Course or equivalent from a recognised Institute or University.

(iii) Proficiency to teach both in Hindi and English medium.

(iv) Age - 30 years (relaxable upto 5 years in case of Govt. Servants and teachers of recognised school and woman candidate).

(v) Pay - Rs. 4500-125-7000/- pm plus other allowances as admissible from time to time.

(c) Hindi Teacher

(i) Number of vacancies - 10 (Ten) - one for ST, two for SC, four for OBC and three for General

(ii) Qualifications - (i) Pre-University (2 years Course) or equivalent with Hindi as one of the subject or with Diploma/Degree with Hindi from recognized Govt. Institution.

(ii) Proficiency in imparting education upto Matric in English.

(iii) Age - 25 years (relaxable upto 35 years in case of Govt. servants).

(iv) Pay - Rs. 4500-125-7000/- pm for undergraduate Hindi Teacher and Rs. 5500-175-9000/- for Graduate Hindi Teacher plus other allowances as admissible from time to time.

2. Terms and Conditions :-

(a) Place of duty - Selected candidates for the appointment will be required to serve any where in India wherever Assam Rifles Units are deployed.

(b) TA/DA - No TA/DA will be paid to the candidates appearing for selection test/ interview. Candidates will have to make their own arrangements for boarding and lodging at the place of test/interview.

(c) Last date of application reach this Directorate - 15 July 2002. Applications received after above date will not be considered.

(d) Age relaxation - Age relaxation will be admissible for SC, ST and OBC candidates as per existing Govt. orders on the subject.

(e) Candidates in Govt. service - Candidates in Govt. Service should submit their application through proper channel.

Procedure for application : Candidates are required to apply on the application format given below alongwith attested photocopies of all educational and professional qualification certificates, Mark Sheets, Caste Certificate (where necessary) and Demand Draft of Rs. 20/- (Rupees twenty) drawn in favour of 'DGAR', Shillong-11 and payable at SBI, DGAR Branch, Shillong-11 as application fee and self addressed stamped envelope. (Application fees will not be refundable/adjustable/transferable). SC/ST candidates are not required to enclose the Bank Draft for application fee. Separate applications would be submitted for each post. Applications should be forwarded to the following address duly affixed attested pass port size photograph on the application where space is provided for the purpose.

Directorate General
Assam Rifles
'A' Branch
Shillong-793011, Meghalaya

*Admitted
on 16.2.04*

APPLICATION FOR THE POST OF TEACHER

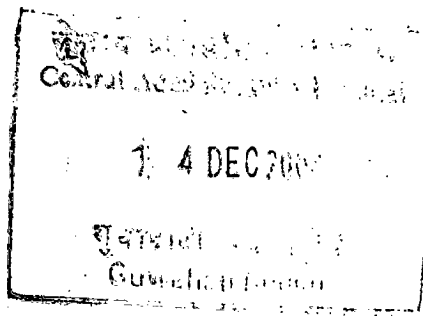
1. Post Applied for
2. Name in full (in block letters)
3. Sex
4. Date of birth in words and figure
5. Age as on 15 July 2002 (15.7.02)
6. Present postal address for communication
7. Permanent Home Address
8. Father's Name & Address
9. Place of birth including PS, District & State
10. Nationality
11. Mother Tongue
12. Community :-
 - (a) State your religion
 - (b) Are you a member of SC, ST or OBC (if yes, give particulars supported by attested copy of caste certificate as per revised Govt. of India's prescribed format).
13. Educational qualification (Attested photo copy of all certificate and marks sheet should be enclosed).
14. Other qualifications
15. Experience in teaching if any (Attested copy of certificate to be enclosed)
16. Are you in service (Specify Govt./Private)
17. Are you physically handicapped
18. A Demand Draft for Rs. _____ Draft No. _____ dated _____ in favour of DGAR, Shillong-11 payable at SBI, DGAR Branch, Shillong-11 is enclosed.
19. I hereby declare that :-
 - (a) I have carefully read the condition of eligibility advertised and i satisfy these conditions. All the statement made in this application are true to the best of my knowledge and belief.
 - (b) Original documents/certificates will be produced when called for.

