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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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SECTION OFFICER (Judl.)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

C A R D B O R D S H E E T

1. Original Application No. 307/2006
2. Mise Petition No. _____
3. Contempt Petition No. _____
4. Review Application No. _____

Applicant(s) Sri Ch. Deka Singh vs Union of India & Ors

Advocate for the Applicant(s) MR P.K. Ray Chackraborty, MR J. Das,
MR N.G. Larma & A.K. Maiti
Miss U. Das.

Advocate for the Respondent(s) ADDL CAGC

Notes of the Registry	Date	Order of the Tribunal
	19.12.2006	Present: The Hon'ble Shri K.V. Sachidanandan Vice-Chairman.

This application is in form
is filed/C. F. for Rs. 0/-
deposited with IPU/BD
No. 180933194
Date: 13-12-06

Dy. Registrar

Steps taken with
Comments

+NS
15-12-06

The O.A. has been filed for grant of revised pay scale to the Applicant, a Veterinary Field Assistant in the Directorate of Assam Rifles. Under the 5th Pay Commission recommendation while the other Central Government Departments have adopted the revised pay scale to VFAS the Applicant preferred O.A. No.199/2005 before this Tribunal which was disposed of directing the Respondents to dispose of the representation submitted by the Applicant. The Respondents have rejected the prayer of the Applicant vide order dated 19.12.2005 (Annexure-4). Hence, this O.A.

Contd.

P.L. comply order
dated 19.12.06.

NS
20.12.06.

Order dt. 19/12/06 and
Assume notices sent to
D/Section for issuing
to R-1 to 4 by regd.
A/D post.

(Ans) D/No-05 to 08
3/1/07. Dt: 5/1/07.

⑩ Service report
awaited

23
2.2.07.

19.12.2006 Heard Mr.P.K.Roychoudhury, learned counsel for the Applicant and Ms.U.Das, learned Addl.C.G.S.C. for the Respondents. The contention of the Applicant is that his pay has to be equated to that of Respondent No.4 who is holding a civil post in Assam Rifles, whereas according to the Respondents, Applicant's pay scale cannot be compared with to that of Respondent No.4 as because higher pay scale was granted to Respondent No.4 as per Court's orders. It is borne out from Annexure-6 that one of the grounds for rejection to the claim of the Applicant is Audit objection. According to the Applicant, identically placed employees are granted the reliefs.

Considering the issue involved in this case, I am of the view that the O.A. has to be admitted. Admit the O.A.

Issue notice to the Respondents. Six weeks time is granted to the Respondents to file reply statement.

Post the matter on 5.2.2007.

/bb/

Vice-Chairma

5.2.2007

Ms.U.Das, learned Addl.C.G.S.C. requests for four weeks time to file reply statement.

Post on 05.03.2007.

26.2.07
W.P. submitted
by the Respondents.
page contains 1 to 8.

Vice-Chairman

/bbl

Rejo.
5.3.07. Counsel for the applicant wanted to file rejoinder. Let it be done. Post the matter on 4.4.07.

W.L.S. has been
billed.

Vice-Chairman

lm

27
2.3.07.

3.4.07
No rejoinder filed.

4.4.07. Post the matter on 22.5.07.

Vice-Chairman

No rejoinder has
been filed.

22.5.07. Counsel for the applicant has submitted
the rejoinder

28
21.5.07.

22.5.07. Counsel for the applicant has submitted that he has filed rejoinder. Counsel for the respondents wanted some more time to get instructions. Let it be done. Post the matter on 28.6.07.

Vice-Chairman

lm

Rejo.

8.6.07

Rejoinder has already been filed. Counsel appearing for the parties has submitted that case may be listed for hearing before the Division Bench post the matter on 3.7.07. for hearing.

Vice-Chairman

lm

28.6.07

Reply to Rejoinder
submitted by Respondents.

3.7.2007

This is a Division Bench matter. Post on

15.7.2007.

The case is ready
for hearing.22
2.7.07

/bb/

Vice-Chairman

The case is ready
for hearing.22
25.7.07

26.7.07 The prayer of the applicant is for grant of upgraded pay scale with all consequential benefits. The Respondents have filed a detailed written statement. The applicant also filed rejoinder. The respondents in their reply to rejoinder submitted as under :

“..it is submitted that the applicant is being placed in pay scale of Rs.4000-100-6000/-pm with effect from the publication of the Gazette Notification that is 15.10.2003. That the pay scale was inadvertently quoted as 4000-85-6000/- pm instead of Rs.4000-100-6000/-pm.”

When the matter was taken up both the counsel agreed that the said pleadings are correct and therefore the relief sought for by the applicant has already been granted:

Considering the submission made by the counsel for the parties, I am of the view that the O.A has become infructuous as the relief sought for has already been granted to the applicant. Accordingly the O.A is disposed of as infructuous. No costs.

30.7.07
Copy of the
order has been
sent to the DSee
concerning the case
to the applicant as
well as to the ADO,
CSSC. for the
records.

etc

19.12.07
order issued
vide D.No. 810
Dtd 10.8.07.

pg

Vice-Chairman

The case is ready
for hearing.22
28.3.08.

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORIGINAL APPLICATION NO. 307/06

1. a) Name of the Applicat:- Dr. Debasish
b) Respondents:- Union of India & Ors
c) No. of Applicant(S) :- one

2. Is the application in the proper form:- Yes/No.

3. Whether name & description and address of the all papers been furnished in cause title :- Yes/ No.

4. Has the application been duly signed and verified :- Yes/ No.

5. Have the Copies duly signed :- Yes / No.

6. Have sufficient number of copies of the application been filed :- Yes/ No.

7. Whether all the annexure parties are impleaded :- Yes/ No.

8. Whether English translation of documents in the Language :- Yes/ No.

9. Is the application in time :- Yes/ No.

10. Has the Vakalatnama/Memo of appearance/Authorisation is filed:- Yes/ No.

11. Is the application by IFO/DD/For Rs: 5/- 280 933184 dtld 12-12-06

12. Has the application is maintainable :- Yes/ No.

13. Has the Impugned order original duly attested been filed :- Yes/ No.

14. Has the legible copies of the annexures duly attested filed :- Yes/ No.

15. Has the Index of documents been filed all available:- Yes/ No.

16. Has the required number of enveloped bearing full address of the respondents been filed:- Yes/ No.

17. Has the declaration as required by item 17 of the form:- Yes/ No.

18. Whether the relief sought for arises out of the single :- Yes/ No.

19. Whether the interim relief is prayed for :- Yes/ No.

20. In case of condonation of delay is filed is it supported :- Yes/ No.

21. Whether this Case can be heard by Single Bench/Division Bench:

22. Any other point:-

23. Result of the Scrutiny with initial of the Scrutiny clerk the application is in order:-
This application is in form


15-12-06
SECTION OFFICER(J)

DEPUTY REGISTRAR

Present Part II order No and date

: AR/37 AR/62 dated 29 Jan 2008

Last Part II orders No and date

File in Court on AR/37 AR/62 dated 29 Jan 2008**PAY AND ALLOWANCES****UPGRADATION OF PAY SCALE**

31.1.08

Court Officer.

1. No - VFA 023
Shri Ch Ittocha Singh
VFA

(a) Initial pay fixed Rs 4000/-pm wef 15 Oct 2003
in the pay scale of Rs 4000-100-6000/- pm

(b) Granted 1st financial upgradation under ACP
Scheme wef 20 Apr 2004 in the scale of Rs 4500-125-7000/-
pm wef 20 Apr 2004 :-

(i) Pay as on 19 Apr 2004 - Rs 4000/-
in the lower post.

(ii) Pay fixed in the higher stage - Rs 4500/-
Wef 20 Apr 2004.

(iii) Granted 1st service increment Rs 125
and raised his pay Rs 4625/- pm wef 01 Apr
2005.

(iv) Granted 2nd service increment Rs 125
and raised his pay Rs 4750/- pm wef 01 Apr
2006.

(v) Granted 3rd service increment Rs 125
and raised his pay Rs 4875/- pm wef 01 Apr
2007.

(b) DNI - 01 Apr 2008

Auth. : HQ DGAR sig No A 3225 dated 28 Jan 2008

IL11011/A-49/2008/

Dated: 29 Jan 2008

Distributions: -

1. Mahanideshalaya Assam Rifles
Directorate General Assam Rifles
(A/Med branch)
Shillong - 793011
2. Pay and Accounts Office (Assam Rifles)
Manbha Villa, Litumkhrah
Shillong - 793003
3. Headquarters
7 Sector Assam Rifles
934827
C/o 99 APO
4. 29 Assam Rifles
7IN- 3 029
76 09 APO
5. Finance Branch (Internal) - In duplicate
6. Office copy.

Signature
For Commander
Assam Rifles

RESTRICTED

C.T.C.

Khurana

col
30 Jan 08.

*Copy Received &
Tabled
Advocate
Dt: 31/1/08*

CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

G. A. R. 6

[See Rule 22 (1)]

RECEIPT

2535
No.

Date: 24/11/2007

Received from C. S. Sonowal With

Letter No. MR 136/07 dated 20.....

the sum of Rupees One Thousand Sixty only

In cash/by IPO on account of service on of record No.
by bank draft

1 to 4 in payment of

Signature

A. C.
Cashier

Rs. 170/-

Notice

50

From,

Dt: 14/12/14

Jay Das
Advocate
Cawthi High Court.

To,

Miss. U. Das.
C.A.S.C.
C.A.T.

Sir/Madam

Please find enclosed herewith a copy of M.P. 104 files in C.A. 304/16 before this Hon'ble Tribunal at Cawthi Bench.

Yours faithfully,

Jay Das
Advocate.

Copy Received

Advocate

DTI

I, undertake to serve the Copy to the case personally

Yours faithfully,

Jay Das
Advocate

31

The Central Administrative Tribunal
of Gauhati Bench, Gauhati

File in Court on 13/10/08

Court Officer. Misc. Petition No. 136/2008

In O.A. No. 307/2006

Sri Ch. Itoche Singh, V.P.A

— Applicant

— VS —

~~Union of India & Ors.~~ — Respondents.

Most Respectfully cheveth —

1. That this Misc. petition is filed before this Hon'ble Tribunal for execution of the order dated 26/7/08 passed by this Hon'ble Tribunal.
2. That after issuance of notice from this Hon'ble Tribunal in Misc. Petition No. 136/2008, the concerned respondent has comply with the order dated 26/7/08 passed in O.A. No. 307/2006 and also ~~in~~ in Misc. Case No. 136/2008 and the applicant get relief, which was sought for before this Hon'ble Tribunal.
3. That under above fact and circumstance I may be permitted to withdraw this Misc. Case, which is listed before this Hon'ble Tribunal today.