Passport
size photograph

Signature of the applicant

Dated _____ 2002
day 31/19(15)2002

EN 11/64



BEFORE
THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : GUWAHATI

O.A. No - 31 /04

SHRI AK PANDEY

.....APPLICANT

VERSUS

UNION OF INDIA & ORS

..... RESPONDENTS

IN THE MATTER OF :

Written Statement submitted by the respondents.

The humble respondents beg to submit the parawise written statement as follows:-

1. That with regard to statements made in Para 1 of the application, the respondents beg that applicant was granted the correct pay scale as per Recruitment Rules.
2. That with regard to statements made in Para 2 and 3 of the application, the respondents beg to offer no comments being matter of record.
3. That with regard to statements made in Para 4.1 and 4.2 of the application, the respondents beg to offer no comments being matter of record.

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4. That with regard to statements made in Para 4.3 of the application, the respondents beg to submit that Hindi Teacher, Junior Teacher and Senior Teacher are entirely separate category of posts.

5. That with regard to statements made in Para 4.4 of the application, the respondents beg that according to the 4th pay commission recommendation, following categories of teachers pay scales were revised for the schools of central Government.

- (a) Primary Teachers - 1200-2040/-
- (b) Trained Graduate Teachers - 1400-2600/-
- (c) Post Graduate Teachers - (Not applicable)

On the similar lines Assam Rifles Teachers were also granted revised pay scales. Junior Teachers who full fills the qualification criteria were granted Primary Teachers scale and Senior Teachers who full fill the criteria were granted Trained Graduate Teacher's Scale. As Hindi Teachers pay scales were not equated with any of the pay scales of Primary Teacher and Trained Graduate Teacher, Hindi Teacher's trained were granted Senior Teacher's scale 1400-2600/- and Hindi Teacher untrained (without B Ed) were granted normal replacement scale of 1200-2040/- as the pay scales of Hindi Teachers 290-560/- and 330-560/- (per revised) were merged into 1200-2040/-. Therefore with effect from 1986 Hindi Teachers both Graduate (untrained) and under graduates were paid the pay scales of Rs.1200-2040/-.

6. That with regard to statements made in Para 4.5 and 4.6 of the application, the respondents beg to submit that only Hindi Teachers Trained (B Ed) were given the higher pay scale of Rs.1400-2600/- as per part B of First Schedule of 4th CPC report item 5 . Hence applicant who is a graduate is not entitled the pay scale of Rs.1400-2600/- at the time of appointment. And his entitled pay scale of Rs.1200-2040/-, was granted to him.

7. That with regard to statements made in Para 4.7 of the application, the respondents beg that the applicant having joined service as untrained teacher was eligible for the pay scale of Rs.1200-2040/- only which was correctly given to him. Only trained teachers possessing B Ed degree were given Rs.1400-2600/- pay scale. As per RR there is no provision for promotion of Hindi Teacher to Senior Teacher since both the posts are entirely separate categories of posts.

8. That with regard to statements made in Para 4.8 of the application, the respondents beg to submit that since the applicant was entitled Rs.1200-2040/- (Pre revised) pay scale at the time of 5th pay commission recommendation and thereafter he was entitled Rs.4000-6000/- (revised) pay scale as replacement scale and subsequently the same scale was further revised to Rs.4500-7000/- pay scale which was given to the applicant.

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9. That with regard to statements made in Para 4.9 and 4.10 of the application, the respondents beg to submit that after the 4th pay commission recommendation, applicant was entitled the pay scale of Rs.1200-2040/- (pre revised) which was revised to Rs.4000-6000/- and subsequently to Rs.4500-7000/-. Though the applicant is a graduate Hindi Teacher but not in the scale of Rs. 5000-8000 he can not be granted the revised scale of Rs.5500-9000/- . It is further respectfully submitted that in compliance of Govt of India orders all the Hindi Teachers who were drawing the scale of Rs.5000- 8000 were granted the revised pay scale of Rs. 5500-9000.