In the premises where in your Lordship may be pleased to permit me to withdraw this Misc. Case No. 136/2008 in O.A. 307/2006 and on pass such other or further order as your Lordship may deem fit and ~~proper~~.

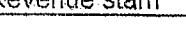
And for this kindness the applicant as in duty bound shall ever pray.

A/ROLL FOR ARREAR OF PAY AND ALLOWANCES FOR THE PERIOD FROM 15 OCT 2003

TO 31 JAN 2008 CIVIL ESTT. GROUP 'C' STAFF : 37 ASSAM RIFLES. File No. A Court of

BILL No SAL/ of 02/08

Court Officer.

Ser No	Regtl No	Rank	Name	Amount Paid	Signature of indl with Revenue stam	Court Officer.
1	VFA-023	VFA	Shri Ch Itocha Singh	65,703/-		
				65,703/-		

(Rupees sixty five thousand seven hundred three only)

Signature of paying officer

Name: K. P. Rawat

Date of payment: 22 Feb 2008

Designation: Dy. Comptt.

103

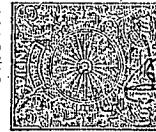
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33

RECEIPT

Received a sum of Rs. 65,703/- (Rupees sixty five thousand seven hundred three only) from Commandant 37 Assam Rifles being the payment of my arrears pay & allowances of higher scale @ Rs.4,000-100-6,000/- pm wef 15 Oct 2003 and up-gradation of ACP scheme scale @ Rs.4,500-125-7000/- wef 20 Apr 2004.



Signature _____

Station : Field

No : VFA - 023

Dated: 22 Feb 2008

Rank : VFA

Name: Ch Itocha Singh

22/02/2008
Second Lieut
GAT w/o
S D O
37 Assam Rifles
37 Assam Rifles

MINISTRY OF HOME AFFAIRS

DIRECTORATE GENERAL ASSAM RIFLES

SHILLONG - 793011

SALARY CERTIFICATE

This is to certify that VFA-023 shri Ch Itocha Singh is serving with 37 Assam Rifles and his is drawing Rs. 10,070/- (Rupees ten thousand seventy only) as per upgradation under ACP scheme in the scale of Rs. 4,500-125-7,000/- pm. His detail of salary is as under :-

Net pay and allowances

(a) Basic Pay	-	Rs. 4,875/- pm
(b) DP (50% of basic pay)	-	Rs. 2,438/- pm
(c) DA (41%)	-	Rs. 2,998/- pm
(d) Special Compensatory allowances	-	Rs. 800/- pm
(e) SDA (12.5%)	-	Rs. 914/- pm
(f) Appt pay	-	Rs. 75/- pm
<hr/>		G/Total - Rs. 12,100/- pm

Deductions

(a) GPF subscription	-	Rs. 2,000/- pm
(b) CGEGIS Subscription	-	Rs. 30/- pm
<hr/>		Total - Rs. 2,030/- pm

Net Salary per month after deduction - **Rs. 10,070/- pm**
For the month of Feb 2008.

Place : Shillong

Dated : 02 Mar 2008.

34
Lt. Colonel
एवं अं १ (प्रभावी)
SD 1 (A)
प्रदानित्रात्मक अवसरात्मक
Directorate General Assam Rifles
Shillong - 793011
Shillong, 02 Mar 2008

19/12/06

केन्द्रीय अधिकारी व अधिकारी
Central Administrative Tribunal

15/12/06

गुवाहाटी ब्यायपीठ
Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH AT GUWAHATI

ORIGINAL APPLICATION NO. 307/06

Sri Ch. Itocha Singh

.... Applicant.

-VS-

Union of India & Ors.

.... Respondents.

SYNOPSIS

This is an application for granting of revised Scale of pay to the petitioner who has been holding a post veterinary Filed Assistant in the Directorate of Assam Rifles. The Sole Claim of the Petitioner rests upon the recommendation made by the 5th Central Pay Commission and while the other Central Govt. Departments have adopted the revised scale of pay to the VFAS and thereafter petitioners prefer a Original Applications before this Hon'ble Tirkunal, which was registered as O.A. No. 199/05 and this Hon'ble Tribunal pleased to disposed off this original petition with a direction to the petitioner to submit a representation before the appropriate authority stating all grievances. Accordingly, on 16/12/06 instant petitioners filed his representation before the concerned authority and on 19/12/06 the concerned authority i.e. Director General of Assam Rifles has rejected his representation. Hence this original application.

Filed by



Advocate.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH AT GUWAHATI

ORIGINAL APPLICATION NO. 307/06

Sri Ch. Itocha Singh

.... Applicant.

-VS-

Union of India & Ors.

.... Respondents.

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Filed by

J. D. O.

Advocate.

the
filed be
petitioner
through the
Date 2nd
At: 15/12/06

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH AT GUWAHATI

(An application U/s. 19 of the Central Administrative
Tribunal Act 1985.)

O. A. No. 307/106

Sri Ch. Itocha Singh
Veterinary Field Assistant
33 Assam Rifles,
C/o., 99 A P O
Presently posted at
29 Assam Rifles, Jairampur,
Arunachal Pradesh.

.... Petitioner

-VS-

1. The Union of India
Represented by the Secretary to
the Department of Home Affairs,
Sansad Marg, New Delhi.
2. The Director General,
Assam Rifles, Shillong- 11.
3. The Commandant ,
Assam Rifles, Jairampur
Arunachal Pradesh.

Ch. Itocha Singh

4. Sri Soroism Menimacha Singh
 Veterinary Field Assistant
 R/o. Chingamakha Moisnem,
 Leikai, Dist.- Imphal West,
 Manipur.

..... Respondents.

DETAILS OF APPLICATION

PARTICULARS AGAINST WHICH THE APPLICATION HAS
 BEEN MADE.

1. This application has been made against the inaction of the concerned respondents in revising the scale of pay as per the recommendation made by the 5th Central Pay Commission by which there is entitled for a revised scale of pay @ Rs.4000/- to Rs.6000/- as he is holding the post of veterinary field Assistant under Assam Rifles and also he has been discriminated as the other person of the department have been given the revised scale of pay for the post of VFA.

2. JURISDICTION

The applicant declares that this Hon'ble Tribunal has got jurisdiction to adjudicate the matter as regards the admission of the application.

3. LIMITATIONS :

This applicant further declares that this application is well within the period of limitation prescribed under Section 21 of the administrative Tribunal Act, 1985.

Sri Soroism Menimacha Singh
 Veterinary Field Assistant
 R/o. Chingamakha Moisnem,
 Leikai, Dist.- Imphal West,
 Manipur.

4. FACTS OF THE CASE :

4.1 That this applicant is a citizen of India and a permanent resident of Lamding Mayan Leikai, P.O. Lamsang, Imphal, Manipur was appointed on 16/3/92 after due selections, in the post of veterinary field Assistant (herein after referred as VFA) in 18 Assam Rifles in the scale of Rs.950-20-1150-EB-25-1500/- P.M. plus other allowances. It would be relevant to mentions here that at present the instant applicant has been permanently posted at 29 Assam Rifles, Jairampur, Arunachal Pradesh.

A copy of the appointment Letter dated 16/3/92 is annexed herewith as Annexure - 1.

4.2 That the educational qualification of the petitioner is graduate in Science and also completed training for the post of VFA Securing 1st division from veterinary Field Assistant Training Centre, Govt. of Manipur under Veterinary and Animal Husbandry Department, Manipur, in the academic session to the year 1984-85.

Copies of the educational qualification certificates and VFA training certificates are annexed herewith as annexure - B 2-A, 2-B, and 2-C respectively.

4.3. That the grievance of the petitioner is that the scale of Rs.4000/- - 6000/- which was recommended by the 5th pay Commission from 1/1/86, was not upgraded to the pay scale of the petitioner by the concerned respondents. After that this instant petitioner has filed an Original Applications before this Hon'ble Court, which was Registered as O.A. No. 199/ 05 and this Hon'ble Court pleased to direct the concerned respondent to consider the case of the petitioner within a period of three months from the date of receipt of this order.

A copy of the order dated 2/8/05 passed by Hon'ble CAT, Guwahati is annexed herewith as Annexure - 3.

4.4. That the petitioner states that accordingly the instant petitioner submitted the Certified copy of said order of this Hon'ble Court to the Concerned respondent for consideration . But the Concerned respondent has rejected the prayer of the petitioner vide order No. 11. 14018/ 5th C.P.C./ 2005 dated 19/12/05 issued by Director General of Assam Rifles (Hereinafter referred DGAR, stating that the petitioner was appointed in the pay scale of Rs. 950-1500 with certificate in veterinary Science without matriculation , whereas S. Manimacha Singh was appointed in the pay scale of 975 - 1540/ with Diploma in Veterinary Science with matriculation. Therefore petitioner's case cannot be considered as they were appointed against the posts having different pay scales and the applications.

Ch. Mohan Singh
S/o

A copy of the rejection order dated 19/12/05 issued by the DGAR is annexed herewith as annexure - 4.

4.5 That the petitioners states that as per advertisement, which was issued by the Directorate General Assam Rifles , there are two types of pay scales applicable in Assam Rifles veterinary field Asst.

- (a) 975 - 1540/- for matic with diploma in veterinary Science.
- (b) 950 - 1500/- for non metric with certificate in Veterinary Science.

There was no separate pay scale available for those candidates who are matriculate and also possessing certificate in veterinary Science. The instant petitioner herein being matriculate along with certificate in veterinary . And he is receiving pay scale of Rs. 950 -1500 /- per month , which is applicable to the non- metric with certificate in veterinary Science as per revision pay scale from 1/1/1986.

A copy of the advertisement issued by the Directorate General Assam Rifles is annexed herewith as Annexure- 5.

4.6 That the petitioner states that some of the candidate who was appointed prior to 1986 revised pay

scale of Rs. 950 - 1500/- and possessing non- metric and certificate in Veterinary Science but they have been allowed to receive the revised pay scale of Rs. 975 - 1540. Among them one VFA Sri O. Chaba Singh, who was receiving the same pay scale and ultimately he retired in the year 1999.

4.7 That the petitioner states that some of the individual who had passed prescribed course of "Elementary Animal Husbandry and Veterinary Science" from School of veterinary science & Animal Husbandry , Ghungoori, Silchar and Veterinary Asst. Training Centre porompat, Imphal has been appointed as VFA from 1986 to June 1990 & granted the pay scale of Rs.975 - 1540 under the eligibility condition of Diploma pay scale by the matriculate VFA with certificate in Veterinary Science.

4.8 That the petitioner states that one Sri S. Manimacha Singh and another Sri A. Thomba Singh, also were appointed on 1987 and 1988 respectively , have also granted the Diploma pay scale of Rs.975 - 1540 p.m. and they have passed there respective Courses from the above mention two institution .

4.9 That the petitioners states that it is relevant to mention here that DGAR has reduced and refix the pay scale of S. Manimacha Singh and A. Tombe Singh to Rs. 950 - 1800/- from 975 - 1540 p.m. vide order dated 11/7/1990 on the ground of Audit objection.

Ch. O. Chaba Singh

Being aggrieved by the order dated 11/7/1990, S. Manimacha Singh filed a original application before the CAT , Guwahati Bench , which was registered as O.A. No.65/2002 and Hon'ble CAT, Guwahati Bench pleased to allowed the O. A. No. 65/02 of S. Manimacha Singh vide order dated 11/12/02 and Upgraded the pay scale of S. Manimacha Singh to 4000- 6000/- as per part B of pay Scale for Veterinary Staff of CCS (RP) Rules 1997.

A copy of the 11/7/90 issued by the Directorate General Assam Rifles is annexed herewith as Annexure - 6.

A copy of the order dated 11/12/02 passed by Hon'ble CAT , Guwahati Bench is annexed herewith as Annexure - 7.

4.10 That the petitioner states that he was appointed as Veterinary Asst. in April 1992, in the pay scale of scale of Rs.950 - 1500 and He possess prescribed technical qualification and passed from the same institution . The Minimum qualification for the prescribed course is matriculation . beside this instant petitioner passed B. Sc. In biological Science before appointment. It is also clear from the Appendix IV of ICAR handbook 1985 that VFA is also a technical post.

Accordingly petitioner submitted a representation on 11/5/1992 for grant of matriculate

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In
Hand
Recd
in
J.C.

scale of pay Rs. 975 - 1540 instead of non- metric scale of Rs.950 - 1500 but that representation was rejected on the ground that a doubt has arisen as to determine the qualification from the certificates issued by the various institutions . After investigation of the Cass from the Director of Animal Husbandry and veterinary Imphal, Maipur, the principal School of Vety. Science and Animal Husbandry, Ghungoor, Silcahra States that the training imparted by them earlier does not pertain to Diploma Course . The Diploma Course has been introduced by them recently and the training of first batch is in progress. In view of the above. Metric with Diploma Scales of pay Rs.952-25-1150-EE-30-1540/- p.m. to the VFA having qualification Matric with one year training course of VFA cannot be given.

It is important to note here that both S.Manimacha Singh and Sri A. Tomba Singh also passed from the above two institutions. It is also clear that their course is also technical course which is not diploma rather it is certificate Course.

Copies of Appendix IV of the Hand Book of Technical Science of the I.C.A.R. 1985, representation dated 11/5/92 and rejection order dated 14/10/92 is annexed herewith as Annexure 8 ,9 and 10 respectively.

4.11. That the petitioner states that the Respondent No.4 (S. Manimacha Singh) has passed and also received VFA Certificates from the same institution i.e. VETERINAR FIELD ASSISTANT TRAINING CENTRE, POROMPAT, IMPHAL, where from instant petitioner also passed and received VPA Certificate. In view of the above it is clear that both respondent No.4 and instant petitioner Completed their VFA Course from the above mention institution not from two different institutions.

A copy of the VFA passed Certificate of respondent No.4, issued by the Vety. Animal Husbandry Dept. Manipur, is annexed herewith as Annexure - 11.

4.12 That the petitioner states that expert body of 5th CPC rationalised all the pay scales and placed in a single scale of 1200 - 2040/- . The same is proposed in para 55.296 and accepted by the Government. Now it was revised to 4000 - 6000 and in para 55.296 of 5th CPC it also state that individual possessing B.Sc. in Biological Science qualified for the post of Assistant Veterinarian and Biological Assistant in the Scale of 1600 - 2660/- which is revised to 5000 - 8000/-.

A copy of the relevant portion of para 295 and 296 of veterinary Officers and staff (CPC, Rules) 197 is annexed

herewith as Annexure - 12 and 13 respectively.

4.13 That the petitioner states that all the VFA of Manipur and Arunachal state Govt. also has been implemented Central Pay Scale 4000 - 6000 for veterinary staff as per part B of CPC (P) Rules 1997 in March 1999 and April 1999 respectively.

Copies of the implementation order is annexed herewith as Annexure - 14 and 15 respectively.

4.14 That the petitioner states that in compliance with the order of the Hon'ble CAT on 28/10/03 respondents has implemented the upgraded pay scale of Rs.4000 - 6000 /- and granted to S. Manimacha Singh and Subsequently to A. Tomba Singh and to some VFA also who approach this Hon'ble Tribunal and granted upgraded pay scale of Rs.975 - 1540 p.m.

GROUND FOR RELIEF :

5.1 For that the respondents have failed to consider petitioner's representation dated 16/12/05 while he is legitimately entitled to the revised scale of pay as 5th CPC recommendation and therefore inaction on the part of the appropriate authority is bad in law.

46
In G.O.C. -
S. L. Singh

5.2 For that the respondents concerned have also failed to consider that all the concerned central Govt. Departments have approved and revised the scale of pay as per the 5th pay Commission report, therefore failure on the part of the Assam Rifles is arbitrary as well as discriminatory.

5.3 For that the inaction on the part of the concerned respondent to adopt the revised scale of pay as per the recommendation of the 5th CPC is highly prejudicing for the petitioner and he is legally entitled for the same.

5.4 For that the financial loss caused to the petitioner by the Respondents.

5.5 For that the fairness of Administrative notice was denied.

5.6 For that the respondent have violated their own sets of rules and system.

5.7 For that the inactions of administration has caused infringement of fundamental rules in respect of Article 14 of the Constitution of India.

5.8 For that the respondent have violated the numbers of Apex/ Supreme Court decision on "equal pay for equal work"

6. DETAILS OF REMEDIES EXHAUSTED. - The Applicant begs to state that he has exhausted all the remedies available to him and there is no other alternative remedy and hence he is approaching this Hon'ble Tribunal by way of filing this application.

7. THIS MATTER IS NOT PREVIOUSLY FILED OR PENDING BEFORE ANY OTHER COURT. This applicant states that the said and except filing of O.A. No. 199/05, has not filed any writ petition or any suit before any Court as any authority or any other bench of this Hon'ble Tribunal regarding the grievances for which this application has been made and there pending before any of them.

8. RELIEF SOUGHT :

Under the aforesaid circumstances the applicant prays that this application may kindly be admitted needs may be called for after hearing the parties and on causes sown and perusal of the records be pleased to grant the following relief :

8.1 To set aside and quash the impugned order dated 19/12/05 issued by the DGAR, rejecting the representation of the petitioner dated 16/12/05 , for implementation of upgraded pay scale of Rs.4000 - 6000 disposed off by the Hon'ble CAT in O.A. No. 199 / 2005 .

(Annexure - 4)

S. S. Hockin
S. S. Hockin

8.2 To direct respondents to refix the pay scale of petitioner , Rs. 975 - 1540 P.M. from the date of his appointment.

8.3 To direct respondents to grant the upgraded pay scale 4000 - 6000 /- w.e.f. 1/1/1986 with all consequential benefits including arrear or salaries and other financial benefit etc.

8.4 Cost for the Litigation expenses.

8.5 Any other relief(s) as the Hon'ble Tribunal may deem fit and proper.

9. Interim Relief :-

Pending disposal of this original Application your Lordships may be pleased to set aside and quash the impugned order dated 19/12/05 issued by DGAR and upgrade the pay scale of the petitioner Rs. 4000 - 6000 P.M.

10. This application has been filed through Advocate.

11. Particulars of IPO

- (i) IPO No.
- (ii) Date of issue
- (iii) Issued from -
- (iv) Payable at

VERIFICATION

I, Sri Ch. Itocha Singh, Veterinary Field Assistant, 33 Assam Rifles, C/o. 99 APO , Kakching, Manipur, do hereby verify that the contents of paragraphs 4.6, 4.7, 4.8, 4.14..... to 4.15, 4.16, 4.17..... are true to my personal knowledge and paragraphs 4.1, 4.2, 4.3, 4.4, 4.5, 4.9, to 4.10, 4.11, 4.12, 4.13 Believed to be true on legal advice and that I have not suppressed any material facts.

Date : 15/12/06

Place : Gwadu

Applicant:


Ch. Itocha Singh,

15
ANNEXURE
A-1
51

Tele No.: PABX 27510/5550

REGISTERED

Bharat Sarkar
Govt of India
Grih Mantralaya
Ministry of Home Affairs
Mahanideshalaya Assam Rifles
Directorate General Assam Rifles
Shillong-11

1. 14015/25-85/VFA/A-2 (Med)

16 Mar 92

Shri Chingangbam Itocha Singh

C/o Sh Mani Singh

Lameng Mayei Leikai

SPO - Lamsang Bazar (Imphal-795146)

APPOINTMENT- VFA

1. You are hereby selected for appointment until further orders as Vety Field Asstt in 18 Assam Rifles in the scale of pay of Rs. 950-20-1150-RB-25-1500/- p.m. plus other allowances as admissible under the existing Rules from time to time. The appointment is purely temporary and may be terminated with one month notice from either side.
2. Shri Chingangbam Itocha Singh shall have to produce the following certificates before joining the post :-(
 - (a) Medical fitness certificate from Civil Surgeon or equivalent at the time of joining.
 - (b) Educational and other certificates as proof of age and qualification.
 - (c) A character certificate from a Class I officer or 1st Class Magistrate at the time of joining the duty.
3. No TA/DA will be admissible to you for joining the duty.
4. You are liable to serve anywhere in Assam Rifles deployed in Assam, Meghalaya, Nagaland, Manipur, Mizoram, Tripura, Arunachal pradesh and Sikkim or wherever Assam Rifles exists.
5. Your appointment is subject to satisfactory police verification and antecedent.

*Certified & true copy
to be sent to
Sgt. Major*

6. You will report for duty to Commandant 18 Assam Rifles, C/O 99 APO on or before 15/7/71 failing which this appointment letter will be treated as cancelled. 52

7. Over-age of the individual is hereby condoned and this has the approval of DGAR.

8. Nearest Rly station is Silchar. You may report to OC, Transit Camp at P. RGAH, Silchar for further journey to the destination.