10. That with regard to statements made in Para 4.11 of the application, the respondents beg to submit that the only the personnel who were drawing the scale of Rs.5000-8000 were given the scale of Rs.5500-9000.

11. That with regard to statements made in Para 4.12 of the application, the respondents beg to submit that the respondents have duly considered the representations received and all the eligible personnel has been granted the pay scale of Rs.5500-9000.

12. That with regard to statements made in Para 4.13 of the application, the respondents beg that as of now there are only two categories of Hindi Teacher, graduate and undergraduate and new entrants are being appointed as such. It is further submitted that the

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petitioner was not granted the graduate scale of Rs. 5500-9000 as he was not drawing the prescribed replaced scale of Rs.5000-8000.

13. That with regard to statements made in Para 4.14 of the application, the respondents beg to submit that the scale of Rs.1400-2600/- is not applicable to him with effect from 17-08-89 and the contention of the applicant is denied being in correct.

14. That with regard to statements made in Para 4.16 and 4. 17 of the application, the respondents beg to offer no comments being matter of record.

15. That with regard to statements made in Para 5.1 of the application, the respondents beg that the scale of Rs.1400-2600/- is not applicable to the applicant with effect from 17-08-89, It is further submitted that the petitioner being not a trained teacher, was entitled for the scale of Rs.1200-2040 and Rs.4500-7000 and not as contended by him.

16. That with regard to statements made in Para 5.2 of the application, the respondents beg to submit that the only those personnel who were drawing the replaced scale of Rs.5000-8000 were granted the revised scale of Rs.5500-9000 in accordance with the Govt of India orders.

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17. That with regard to statements made in Para 5.3 of the application, the respondents beg to submit that only those Hindi teachers who were trained, and holding a B.Ed degree were given the pay scale of Rs.5000-8000 and subsequently the revised scale of Rs.5500-9000.

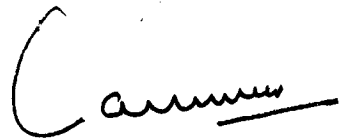
18. That with regard to statements made in Para 5.4 of the application, the respondents beg that only Hindi Teachers Trained (B. Ed) at the time of joining were given the higher pay scale of Rs.1400-2600/- as per part B of First Schedule of 4th CPC report item 5. Hence applicant who is a graduate is not entitled to the pay scale of Rs.1400-2600/- at the time of appointment. He was entitled to the pay scale of Rs. 1200-2040/-, which was granted to him.

19. That with regard to statements made in Para 5.5 to 5.9 of the application, the respondents beg that the accordingly to the 4th pay commission recommendation, applicant was entitled the pay scale of Rs.1200-2040/- (pre revised) which was revised to Rs.4000-6000/- and subsequently to Rs.4500-7000/-. Though the applicant is a graduate Hindi Teacher but not in the existing scale of Rs.1400-2600/- in the 4th pay commission he can not be granted the revised scale of Rs.5500-9000/- with out the approval of Ministry of Home Affairs. A fresh case is being taken up with Ministry of Home Affairs to grant the scale to similarly affected teachers. Only on confirmation from Ministry of Home Affairs the scale of 5500-9000/- can be given to the applicant. If Ministry of Home Affairs approves the pay scale of

Rs.5500-9000/- then applicant will be further given the ACP Scheme accordingly.

20. That with regard to statements made in Para 5.10 to 8.4 of the application, the respondents beg to offer no comments being matter of record.


That In view of the facts mentioned herein above it is humbly prayed that the present O.A is liable to be dismissed with cost.


DEPONENT

VERIFICATION

I Major Sameer Salooja, aged 37 years s/o Gp. Capt SC Salooja, working as Assistant Chief Law Officer in the Office of the Directorate General Assam Rifles being authorized by the Director General Assam Rifles the 2nd respondent herein to hereby verify and declare that the statements made in this written statement are true to my knowledge, information and believe and I have not suppressed any material fact.