(P S Prakash)
Lt Col
Assistant Director (A)
for Director General
Assam Rifles

Copy to :-

1. HQ Mizoram Range
Assam Rifles
C/O 99 APO
2. 18 Assam Rifles
C/O 99 APO
3. Medical branch (internal)
4. Personal file
5. Office copy

rg/-

HIGH SCHOOL LEAVING CERTIFICATE

I Certify that

Chingangbam Prochha Singh
 Roll No. 4032 duly passed the High School
 Leaving Certificate Examination, 1980 of this Board
 and was placed in the Third Division.

His/Her date of birth is the 1st January,
 One thousand nine hundred and sixty five.
 Imphal
 The 16th February 1981

Ruting
Secretary

Certified to be true copy
 B. S. S.
 10/2/81

17

ANNEXURE 2B

51

CIC

A-2B

102

Manipur University



TWO-YEAR DEGREE EXAMINATION

1986

This is to certify that

Chingangbam Stoila Singh
 of Oriental College,
 Roll No. 579 qualified for the
 Degree of Bachelor of Science
 in this University in the year 1987

Attested

*Certified to be true copy
for 1990*

Imphal,

21. 05. 1990

सहायक समादेशक

Asst. Comdt.

चिकित्सा विभागी

Medical Officer

33 असम राहि लम

33 Assam Rd, F.

VILAKHURIA
Vice-Chancellor

AN25URE 26

18

201

VETERINARY FIELD ASSISTANT TRAINING CENTRE



GOVERNMENT OF MANIPUR
POROMPAT, IMPHAL

VETY. AND ANIMAL HUSBANDRY DEPT. MANIPUR

Elementary Animal Husbandry and Veterinary Science Examination.

Academic Session 1984—85

Certified that Shri/Shrimati/Kumari Ch. Haicha Singh, Roll no. 137, having attended the prescribed course of studies in the Vety. Field Assistant Training Centre, passed successfully the Final Examination held in the month of June 1985 and was placed in the First Division.

Attested



सहायक समन्वयक
Asst. Comdt.
चिकित्सा धिकारी
Medical Officer
33 असम राईफल्स

Dt. Poropat, Imphal 33 Assam Rifles
the.....198...

Officer-in-charge



BOARD OF EXAMINERS :

..... Chairman
..... Member
..... Member
..... Member
..... Member
..... Member
..... Member

Certified & to be true copy
Dated.

37

Annexure 3

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original Application No.199 of 2005.

Date of Order: This the 2nd Day of August, 2005.

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

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

1. Sri Ch.Itocha Singh,
Veterinary Field Assistant,
33 Assam Rifles,
C/O 99 apo,
Presently posted at
33 Assam Rifles, ~~Kakching~~ Kakching
Manipur. Petitioner

By Advocate Mr P.K.Roy, Choudhury,
Mr. B.K.Kar, Mr.J.Das

-Versus-

1. The union of India,
Represented by the Secretary to the Department of Home Affairs,
Sansad Marg, New Delhi.

2. The Director General,
Assam Rifles, Shillong-11.

3. The Commandant,
Assam Rifles,
Kakching, Manipur. Respondents.



By Advocate Mr.M.U.Ahmed, Addl.CGSC.

ORDER(ORAL)SIVARAJAN,J(V.C)

Leave to be heard

Applicant, a Veterinary Field Assistant under the 33 Assam Rifles, C/O 99 APO, is presently posted at 33 Assam Rifles, Kakching, Manipur. He has filed this application for direction to the concerned respondents to revise his scale of pay as per the 5th Pay Commission recommendation, i.e. from the existing scale of pay to Rs. 4000/- Rs. 6000/- for the post of Veterinary Field Assistant under the Directorate of Assam Rifles. The applicant relied on the order dated 11.12.02 passed in O.A.No.65 of 2002 wherein this Tribunal has issued direction to the Respondents to implement the undertaking within the period of three months. The applicant has stated that in spite of representations dated

Certified to be true

8/8

11.5.1992 (Annexure III), 8.2.1998 (Annexure IV), July, 1999 (Annexure V) and 5.6.2005 (Annexure VI), the Respondents have not upgraded the pay scale.

2. We have heard Mr.P.K.Roy Choudhury, learned counsel for the applicant and Mr.M.U.Ahmed learned Addl.C.G.S.C appearing for the Respondents. It is not clear that whether the direction issued by this Tribunal in O.A. No.65 of 2002 dated 11.12.2002 has been complied with. However, the applicant's representations latest being Annexure VI, dated 5.6.2005 is stated to be pending before the Respondents. In the circumstances, we direct the Respondents to consider the representation dated 5.6.2005 (Annexure VI) and pass appropriate orders within a period of three months from the date of receipt of this order. The applicant will produce the copy of the order before the Respondents for compliance.

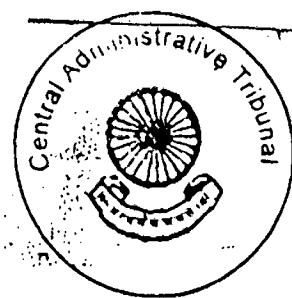
Application is disposed of as above at the admission stage itself.

Sd/ VICE-CHAIRMAN

Sd/ MEMBER (A)

TRUE COPY

प्रतिक्रिया



अनुभाग अधिकारी
Section Officer (Judge)

Central Administrative Tribunal

ग्रन्थालय संस्करणी

Central Library Copy

प्रिया चूर्वाला

9/8/05

Certified to be true COPY


Advocate

ORDER OF IC-10289X LIEUTENANT GENERAL BHOPINDER SINGH
AVSM, VSM, DIRECTOR GENERAL ASSAM RIFLES ON PETITION OF
SHRI CH. ITOCHA SINGH, VFA 33 AR

1. Whereas in the DGAR Veterinary Field Assistant (VFA) are presently recruited in the pay scale of Rs.3050-4750/- and Rs.3200-4900/. Their educational qualifications are certificate in veterinary science without matriculation and diploma in veterinary science with matriculation respectively.

2. Whereas Shri Ch. Itocha Singh was appointed as VFA vide Directorate General Assam Rifles appointment letter No. 1401525-85/VFA/A-2 (Med) dated 16.03.1992 in the pay scale of Rs.950-20-1150-EB-25-1500/- per month and other allowances admissible under the rules.

3. Whereas Shri Ch. Itocha Singh filed an original application No. 199/2005 at the Hon'ble Central Administrative Tribunal, Guwahati for grant of higher pay scale of Rs.4000-6000/. The Hon'ble Tribunal disposed of the matter with the operative portion reading as under:-

"It is not clear that whether the direction issued by this Tribunal in OA No.65/2002 dated 11.12.2002 has been complied with. However, the applicants representation latest being Annexure-VI, dated 05.06.2005 is stated to be pending before the respondents. In the circumstances, we direct the respondents to consider the representation dated 05.06. 2005 (Annex-VI) and pass appropriate orders within a period of three months from the date of receipt of this order. The applicant will produce copy of the order before the respondents for compliance".

4. Whereas Shri S Manimacha Singh has also filed an OA No.65/2002 at the following grounds:-

(i) "Initially the pay scale of the said group of post (i.e. Veterinary Staffs/or Para Veterinarians Posts) were placed at the pay range from Rs.950-1500/- to 1200-2040/. But now as per 5th pay commission report, the Central government revised the pay scale of the said Veterinary

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Advocate

40-22

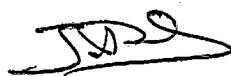
5

Staffs/or para veterinarians post equally to the pay scale of Rs.4000-100-6000/- by naming the posts such as Stockman/Compounder/Stock Asstt/Animal Husbandry Asstt./Dresser etc. All the concerned Department under Central Services have implemented the said revision of pay, but in case of the post of VFA of Assam Rifles, the Directorate General Assam Rifles failed to implement such revision of pay by taking the chance of not mentioning the nomenclature of VFA in the column of Veterinary Staffs of the Central Civil Service (revised pay) Rule, 1997. Instead of implementing the pay scale given in the "First Schedule of Part "B" of the Civil Service (RP) Rules, 1997 i.e. 4000-6000/- by taking analogy of the post of veterinary staffs as described in Sec 30 of the Indian Veterinary Council Act 1984, where it is clearly stated that whatever name may be called, instead the DGAR implemented the C.C.S (RP) Rules, 1997 in schedule "A" i.e. Rs.3200-4900/-.

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

(iii) The petitioner submitted that the compounder of BSF is also enjoying the pay scale of Rs.1400-2300/- pre revised and after revision Rs.4500-125-7000/- per month. It is also submitted that the nature of work of compounder BSF is only to maintain pharmaceutical works under supervision of a Registered Veterinary Doctor. Whereas, the nature of work of the petitioners post i.e. VFA of Assam Rifles include all the functions and operation of vety. And Animal Husbandry works such as Treatment, minor veterinary works, maintaining pharmaceutical works, inspection of animal health, checking of Meat supply to Troops, accompany troops in field works without supervision of any Doctors/Registered Veterinary Practitioner. It is also submitted that there is no Post of Doctors in Assam Rifles whereas BSF has Registered

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Advocate

Veterinary Doctors/Practitioner. In other words the Veterinary Field Asst.

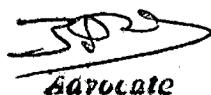
of AR have more workload and responsible than the compounder of
BSF"

5. Whereas Shri Manimacha Singh was initially appointed in the pay scale of Rs. 975-1540/- of which the corresponding pay scale as per recommendation of the 5th pay commission is Rs.3200-4900/-. Thus, his pay has been correctly revised. The pay scale of Shri Ch.Itocha Singh was also correctly revised in the corresponding pay scale as per the recommendations of the 5th pay commission.

6. Whereas, the pay scale of Shri S Manimacha Singh who is holding a civil post in the Assam Rifles cannot be compared with the veterinary staff of other CPF or compounder of BSF who are holding combatant posts, he had been granted higher pay scale of Rs. 4000-6000/- as per the Court directions considering his qualification only.

7. Whereas Shri Ch. Itocha Singh was appointed in the pay scale of Rs.950-20-1150-EB-25-1500/- per month against the post advertised by the DGAR carrying essential qualifications as (certificate) in veterinary science. While Shri S Manimacha Singh was initially appointed in the higher pay scale of Rs.975-23-1150-EB-30-1540/- per month against the post advertised by the DGAR having essential qualification of diploma in veterinary science with matriculation. Thus, they were initially appointed against the posts having different pay scales and qualifications. Accordingly, their cases cannot be placed at par with each other. Moreover, the pay scale of Shri Ch. Itocha Singh cannot be compared with the Pay scale granted to veterinary staffs of other CPFs and compounders of BSF because Shri Ch. Itocha Singh is holding a civil post. Whereas, veterinary staff of other CPFs and compounders of BSF are holding combatant posts. No parity can be drawn for the purpose of emoluments between the holders of the same post from different streams.