And I, sign this verification on this 03 day of December 2004.


DEPONENT


मैजर

Chief Law Officer

सहायक मुख्य विधि अधिकारी

महानिरीक्षक, असम राक्षस ब्रिगाद, डिब्रुगढ़

- 9 MAR 2005

গুৱাহাটী বেঞ্চ
Guwahati Bench

59
Filed by me applicant
through: Subrata Nath
Advocate
07.03.05

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI

O.A. No. 31 /2004

Shri Ajay Kumar Pandey.

Applicant

-Vs-

Union of India & Ors.

Respondents,

-AND-

In the matter of:

Rejoinder submitted by the applicant against the
written statement submitted by the respondents.

The humble applicant abovenamed most respectfully begs to state as follows; -

1. That the applicant categorically denies the statements made in Para 1 and 4 of the written statement and begs to submit that the applicant was wrongly placed in the lower scale of Rs. 1200-2040/- at the time of initial appointment which ought to have been Rs. 1400-2600/- since the post of Hindi Teacher is an entirely separate category and is higher than the post of Junior Teacher and Sr. Teacher.
2. That the applicant categorically denies the statements made in para 5,6 and 7 of the written statement and begs to state that no where in the Recruitment Rules, B. Ed has been specified as requisite qualification for Hindi Teacher as pleaded by the respondents now in the written statement, and as such the qualification of B.Ed as insisted upon, is irrelevant in the instant case. Even in recent advertisements also

B.Ed is not wanted for Hindi Teachers whether Graduate or even undergraduate. The applicant joined as a Graduate Hindi Teacher and according to "Assam Rifles Teaching Staff recruitment Rules, 1980", Hindi Teacher (Graduate) is equivalent to the Trained Graduate Senior Teacher of Assam Rifles. This apart, in the notification published by the Govt. of India, Ministry of Home affairs under No. I-12015/L77-Pers II dated 17.02.1981 also, the scales of Senior Teacher and even Non-Graduate Hindi Teacher have been shown as Rs. 330-560/- (Pre-revised). But the applicant being a graduate Hindi Teacher is higher in status than the Sr. Teacher and non-graduate Hindi Teacher and is equivalent to trained graduate Sr. teacher only whose scale is Rs. 1400-2600 (revised). As such the applicant in all fitness of the things should have been placed in the scale of Rs. 1400-2600/- and not in the scale of Rs. 1200-2040/- at the time of initial appointment. This also gains support from the fact that in some cases, the Sr. teachers have been promoted to the post of Hindi Teacher in the respondent department and as such Hindi Teacher is higher in status than Sr. Teacher which is more conspicuous in the case of the present applicant who is not only a Hindi Teacher but is graduate as well.

3. That the applicant categorically denies the statements made in Para 8, 9, 10 and 11 of the written statement and begs to state that the applicant being a Graduate Hindi Teacher was entitled to the scale of Rs. 1400-2600/- at the time of initial appointment and the said scale was eventually revised to Rs. 5000-8000/- and further to Rs. 5500-9000/- w.e.f 01.01.1996. As such the applicant was entitled to get the scale of Rs. 5500-9000/- but he was wrongly placed in the lower scale of Rs. 1200-2040/- initially which resulted into his placement in the corresponding revised scale of Rs. 4000-6000/- and then to Rs. 4500-7000/-.

It is relevant to mention here that even according to the letter No. II.27013/35/99-PF.IV dated 03.08.2001 of Govt. of India (Annexure-II series to the O.A) the scale of Graduate Hindi Teacher has been specified as Rs. 5500-9000/-. The respondents in Para 9 of the their written statement have fairly admitted that the applicant is a Graduate Hindi Teacher but have not mentioned as to why he was denied the scale of Rs. 5000-8000/-/ 5500-9000/- which is the prescribed scale for the Graduate Hindi Teacher.

This apart in the recent advertisement (Annexure-IV to the O.A) too, the scale of Graduate Hindi teacher has been shown as Rs. 5500-9000/-. There cannot be two types of scales for the same post with same nature of duties and responsibilities under the same department, which is grossly discriminatory, and strikes at the very root of Article 14 and 16 of the Constitution of India. Paradoxically the applicant who is pretty senior in the post of Graduate Hindi Teacher is getting the lower scale of Rs. 4500-7000/- whereas those who joined against the recent advertisements in the post of Graduate Hindi Teacher are getting the higher scale of Rs. 5500-9000/- although they are pretty junior in the post of comparison to the applicant which is neither rational nor sustainable in law by any standard whatsoever. As such the applicant is legitimately entitled to the scale of Rs. 5500-9000/- since he is similarly situated, more so when he is pretty senior and appointed way back in 1989.

That the applicant categorically denies the statements made in Para 12 and 13 of the written statement and begs to reiterate that when the new entrants in the post of Graduate Hindi Teacher are getting the scale of Rs. 5500-9000/- the same

cannot be denied to the applicant who has been working in the same post since 1989.

5. That the applicant emphatically denies the statements made in Para 15, 16, 17 and 18 of the written statements and begs to submit that the Hindi Teacher is a completely separate and distinguished cadre who has been categorized into two distinct classes i.e. (1) Graduate Hindi Teacher and (2) Under Graduate Hindi Teacher in the respondent department. But the respondents in the instant case, deliberately ignoring these two distinct nomenclature of categorization and pay scales thereof and resorting to false and vague plea of B.Ed etc. which finds no mention any where in the Recruitment Rules. It is specifically stated that the graduate Hindi Teacher is entitled to the scale of Rs. 1400-2600/- (pre-revised) and eventually to the corresponding revised scale of Rs. 5500-9000/- for the reasons stated hereinabove and as such there is no justifiable reason for denying the same to the applicant only on the plea that his original placement was in the lower scale of Rs. 1200-2040/- which was wrong and illegal.

6. That with regard to the statements made in Para 19 of the written statement the applicant most respectfully begs to submit that in the 4th pay commissions recommendations, the designation of Hindi Teacher and the scales thereof has not been specified anywhere. It is the respondent department, which while adopting the recommendations of the 4th CPC, categorized the Hindi Teacher amongst others as (1) Hindi Teacher (untrained) and (2) Hindi Teacher (Trained). It has also been specified by the respondents in their "Assam Rifles Teaching Staff Recruitment Rules, 1980" that Graduate Hindi Teacher is equivalent to the trained Graduate Sr. teacher of Assam Rifles and the scale of Trained Sr. Teacher

adopted by the Assam Rifles following the recommendations of 4th CPC is Rs. 1400-2600/- (pre-revised). As such the applicant being a Graduate Hindi teacher is very much entitled to the scale of Rs. 1400-2600/- (pre-revised) and further to the corresponding revised scale of Rs. 5500-9000/-. Even the applicant has now become eligible for the next higher scale of 6500-105000/- w.e.f 17.08.2001 under the ACP scheme since he has completed the service for required tenure of 12 years on 17.08.2001 as specified under the ACP scheme for which the Government Scheme and orders already exist.

7. That it is stated that as per Assam Rifle Teaching Staff Recruitment Rule 1980, which was published on 17.02.1981 under G.S.R 246 by the Ministry of Home affairs, New Delhi. The recruitment qualification prescribed for Hindi Teachers of Assam Rifles are as follows: -

“Pre University (2 years course) or equivalent with Hindi as one of the subject or with Diploma degree with Hindi from recognized Government Institution proficiency in imparting Education upto matric in English”