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Advocate

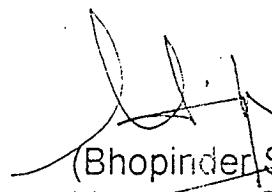
42-24

b

8. Petition dated 05 Jun 2005 submitted by Shri Ch. Itocha Singh VFA has been re-examined in compliance with order dt 02 Aug 2005 in OA No. 199 of 2005 passed by the Hon'ble CAT Guwahati Bench. I therefore reject the petition dt 05 Jun 2005 being devoid of merit and substance.

Place : Shillong

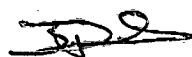
Dated : 19 Dec 2005


(Bhopinder Singh)
Lieutenant General
Director General Assam Rifles

Copy to :-

1. PAO, Assam Rifles, Shillong – 11.
2. Shri CH. Itocha Singh, VFA of 33 Assam Rifles.
3. LOAR, New Delhi.
4. Office Copy.

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Advocate

21 - 25
ANNEXURE 5
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ANNEXURE 5

Employment news page 7.
2-8 Nov '91

DIRECTORATE GENERAL ASSAM RIFLES SHILLONG-11

1. Applications are invited for filling up of 13 posts of Veterinary Field Asstt (Reserved for SC-4, ST-1 and unreserved 8) lying vacant in this Department on the following terms and conditions :—
 - (a) Qualification :— Matric or equivalent with Diploma in Veterinary Science.
or
Non-Matric or equivalent with certificate in Vety science.
 - (b) Age :— Between 18 to 25 years, relaxable by 5 years for SC/ST Candidates.
 - (c) Pay scales :— Matric with Diploma in Vety. Science Rs. 975-25-1150-EB-30-1540/- p.m. plus other allowances as admissible from time to time.
Non-Matric with cert in vety science Rs. 950-20-1150-EB-25-1500/- p.m. plus other allowances as admissible from time to time.
 - (d) Place of duty :— Selected candidates on appointment will be required to serve anywhere in NE Region or wherever Assam Rifles units are deployed.
 - (e) TA/DA :— No TA/DA will be paid to the candidates appearing for the interview.
2. Interested candidates may submit applications to reach this Directorate by 16 Dec 91 latest. Date of interview will be intimated to the candidates by this office.

(P S Prakash)

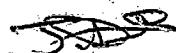
Lt Col

Assistant Director (A)

For DIRECTOR GENERAL ASSAM RIFLES

EN 31/79

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Advocate

23
ANNEXURE 6
13

Directorate General Assam Rifles
Shillong

Letter No. II. 14015/2-89/VFA/A-2 (med)

Dated 11th July '90

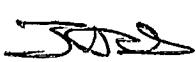
Sub : Appointment of VFA & Pay scale thereof.

1. As per revision of pay scale w.e.f. 1.1.86 following scale of pay to VFAs are applicable:
 - a) Matric with Diploma in Vety Science Rs. 975 - 25 - 1150 - EB - 30 - 1540/ PM.
 - b) Non-matric with certificate in Vety Science 950 - 20 - 1150 - EB - 25 - 1500/ PM.
2. No separate pay scale is available for VFAs who are matriculate & possess certificate in Vety. Science. But some VFAs have been appointed who are matric with certificate in Vety. Science & they have been allowed the pay scale of Rs. 975 - 1540/ PM which is applicable to those who are matric with Diploma in Vety. Science.
3. In course of checking it is found that admitting of pay scale of Rs. 975 - 1540/ PM to matriculate VFA possessing certificate of Vety. Science will result in Audit objection. As such, it is decided that matriculate VFA possessing certificate in Vety. Science will be admitted scale of pay of Rs. 950 - 1500/ PM from the initial stage & pay of the effected staff will be refixed accordingly. No recovery of over payment due to admitting the scale of Rs. 975 - 1540/ to the non-entitled VFA will be made till receipt of further communication from this Dte on the subject.
4. You are, therefore, requested to intimate the name, educational qualification including technical qualification & date of appointment of the effected VFAs immediately, for further action by this Dte. You are also requested to intimate total excess amount involved in each case separately.

Sd/-

(M. Chouduri)
CGO
for Asst Director (A)

Certified to be true Copy


Advocate

28
64
ANNEXURE F

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 65 of 2002.

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

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

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

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

By Advocate Sri S.M.Singh.

- Versus -

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

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

O R D E R

CHOWDHURY J.(V.C)

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

Certified in true Copy

Signature
Advocate

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

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

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

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

W.M.
 Section Officer (J)
 C.A.T. GUWAHATI BRANCH
 Guwahati-781005

Sd/ VICE CHAIRMAN
 Sd/ MEMBER (Adv)

Certified to be true

Advocate

Appendix IV of the Hand Book of Technical Services of the I.C.A.R. 1985, New Delhi.
 Minimum Educational / Trade Qualifications for Different Groups of the Three Categories

Field / Farm Technicians

CATEGORY - I

Essential Qualifications :

i) Matriculate with at least one year Certificate in relevant field

or

Matriculate with 5 years Experience of working in the Respective field

or

* Matriculate with National Trade Certificate / National Apprenticeship Certificate or equivalent with 3 years Experience in the respective field

* In fields where the duration of diploma Courses available in the Country is only two years the minimum qualification will be two years Diploma instead of three years Diploma.

** Applicable to Council employees in position as on 1-1-1977 for purpose of promotions only against 20% vacancies reserved for departmental promotions.

or

* National Trade Certificate / National Apprenticeship Certificate (if Non-Matric) or equivalent with 5 years experience of working in the respective field

ii) *For the post of 'Cook' a candidate should be 'Literate' and should have proficiency in cooking

Desirable Qualification

i) Diploma in the relevant field

CATEGORY - II

Essential Qualifications :

i) *Three years Diploma / Bachelor's Degree in relevant field

or

**National Trade Certificate of I.T.I. National Apprenticeship Certificate or equivalent qualifications With seven years experience in the Relevant field

or

**Matriculate with ten years experience in the relevant field

or

**One years training course in Forestry with ten years experience in the relevant field

or

**Intermediate in Science / Intermediate in Agriculture

ii) 3 years experience in the relevant field for Diploma holders

CATEGORY - III

Essential Qualifications :

i) *Three years Diploma / Bachelor's Degree in Science / Agri / Animal Sciences relevant field / Forest Rangers Course (for CAZRI & CS & WCR & TI)

ii) Five years experience of working in the relevant field. Minimum experience will be seven years, ten years and twelve years for lateral entry to posts carrying scales Rs. 1100-1600, Rs. 1300-1700 and Rs. 1500-2000, respectively

Desirable Qualification

i) Master's Degree in the subject

The posts of Senior Stockman, Stockman, Veterinary Officer, Senior Veterinary Assistant, Veterinary Compounder, Livestock Assistant, Stock Assistant have been grouped under Group-I field technicians in the Appendix I of the hand-book of I.C.A.R 1985.

Certified to be true Copy

JAS
Advocate

26-30

ANNEXURE 9-6

A-B

8

From : Ch. Itocha Singh (VFA)
18 Assam Rifles,
C/O 99 APO

To : The Director General Assam Rifles
Shillong - 793011

(Through proper channel)

Sub : PAY SCALE NEWLY APPOINTED VFA

Sir,

1. With reference to your directorate appointment letter No. 14015/25-85/VFA/A-2 (Med) dated 16th March 92, I am to state the following lines for your consideration please.
2. According to your direction I have jointed duty at 18 Assam Rifles on 20-4-92.
3. I would like to draw your kind attention on Employment News page No. 7 dated 2-8 Nov. 91 (Photostat copy attached) in which you have advertised that the candidate who have passed matriculation and having diploma in veterinary science will be given pay scale of Rs. 975 - 25 - 1150 - EB - 30 - 1540/- PM. At this juncture I have to inform you that I have passed B. Sc. with diploma in Veterinary Science. All the requisite certificates were also produced before the interviewing board. But I am sorry to apprise you that even after having higher qualification I have been given pay scale of non-matric candidates i.e., Rs. 950 - 20 - 1150 - EB - 25 - 1500 - PM.
4. In view of the facts mentioned above, I implore you to kindly re-consider my case sympathetically and allow me to draw pay scale of matric candidate i.e. Rs. 975 - 25 - 1150 - EB - 30 - 1590/- PM as promised vide your above Employment News.
5. For this act of your kindness I shall ever remain grateful to you, Sir.

Station : C/O 99 APO
Dated : 11th May 1992

Your faithfully,
Sd/-

(Ch. Itocha Singh)

Certified to be true Copy


Advocate

27 31

ANNEXURE

10

A-10

/copy/

9

Headquarters
Mizoram Range Assam Rifles
C/O 99 APC

2228/887/A

14 Oct 92

18 Assam Rifles

GRANT OF DIPLOMA SCALES TO VFA

1. Reference your signal No A 1025 dated 12 Oct 92.
2. A doubt has arisen as to determine the above qualifications from the certificates issued by the various institutions. After investigation of the case from the Director of Animal Husbandry and Veterinary Imphal, Manipur. The reply furnished by the principal, School of Vety Science and Animal Husbandry, Changoor, Silchar states that the training imparted by them earlier does not pertain to Diploma Course. The Diploma course has been introduced by them recently and the training of first batch is in progress.
3. In view of the above, Matric with Diploma scales of pay Rs. 952-25-1150-EB-30-1540/- p.m. to the VFA having qualification Matric with one year training course of VFA cannot be given.

sd/- x x x
(C P Chadha)
Comdt
AA & QMG
for DIG AR

1253/A/93/1312

Dated Jan 93

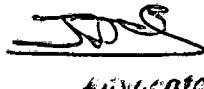


(Bhim Anal)
Maj
Adjt
for Comdt

forwarded to :-

Shri Ch. Ittocha Singh,
VFA, 18 AR

Certified to be true Copy


Gurvate

28-32
ANNEXURE H A - II

30

VETERINARY FIELD ASSISTANT TRAINING CENTRE



Govt. of Manipur
POROMPAT, IMPHAL

VETY. AND ANIMAL HUSBANDRY DEPT. MANIPUR

Elementary Animal Husbandry of Veterinary Sc. Examination.