The aforesaid rule is relied on by the respondents Assam Rifle in O.A. No 102/03 (Sri A. Mahendra Kumar-Vs- U.O.I and Others) which is now pending before the Hon'ble Tribunal, on a mere perusal of the above recruitment qualification of Hindi Teachers it would be evident that nowhere degree in Teacher training or B.Ed is prescribed for graduate Hindi teachers. Therefore contention of the respondents made in written statements that B.Ed is necessary for granting of higher scale of 1400-2600/- or 5500-9000/- is contrary to the recruitment rule. Moreover, the newly recruited Hindi Graduate Teachers are being paid the scale of Rs. 5500-9000/- without insisting the recruitment of B.Ed

qualification. Hence the action of the respondents in denying the scale of Rs. 1400-2600/- as well as Rs. 5500-9000/- is hit by Article 14 of the Constitution, which would result hostile discrimination among the similarly situated Graduate Teachers. as a result of arbitrary action of the respondents namely, recruited Hindi Graduate Teachers without having any B.Ed degree are getting higher scale of pay of Rs.5500-9000/-, whereas the applicant being a old graduate Hindi Teacher has been placed in the lower scale of Rs. 1200-2040/- which is revised to Rs. 4500-7000/- as such the said action of the respondents are highly arbitrary, unfair and illegal. It would further be evident from the advertisement issued by the Assam Rifles in the month of January/February 2004, wherein B.Ed was never insisted for recruitment of Hindi Teacher in the scale of pay of Rs. 5500-9000/-.

A Copy of the Recruitment Rule 1980 and the advertisement issued by the Assam Rifles is enclosed as Annexure-A and B respectively.

8. That it is stated that the applicant who is a Graduate Hindi Teacher is discharging the same duties and responsibilities like the newly recruited Graduate Hindi Teachers of Assam Rifles and having the same recruitment qualification. The respondents Union of India cannot deny the same pay scale of Rs.5500-9000/- (Pre-revised scale 1400-2600) to the applicant like the newly recruit Graduate Hindi Teachers otherwise it will hit Article 14 of the Constitution. Therefore applicant is entitled to scale of pay of Rs. 1400-2600/- as well as revised scale of pay of Rs. 5500-9000/- with all consequential benefits.
9. That in the facts and circumstances, the Original Application deserves to be allowed with cost.

VERIFICATION

I, Sri Ajay Kumar Pandey, S/o Sri Sitaram Pandey, aged about 40 years, working as Hindi Teacher in 3rd Assam Rifles, C/O-99 APO, do hereby verify that the statements made in Paragraph 1 to 9 of the rejoinder are true to my knowledge and I have not suppressed any material fact.

And I sign this verification on this the 6th day of March, 2005.

Ajay Kumar Pandey

**Ministry of Home Affairs
New Delhi, 17 February, 1981**

G.S.R 246 - 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 posts of Teaching Staff Group 'C' in the Assam Rifles under the Ministry of Home Affairs, Namely:-

1. Short title and commencement

(1) These rules may be called the Assam Rifles Teaching Staff Recruitment Rules, 1980.

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

2. Number of posts, classification and scale of pay: The number of posts, classification and scale of pay attached hereto, shall be as specified in columns 2 to 4 of the schedule annexed hereto.

3. Method of recruitment, age limit, qualifications etc: The method of recruitment, age limit qualifications and in other matters relating to the said posts shall be as specified in columns 5 to 13 of the schedule aforesaid.

4. Disqualifications

No persons

(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 person

shall be eligible for appointment to any of the said posts.

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 operation of this rule.

5. Power to relax

Where the Central Government is of opinion that it is necessary of expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

6. Savings

Nothing in these rules shall effect reservations, relaxations of age limit and other concessions required to be provided for candidates belonging to the scheduled castes and the scheduled tribes and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