Academic Session 1982-83

Certified that Shri Shrimati ~~Shrimati~~ *G. Marimacha Singh* Roll No. 117
having attended the prescribed course of studies in the Vety. Field Assist. Training Centre, passed
successfully the Final Examination held in the month of *Oct* 1983, and was placed in the
First Division.

BOARD OF EXAMINERS:
Dave Chairman
Sharma Member
Sharma Member

L. D. S.

Officer-in-charge

Vety. Field Asst. Training Centre
Porompat, Imphal

Certified to be true Copy

DD
Advocate

Dt. Porompat, Imphal
the 198.....
26 MAR 1985

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ANNEXURE 12

A - 12

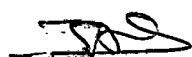
ANNEXURE 10

VETERINARY OFFICERS & STAFF

Para 55.283 **Veterinary Assistants** :- Below the officers category are those who directly assists in the performance of Veterinary and Animal Husbandry function, often discharging such duties independently (Particularly in the Union Territories) under the supervision of qualified and registered Vety. practitioners. Post in this category are designated as Animal House Supervisor/Caretaker and Biological/Zoological/Vety. Assistant, with a requirement of degree in Biological Sciences. These personnel are placed in the scale of Rs. 1,200/- 2040/- to 1,640/- 2,900/- in Group 'C'.

Para 55.284 **Paraveterinarians** :- Below these are the Paraveterinarians who provide auxiliary support in Vety & Animal Husbandry practices. They are commonly designated as Animal Husbandry Assistant, Compounder/Veterinary Compounder, Dressers, Stockmen, Stock Assistants, Vaccinators and Milk Recorders usually requiring qualification of Matriculation with Diploma/Certificates/Training// Experience in the relevant field. They are usually placed in the scales of pay from Rs. 950-1500 to Rs. 1,200 - 2,040.

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Attwadkar

Para 55:295

Vety. Assistant & Paraveterinary staff : Vety. Assistants, Paraveterinary staffs & the support staff in the field have urged us to remove anomalies in their pay scales, as also upgrade certain categories via-a-vis qualification. Pay scales & designation that usually exist in the various organisation in the grade are given in Annexure 55.10

10

Para 55.296

Proposed pay structure for Vety. & Paraveterinarian staff : Keeping in view the specialized nature of job where educational qualification may not be prime importance, involving personnel risks, exposure to infection and expertise of handling the animals, we recommend the following structure for three levels.

Sl No	Nomenclature	Minimum qualification	Proposed pay scale
1.	Paravety, Attendant	8th class + 2 years experience of handling animals	Entry 775 - 1025 3rd ACP- 950 - 1500
2.	Stockman/Compounder	Matric + 2 years certificates Course + 1 year experience	Entry - 1200 - 2040 1st ACP 1400 - 2300 2nd ACP 1600 - 2660
3.	Animal house supervisor/ Asst. Veterinarian/Bio- logical Asst./Zoological Assistant.	B Sc Degree in Biological Science	Entry - 1600 - 2660 1st ACP 1640 - 2900 2nd ACP 2000 - 3500

* including Stock Assistant, Animal Husbandry, Assistant, Dresser.

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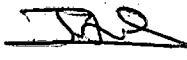
ANNEXURE 13

ANNEXURE 55-10 (See para 55.295)

Existing Qualification, Designation & Pay Scales of Veterinarian, Paraveterinarians & Support staff.

Nomenclature	Pay scale	Educational Qualification
Biological/Zoological/Vety Asst./ Animal Husbandry Asst.	1400-2300 1200-2040	B. Sc. with Biology/Zoology Matric + 2 years Certificate Course.
Compounder (BSF)	1400-2300	-do-
Dresser-ITBP/IB/BSF	1200-1800	-do-
	975-1660	
	950-1500	
Stockman/Stock Assistant/Vaccinator/Milk Recorder	975-1540	-do-
Animal/Caretaker/Attendant	950-1500	-do-
		8th Standard + 2 years experience in attending to animals

Certified to be true copy


Lalwani

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(b) Technicians with either a Degree in Science or Diploma in Engineering	5,000-150-8,000	52.111
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XXIII. GARDENERS AND NURSERY WORKERS

(a) Sr. Garden Attendant	775-12-871-14-1,025	2,650-65-3,300-70-4,500	55.129
(b) Asstt. Foreman	825-15-900-20-1,200	3,050-75-3,950-80-4,590	55.129

XXIV. VETERINARY STAFF

(a) Entry grade for all posts requiring a degree of B.V.Sc. and Animal Husbandry with registration in the Veterinary Council of India as the minimum essential qualification	8,000-275-13,500	55.291
(b) Assistant Veterinarian/Biological Assistant/Zoological Assistant Possessing B.Sc. Degree in Biological Sciences	1,200-30-1,560-40-2,040/1,400-40-1,800-50-2,300/1,600-50-2,300-60-2,660	5,000-150-8,000
(c) Stockman/Compounder/Stock Asstt./Animal Husbandry Asstt./Dresser	950-20-1,150-25-1,500 to 1,200-30-1,560-40-2,040	4,000-100-6,000
(d) Para-Veterinary Attendant including Animal Attendant/Bull Attendant/Cattle Attendant/Syce/Camel Attendant/Shepherds with minimum qualification of 8th class + 2 years experience of handling animals	750-12-870-14-940	2,610-60-3,150-65-3,540
		55.296

XXV. TECHNICAL SUPERVISORS & WORKSHOP STAFF

(a) Chargeman/Chargeman 'B' /Chargeman (Technical) Grade II/Jr. Engineer, Grade II (Workshop)	1,400-40-1,800-50-2,300	5,000-150-8,000	54.38
(b) Sr. Chargeman/Chargeman 'A' /Chargeman (Technical) Grade I/Jr. Engineer, Grade I Workshop	1,600-50-2,300-60-2,660	5,500-175-9,000	54.38

XXVI. ELECTRONIC DATA PROCESSING STAFF

(a) Data Entry Operator, Grade 'A'	1,150-25-1,500	4,000-100-6,000	55.71
(b) Data Entry Operator, Grade 'C'	1,400-40-1,800-EB-50-2,300	5,000-150-8,000	55.71

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Advocate

37 -

ANNEXURE

(4)

GOVERNMENT OF MANIPUR
FINANCE DEPARTMENT
(PAY IMPLEMENTATION CELL)

NOTIFICATION

Imphal, the 10th March, 1999.

No. 1/115/98 - PIC : In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Manipur hereby makes the following rules to amend the Manipur Services (Revised Pay) Rules, 1999, namely:-

1. (1) These rules may be called the Manipur Services (Revised Pay) (1st Amendment) Rules, 1999.
- (2) In the Manipur Services (Revised Pay) Rules, 1999
 - (i) A new Schedule being Schedule-I, Part-C shall be added to the existing Schedule to the Rules.
 - (ii) The existing entries in sub-Rule (5) of Rule 3 of this rule shall be replaced by the following:-

“(5) “revised scale in relation to any post specified in column 2 of Schedule-I Part B and Part C means the scale of pay specified against the post in column 4 thereof unless a different revised scale is notified separately for that post; and the details of the revised scales means the details specified in Part - A of Schedule- I.”
 - (iii) After the details of revised scales of pay appearing in the Schedule I- Part A of the Rules the following revised scales of pay shall be inserted
 - (16) Rs. 7450 - 225 - 11500.
 - (17) Rs. 10650 - 325 - 15850.
 - (18) Rs. 12000 - 375 - 18000.
 - (19) Rs. 15100 - 400 - 18300.”
 - (iv) the existing entries under Rule 4 shall be replaced by the following:-

“4. Scale of pay of posts - The scale of pay of every post/grade specified in column 2 of the Schedule I Part B & Part C shall be as specified against it in column 4 thereof”

By order & in the name of Governor,

Certified to be true Copy



Advocate

Sd/-

(A.N. Jha)

Commissioner (Finance),
Government of Manipur.

24.38

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Mem No. No.1/115/93-PIC

Imphal, the 10th March, 1990.

Copy to :-

1. The Secretary to Governor, Manipur.
2. The P.S. to Chief Minister, Manipur.
3. The P.S. to Deputy Chief Minister, Manipur.
4. All P.S. to Minister/Ministers of State, Manipur.
5. The Accountant General, (A&E), Manipur.
6. The Accountant General, Central Revenue, New Delhi.
7. The Accountant General, West Bengal, Calcutta.
8. The P.S. to the Chief Secretary, Government of Manipur.
9. The P.S. to Addl. Chief Secretary, Government of Manipur.
10. All Principal Secretaries, Government of Manipur.
11. All Commissioners/ Secretaries, Government of Manipur.
12. The Resident Commissioner, Government of Manipur, Manipur Bhavan
2- Sardar Patel Marg, New Delhi.
13. The Secretary, Manipur Legislative Assembly, Manipur.
14. The Secretary Manipur Public Service Commission, Imphal.
15. All Officers of Manipur Secretariat, Imphal.
16. All Heads of Departments Government of Manipur.
17. All Deputy Commissioners, Manipur.
18. The Director, Information & Public Relations, Manipur.
19. The Station Director, All India Radio Imphal, for announcement in the news programme.
20. The Deputy Registrar, Guwahati High Court, Imphal.
21. The Deputy Resident Commissioner, Government of Manipur, Manipur Bhavan, 26 - Rowland Road Behind Max Muller Bhavan, Calcutta-700020.
22. The Director Printing & Stationery, Manipur for publication in the Extra- Ordinary Gazette. He is requested to supply 100 copies to this Department.
23. The O.S.D. Manipur Bhavan, Guwahati 3 Rajgarh Road.
24. All Treasury /Sub-Treasury Officers, Manipur.
25. The Registrar, Manipur University, Cachipur.
26. The Secretary, Joint Administrative Council of AMGEO & AMTUC, Babupara Officer Colony, Imphal.
27. The Secretary, Board of Secondary Education, Manipur.
28. The Under Secretary (G.A.D.), Government of Manipur.
29. Guard File.
30. Order Book.

24.38
(L.Guneshwar Sharma),
Joint Secretary (Finance/PIC),
Government of Manipur.