*True Copy
J. S. Anwar*

SCHEDULE

Name of Post	Number of Post	Classification	Scale of Pay	Whether Selection post or Non-Selection post	Age limit for direct recruits	Educational and other qualification required for direct recruits	Whether age and educational prescribed for direct recruit will apply in the case of promotion.	Period of probation if any	Method of Recruitment whether by direct recruitment, or By promotion or by deputation or transfer and percentage of the vacancies to be filled by various methods.	In case recruitment by promotion/deputation/absorption, mode from which promotion/deputation/absorption to be made	If a departmental Promotion Committee exist what is its composition	Circumstances in which Union Public Service Commission is to be consulted in making recruitment
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
1.Senior Teacher	21	General Central Service Group 'C' (Non-Gazetted Non-Ministerial)	(i) For Graduates Rs. 330-10-380-EB-12-500-EB-15-560 (ii) For under Graduate Rs. 290-8-330-10-380-EB-12-500-EB-15-560 (iii) for Matric untrained Rs. 260-6-290-EB-6-326-8-360-EB-8-390-10-400 (iv) for Non- Matric untrained Rs.260-6-326-EB-8-350	Not Applicable	25 Years (relaxable upto 35 years in the case of Government servants)	(1) Degree from a recognised University (2) Degree in Teachers Training (3) At least 5 years teaching experience. (4) Proficiency in teaching through Hindi and English medium.	Not applicable for promotion	2 Years	50% by direct recruitment and 50% by promotion falling which direct recruitment	Promotion Junior Teacher with 5 years service in the grade.	Chairman : Deputy Inspector General of Assam Rifles (Head Quarters) Members. 1. Assistant Inspector General Rifles (A/Q) Directorate General Assam Rifles. 2. One officer belonging to Group A Category from other Department Other than Assam Rifles Member Secretary : Staff Officer-2 (A), Directorate General Assam Rifles	Not applicable
2.Hindi Teacher	74	General Central Service Group 'C' (Non-Gazetted Non-Ministerial)	(i) For Graduates Rs. 330-10-380-EB-12-500-EB-15-560 (ii) For under Graduate Rs. 290-8-330-10-380-EB-12-500-EB-15-560	Not Applicable	25 Years (relaxable upto 35 years in the case of Government servants)	Pre-University(2years Course) or equivalent with Hindi as one of the subject or with Diploma Degree with Hindi from recognised Government Institution Proficiency in imparting Education upto matric in English.		2 Years	by direct recruitment	Not applicable	Chairman : Deputy Inspector General of Assam Rifles (Head Quarters) grade. Members. 1. Assistant Inspector General Rifles (A/Q) Directorate General Assam Rifles. 2. One officer belonging to Group A Category from other Department Other than Assam Rifles Member Secretary : Staff Officer-2 (A), Directorate General Assam Rifles	Not applicable

Name of post	Number of posts	Classification	Scale of Pay	Whether Selection post or Non-Selection post		Age limit for direct recruits	Educational and other qualification required for direct recruits	Whether age and educational prescribed for direct recruit will apply in the case of promotion.	Period of probation if any	Method of Recruitment whether by direct recruitment, or By promotion or by deputation or transfer and percentage of the vacancies to be filled by various methods.	In case recruitment by promotion/deputation/absorption, mode from which promotion/deputation/absorption to be made	If a departmental Promotion Committee exist what is its composition	Circumstances in which Union Public Service Commission is to be consulted in making recruitment
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	

2. Junior Teacher 41

General Central Service Group 'C' (Non-Gazetted Non-Ministerial)
Rs. 260-6-326-EB -8-350
Not Applicable

25 Years (relaxable upto 35 years in the case of Government servants)

1. Pre-University(2years Course) or equivalent or Matriculate Normal Basic Teacher Training
2. Should be capable of imparting Teaching in Hindi English medium

2 Years by direct recruitment

Not applicable

Chairman : Not applicable
Deputy Inspector General of Assam Rifles (Head Quarters) grade.
Members.

1. Assistant Inspector General Rifles (A/Q) Directorate General Assam Rifles.

2. One officer belonging to Group A Category from other Department Other than Assam Rifles

Member Secretary : Staff Officer-2 (A), Directorate General Assam Rifles

RECRUITMENT OF CANDIDATES FOR THE POST OF SENIOR
 TEACHER, JUNIOR TEACHER & HINDI TEACHER IN ASSAM
 RIFLES

1. Application are invited for filling up the post of Senior Teacher, Junior Teacher and Hindi Teacher in this Department on the following terms and conditions. The number of vacancies are subject to increase/decrease.