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Locate

Sl.No.	Name of the Post	Present Scale	Revised Scale	Remarks		
		1.	2.	3.	4.	5.
10	Sub-Inspector (Statistics)	1350-2200	4500- 7000			
11	Assistant Sub-Inspector (Taxes)	950-1500	4000- 6000			
12	Assistant Sub-Inspector (Enforcement)	950-1500	4000- 6000			
13	Primary Investigator	950-1500	4000- 6000			
14	Checker	800-1150	2750- 4400			

XXXIII. TOWN & COUNTRY PLANNING DEPARTMENT

1	Chief Town Planner	3000-5000	12000-18000	
2	Research Officer	2000-3500	6500-10500	
3	Assistant Research Officer	1640-2900	5500- 9000	
4	Civic Surveyor	1400-2300	4500- 7000	
5	Research Assistant	1400-2300	5000- 8000	
6	Mandol	950-1400	(i) 3050- 4590 (ii) 3200- 4900	After 10 years of regular service in the grade.
7	Field Assistant	750-940	2550- 3200	

XXXIV. VETERINARY & ANIMAL HUSBANDRY DEPARTMENT

1	Sub-Divisional Officer (Extension)	1640-2900	5500-9000	
2	Assistant Administrative Officer	1640-2900	5500- 9000	
3	Accounts Officer	1640-2900	5500- 9000	
4	Farm Superintendent	1400-2600	5000- 8000	
5	Statistical Inspector	1400-2300	4500- 7000	
6	Farm Manager	1400-2300	4500- 7000	

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xx

Sl.No.	Name of the Post	Present Scale	Revised Scale	Remarks
1.	2.	3.	4.	5.
7	Assistant Extension Officer (AH)	1350-2200	4500- 7000	
8	Store Keeper	1350-2200	4500- 7000	
9	Supervisor	1350-2200	4500- 7000	
10	Computer	1200-2010	4000- 6000	
11	Investigator	950-1500	4000- 6000	
12	Mechanic Supervisor	950-1500	3050- 4590	
13	Field Assistant	950-1500	(i)3050- 4590 (ii)4000- 6000	For Matriculate + trained in Vety/FA cum Stockman Course.
14	Cinema Operator	950-1500	3050- 4590	
15	Vaccinator	800-1150	3050- 4590	

DAIRY PLANT SECTION

1	Dairy Engineer	2000-3500	(i)6500-10500 (ii)8000- 13500	After 10 years of regular service in the grade.
2	Dairy Development Officer	2000-3500	6500-10500	
3	Assistant Dairy Development Officer	1640-2900	5500- 9000	
4	Procurement Officer (Dairy)	1640-2900	5500- 9000	
5	Distribution Officer (Dairy)	1640-2900	5500- 9000	
6	Dairy Chemist	1400-2300	4500- 7000	
7	Assistant Dairy Engineer	1400-2300	5000- 8000	

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20 - 41

'GOVERNMENT OF ARUNACHAL PRADESH'
DEPARTMENT OF ANIMAL HUSBANDRY AND VETERINARY

O R D E R
Dated Itanagar the 13th May '99.

No. AHV/E-98/83 :: The Governor of Arunachal Pradesh is pleased to accord approval to the re-designation of the posts of Para-Veterinarians in the Department of Animal Husbandry and Veterinary Arunachal Pradesh and also extend the benefit of pay scales as recommended by the 5th Central Pay Commission in part 'B' Item XXIV-Veterinary staff of the First schedule to the CCS(RP) Rules 1997, as detailed below :-

sl no	Existing designation	Existing pay scales	Re-designated as	revised pay scales.
1.	Supervisor Vety. Field Assistant and other allied posts.	Rs.4000-100- 6000/-	Assistant Veterinarian	5000-150- 8000/-
2.	Veterinary Field Assistant	Rs.3050-75- 3950-80- 4590/-	Stockman.	Rs.4000-100- 6000/-

The benefit of the aforesaid pay scales would be effective from 20th June 1998, in accordance with FD's Memo No. FIN/E/11/77/97 dated 3.3.1999.

The Governor of Arunachal Pradesh is further pleased to order that the aforesaid pay scales will be drawn in cash with effect from 1st April, 1999. The arrears of pay and allowances with effect from 20.6.98 to 31.3.99 will be credited into the respective GPF accounts of the incumbents after making specific provision from within the sanctioned budget grant for 1999-2000. Withdrawal of arrear pay so credited to the GPF will not be permissible for a period of 3 years from the date of deposit or until final withdrawal whichever is earlier.

Consequent upon the extension of pay scales as indicated above, the fixation of pay in the upgraded pay scales will be regulated as under:-

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a) Pay shall be fixed at the same stage at which pay is drawn by the incumbent in the lower scale, if there is such a stage or at the next higher stage if there is no such stage;

b) If the pay is fixed at the same stage, the next increment should be granted from the date on which it would have been granted in the lower scale.

c) if however, the pay is fixed at the next higher stage, the next increment should be granted after completion of the normal incremental period of 12 months in the upgraded pay scale.

The official concerned may at his option to be exercised within one month from the date of issue of the order, retain his old scale until the date on which he earns his next increment or any subsequent increment in the lower scale. The option once exercised is final.

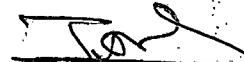
This issues with the approval of Finance vide UC No.582 dated 7.4.99.

Sd/- T.Bagra
Secretary (AHY)
Government of AP, Itanagar.
Memo. no. AHY/E-93/03 Dated Itanagar the 13th May '99.
Copy to:-

1. The Accountant General (A & E) Meghalaya, Shillong.
2. The Secretary to the Governor Govt. of AP, Itanagar.
3. The Secretary to the Hon'ble Chief Minister Govt. of AP, Itanagar.
4. P.S. to all Ministers/Minister of State Speaker/Deputy Speaker Govt. of AP,
5. P.S. to Chief Secretary, Govt. of AP, Itanagar.
6. Development Commissioner, Govt. of AP, Itanagar.
7. All Commissioners Govt. of AP Itanagar.
8. All Secretaries/Deputy Secretaries, Govt. of AP Itanagar.
9. Director of A.M. & Vety. Govt. of AP, Nirjuli. for information and necessary action as mentioned above. He is requested to ensure the requirement of fund on account of both the arrear pay from 20.6.93 to 31.3.99 and the monthly requirement for drawal of pay and allowances in the upgraded pay scales in cash w.r.t. effect from 1.4.99 are made available from within the sanctioned budget grant of the department both under plan and non-plan.

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Certified to be true



Subsidiary

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sectors and the arrears for the aforesaid periods are credited to the GPF accounts of the concerned officials. He is further requested to consult Deputy Secretary (Budget)/Secretary(Planning) to ensure availability of fund for the purpose.

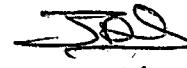
- 1.0. The Secretary(Planning) Govt. of "P. Itanagar.
- 1.1. The Deputy Secretary(Budget) Govt. of AP. Itanagar.
2. All Heads of Department, Govt. of AP.
3. All Deputy Commissioner/Additional Deputy Commissioner Govt. of A.P.
4. The Director of Accounts, Govt. of A.P. Naharlagun.
5. All Deputy Director, (A&V) Govt. of A.P.
6. All Dist. A&V. & Vety. Officers/Sub-Divisional A&V and Vety. Officers, Govt. of A.P.
7. All Treasury Officers/Sub-Treasury Officers, Govt. of A.P.


T. Koniya
Deputy Secretary(P&D)
Govt. of Arunachal Pradesh
Itanagar.

33668


Vety. Asstt. Surgeon
Vety. Dispensary
Mukul Tewang Dik
(A.P.)

Certified to be true copy


Advocate

23 FEB 2007

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GAUHATI BENCH: GAUHATI Bench

ORIGINAL APPLICATION NO 307 OF 2006

Shri Ch. Itocha Singh, Veterinary Field Assistant Applicant

Versus

Union of India and 3 others Respondents

In the matter of :-

AFFIDAVIT-IN-OPPOSITION

The humble Respondents beg to submit the reply as follows:-

1. That the answering respondents respectfully submit that in the Directorate General Assam Rifles, Veterinary Field Assistant (VFA) were recruited in the pay scale of 950-20-1150-EB-25-1500/- per month and 975-23-1150-EB-30-1540. That the same was revised to Rs. 3050-4750/- and 3200-4900/-. That the same was revised to Rs. 3050-450/- and 3200-4900/- vide G.S.R 390 issued vide Ministry of Home Affairs F.No.I-45028/49/2000-Pers-II dated 04 July 2001. Subsequently the 5th Central Pay Commission has revised the said pay scale of Rs. 3200-85-4900/-pm to Rs. 4000-100-6000/-pm which has since been implemented.
2. Ministry of Home Affairs vide F.No.II-14015/5th CPC/98/A-II dated 15.10.2003 issued GSR 375 vide which the aforesigned pay scales viz, Rs.3050-4750/- pm and Rs. 3200-4900/- pm have been clubbed and a single pay scale of Rs. 3200-4900/- pm was made applicable to VFAs recruited in the pay scale of Rs. 950-20-1150-EB-25-1500/-pm and 975-23-1150-EB-30-1540/-pm.

Copy to G.S.R 390 issued vide Ministry of Home Affairs F.No.I.45028/49/2000-Pers-II dated 04 July 2001 is attached herewith and marked as **ANNEXURE – R-1.**

Filed by
Respondent
Date
10/02/2007
Yours
Addl. Secy
10/02/2007

Copy of G.S.R 375 issued vide Ministry of Home Affairs F.No.II-14015/5th CPC/98/A-II dated 15 October 2003 is attached herewith and marked as **ANNEXURE R-2.**

3. Accordingly the applicant is being placed in pay scale of Rs.4000-85-6000/- per month with effect from publication of the Gazette Notification that is 15.10.2003.

4. In view of the foregoing the Hon'ble Tribunal may be pleased to dismiss the instant Original Application as infructuous.

VERIFICATION

Maj. S. Saloja, s/o *Gr. Capt. S. C. Saloja*, aged about 39 years, r/o Laitmukrah, East Khasi Hills District, Shillong working in Law Branch HQ DGAR and I have been authorised to file written statement on behalf of respondents do hereby verify that the statement made in paras 4 are true to my knowledge and those of the paras 1 & 3 being matters of record are true to my information derived there from which I believe to be true and the rests are my humble submissions before this Hon'ble Tribunal.

And I sign this verification on this 8 th day of Feb 2007 at Guwahati.

.....



ধৈতৰ

Asst Chief Law Officer

ধৈত্য মুসল বিধি আধিকারী

HO DGAR, Shillong-793011

ধীনিদেশালয় অসম রাষ্ট্রফল্স. শিলাংগ-793011

[फा. सं. आई-45028/49/2000-पर्स-II]

एस. सी. सक्सेना, डैस्क अधिकारी

टिप्पणी :— प्रधान नियम 22 फरवरी, 1981 को सा. का. नि. संख्या 202 के तहत भारत के राजपत्र में प्रकाशित किए गए थे। ६७

MINISTRY OF HOME AFFAIRS

New Delhi, the 4th July, 2001

G.S.R. 390.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Assam Rifles (Medical Staff) Recruitment Rules, 1980, namely :—

1. (i) These rules may be called the Assam Rifles (Medical Staff) Recruitment (Amendment) rules, 2001.