(a) SENIOR TEACHER

- (i) Number of Vacancies - 13 (three) One for ST & Two for General. Vacancies may increase or decrease.
- (ii) Qualifications - (i) Degree from recognised University.
- (iii) Degree in Teaching Training.
- (iv) At least 5 years teaching experience.
- (v) Proficiency in teaching through Hindi & English Medium.
- (vi) Age - 35 years (relaxable upto 5 years in case of Govt servants and Teachers of recognised school and women candidates).
- (vii) Pay - Rs. 5500-175-9000/- plus other allowances as admissible from time to time.

(b) JUNIOR TEACHER

- (i) Number of Vacancies - 16 (Sixteen) Five for SC, one for ST and 10 for OBC. Vacancies may increase or decrease.
- (ii) Qualification - (i) Intermediate or 10+2 or equivalent examination from a recognised board of education or University.
- (iii) Junior basic training/Teachers Training course or equivalent from a recognised institute or University.
- (iv) Proficiency to teach both in Hindi and English Medium.

*True Copy
 Sub
 Advocate*

11- 500-111-2-2

(211) Age: 30 years (Relaxable up to 5 years in case of Govt. Servants and Teachers of recognised school and women candidates.)

(iv) Pay, including Rs.4500/-25-7000/-pm plus other
entitlements and allowances as admissible from time
to time up to the time of termination.

(C) HINDI TEACHER

5. (1) Number of Vacancies - 21 (Twenty One) Five for ST, Two for
not over 3 for SC and Fourteen for OBC. Vacancies
may increase or Decrease,

(11) Qualification - (i) Pre- University (2 Years course) or equivalent with Hindi as one of the Subject or with Diploma/Degree with Hindi from recognised Govt Institution.

(11) Proficiency in imparting education upto matric in English.

(iii) Age: Not less than 25 years (relaxable upto 35 years in case of Govt servants).

Rs.4500-125-7000/- pm for under Graduate Hindi Teacher and Rs.5500-175-9000/- pm for Graduate Hindi Teacher plus other allowances as admissible from time to time.

2.0.11 Terms and Conditions: - 119

(a) Place of duty - Selected candidates for the appointment will be required to serve any where in India wherever Assam Rifles units are deployed.

(b) TA/DA - No TA/DA will be paid to the candidates appearing for selection test/interview. Candidates will have to make their own arrangements for boarding and lodging at the place of test/interview.

(c) Last date of application reach this Directorate - 31 Mar 2004. Applications received after above date will not be considered.

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DIRECTORATE GENERAL ASSAM RIFLES SHILLONG

REGISTRATION OF CANDIDATES FOR POST OF
TEACHER JUNIOR 2-3-1981 SHILLONG
OFFICE

- (d) Age Relaxation - Age Relaxation will be admissible for SC, ST and OBC candidates as per existing Govt orders on the subject.
- (e) Candidates in Govt Service - Candidates in Govt Service should submit their application through proper channel.
- (f) OBC Candidates - OBC Candidates will submit their certificates as per prescribed proforma enclosed.

3. Procedure for application. Candidates are required to apply on the application format given in Appendix 'A' alongwith attested photo copies of all educational and professional qualification certificates, Mark sheets, Caste certificate (where necessary) and Demand Draft (Without A/C payee/crossed) of Rs. 20/- (Rupees Twenty) only drawn in favour of Establishment Officer, DGAR, Shillong -11 and payable at SBI, DGAR Branch, Shillong (along application fee and self addressed stamped envelop. (Application fees will not be refundable/adjustable/transferable). SC/ST candidates are not required to enclose the Bank Draft for application fee. Application fees paid in any other form will not be accepted. Separate applications would be submitted for each post. Application should be forwarded to the following address duly affixed attested pass port size photographs on the application where space is provided for the purpose:-

DIRECTORATE GENERAL
ASSAM RIFLES
('A' BRANCH)
SHILLONG - 793011
(MECHALAYA)

(1) Proficiency to teach
Hindi and English

True Copy
for
forward