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

2. In the Assam Rifles (Medical Staff) Recruitment Rules, 1980

(1) After rule 3 the following shall be added namely :—

“Provided that all the direct recruitment against any post included in the Schedule to these rules, in the future, shall be done in the combatised capacity.”

(2) For the Schedule the following Schedule shall be substituted, namely :—

“SCHEDULE

4-
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of application from the candidates in India (other than Andaman and Nicobar Islands and Lakshadweep). In respect of posts, the appointment which are made through employment exchange, the crucial date for determining the age limit will be in each case be the last date upto which the employment exchanges are asked to submit the names.

7	8	9	10
Not applicable	Midwifery Certificate from Govt recognised institution. Matric or equivalent for matric scale. Non-matric or equivalent for non-matric scale.	Not applicable	2 years

11	12	13	14
Direct recruitment	Not applicable	Not applicable	Not applicable

1	2	3	4	5	6
Veterinary Field Assistant	31*(2001), *Subject to variation	General Central Service Group 'C' Non-Gazetted, depending on workload.	<u>Diploma holder</u> 3200-85-4900/- <u>or Certificate holder</u> 3050-75-3950/- 80-4590/-	Non-selection	25 years (relaxable upto 35 years in case of Govt. Servants). The crucial date for determining the age limit will be in each cases be the last date for receipt of application from the candidates in India (other than Andaman and Nicobar Islands and Lakshadweep). In respect of posts, the appointment which are made through employment exchange, the crucial date for determining the age limit will be in each case be the last date upto which the employment exchanges are asked to submit the names.

7	8	9	10
Not applicable	(i) <u>For Diploma holder</u> Matric or equivalent with Diploma certificate in Veterinary Science (ii) <u>For Certificate holder</u> Non-matric or equivalent with certificate in Veterinary Science.	Not applicable	2 years

11	12	13	14
Direct recruitment	Not applicable	Not applicable	Not applicable

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of application from the candidates in India (other than Andaman and Nicobar Islands and Lakshadweep). In respect of posts, the appointment which are made through employment exchange, the crucial date for determining the age limit will be in each case be the last date upto which the employment exchanges are asked to submit the names.

1	2	3	4	5	6	7	8	9	10
Not applicable	Midwifery Certificate from Govt. recognised institution.	Not applicable						2 years	

11	12	13	14
Direct recruitment	Not applicable	Not applicable	Not applicable

1	2	3	4	5	6	7	8	9	10	
Veterinary Field Assistant	31* (2001) *Subject to variation	General Central Service Group 'C' Non-Gazetted, Non-Ministerial	Diploma holder 3200-85-4900/- or Certificate holder 3050-75-3950- 80-4590/-	Non-selection	25 years (relaxable upto 35 years in case of Govt. Servants).	The crucial date for determining the age limit will be in each cases be the last date for receipt of application from the candidates in India (other than Andaman and Nicobar Islands and Lakshadweep). In respect of posts, the appointment which are made through employment exchange, the crucial date for determining the age limit will be in each case be the last date upto which the employment exchanges are asked to submit the names.	Di			7. Ay

7	8	9	10
Not applicable	i) For Diploma holder Meric or equivalent with Diploma certificate in Veterinary Science ii) For Certificate holder Non-matic or equivalent with certificate in Veterinary Science.	Not applicable	2 years

11	12	13	14
Direct recruitment	Not applicable	Not applicable	Not applicable

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

Appearing on Page Nos. 2344-2345

Dated 25-10-2003

गृह मंत्रालय

नई दिल्ली, 15 अक्टूबर, 2003

सा.का.नि. 375.—राष्ट्रपति, संविधान के अनुच्छेद 309 के परन्तुका द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए असम रायफल्स (चिकित्सा कर्मचारिवृन्द) भर्ती नियम, 1980 का और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. (1) इन नियमों का संक्षिप्त नाम असम रायफल्स (चिकित्सा कर्मचारीवृन्द) भर्ती (संशोधन) नियम, 2003 है।

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

2. असम रायफल्स (चिकित्सा कर्मचारिवृन्द) भर्ती नियम, 1980 की अनुसूची में पशुचिकित्सा क्षेत्र सहायक के पद से संबंधित क्रम सं० 5 के सामने

(क) स्तंभ 4 में विद्यमान प्रविष्टियों के स्थान पर "3200-85-4900 रु." प्रविष्टि रखी जाएगी,

(ख) स्तंभ 8 में विद्यमान प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

"(i) किसी मान्यताप्राप्त बोर्ड/संस्था से 10वीं स्तर/मैट्रिक्युलेशन या समतुल्य उत्तीर्ण,

(ii) किसी मान्यताप्राप्त विश्वविद्यालय या संस्था द्वारा संचालित पशुचिकित्सा विज्ञान में दो वर्षीय पाठ्यक्रम उत्तीर्ण,

(iii) पशुचिकित्सा क्षेत्र में कम से कम एक वर्ष का अनुभव होना चाहिए।"

[पा.० सं० II-14015/5वीं सीपीसी/98/ए-II]

दुर्गा शंकर मिश्रा, निदेशक (कार्मिक)

पाद टिप्पणि : मूल नियम भारत के राजपत्र में सा.का.नि. 202 तारीख 22 फरवरी, 1981 को प्रकाशित किए गए और पश्चात्वर्ती संशोधन सा.का.नि. 390 तारीख 4 जुलाई, 2001 द्वारा किए गए।

MINISTRY OF HOME AFFAIRS

New Delhi, the 15th October, 2003

G. S. R. 375.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules, further to amend the Assam Rifles (Medical Staff) Recruitment Rules, 1980, namely :—

1. (1) These rules may be called the Assam Rifles (Medical Staff) Recruitment (Amendment) Rules, 2003.

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

2. In the Schedule to the Assam Rifles (Medical Staff) Recruitment Rules, 1980, against serial number 5 relating to the post of Veterinary Field Assistant,—

(a) in column 4, for the existing entries, the entry "Rs. 3200-85-4900" shall be substituted ;

(b) in column 8, for the existing entry, the following entry shall be substituted, namely :—

"(i) Passed 10th standard/matriculation or equivalent from a recognised Board/institution ;

(ii) Passed two years certificate course in veterinary science conducted by a recognised University or institution ;

(iii) Should have at least one year experience in the veterinary field."

[F. No. II-14015/5th CPC/98/A-II]

DURGA SHANKAR MISHRA, Director (Personnel)

Foot note : The Principal Rules were published in the Gazette of India vide GSR 202 dated 22nd February, 1981 and subsequently amended vide GSR 390 dated 4th July, 2001.

1	2	3	4	5	6
of application from the candidates in India (other than Andaman and Nicobar Islands and Lakshadweep). In respect of posts, the appointment which are made through employment exchange, the crucial date for determining the age limit will be in each case be the last date upto which the employment exchanges are asked to submit the names.					

7	8	9	10
Not applicable	Midwifery Certificate from Govt. recognised institution. Matric or equivalent for matric scale. Non-matric or equivalent for non-matric scale.	Not applicable	2 years

11	12	13	14
Direct recruitment	Not applicable	Not applicable	Not applicable

1	2	3	4	5	6
Veterinary Field Assistant	31* (2001) *Subject to variation depending on workload.	General Central Service Group 'C' Non-Gazetted, Non-Ministerial	Rs 3200-85-4900/- 80-4590/-	Non-selection	25 years (relaxable upto 35 years in case of Govt. Servants). The crucial date for determining the age limit will be in each cases be the last date for receipt of application from the candidates in India (other than Andaman and Nicobar Islands and Lakshadweep). In respect of posts, the appointment which are made through employment exchange, the crucial date for determining the age limit will be in each case be the last date upto which the employment exchanges are asked to submit the names.

7	8	9	10
Not applicable (i) (ii) (iii)	Passed 10 th standard/matriculation or equivalent from a recognised Board/institution. Passed two years certificate course in veterinary science conducted by a recognised University or institution. Should have at least one year experience in the veterinary field.	Not applicable	2 years

11	12	13	14
Direct recruitment	Not applicable	Not applicable	Not applicable

1	2	3	4	5	6
Laboratory Assistant	1* (2001)	General Central Service Group 'C'	Rs. 3,200-85-4,900/-	Non-selection	25 years (relaxable upto 35 years in case of Govt. Servants). The crucial date for determining the age limit will be in each cases be the last date for receipt of application from the candidates in India (other than Andaman and Nicobar Islands and Lakshadweep). In respect of posts, the appointment which are made through employment exchange, the crucial date for determining the age limit will be in each case be the last date upto which the employment exchanges are asked to submit the names.
7	8	9	10		
Not applicable	Matric or equivalent with Diploma/ Certificate of Laboratory Assistants course from Govt. recognised institution.	Not applicable	2 years		
11	12	13	14		
Direct recruitment	Not applicable	Not applicable	Not applicable		
1	2	3	4	5	6
7. Aya	60* (2001)	General Central Service Group 'C'	Rs. 3,200-85-4,900/-	Non-selection	25 years (relaxable upto 35 years in case of Govt. Servants). The crucial date for determining the age limit will be in each cases be the last date for receipt of application from the candidates in India (other than Andaman and Nicobar Islands and Lakshadweep). In respect of posts, the appointment which are made through employment exchange, the crucial date for determining the age limit will be in each case be the last date upto which the employment exchanges are asked to submit the names.

7

Not applic

22 MAY 2007

गुवाहाटी न्यायपाल
Guwahati Bench

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI
BENCH : GUWAHATI.

ORIGINAL APPLICATION NO. 307/2006

Shri Ch. Itocha Singh

-vs-

Union of India & Ors.

IN THE MATTER OF :

REJOINDER BY THE APPLICANT TO THE WRITTEN
STATEMENT SUBMITTED BY THE RESPONDENTS.

The above named Applicant -

Most Respectfully Sheweth -

1. That I shri Ch. Itocha Singh, the applicant in the above case and as I am fully conversant with the facts and circumstances of the case and competent to swear this rejoinder.
2. That a copy of the written statement filed by the respondents was served to my Counsel, I have gone to the same and understood the contents and I thereafter filed this rejoinder before this Hon'ble Tribunal.
3. That regarding statements made in para 1 and 2 of the written statement filed by the respondents, this applicant begs to offer no comments.
4. That regarding the statements made in para 3 of the written statements this petitioner begs to state that in para 1 of the written statements, they have stated that as per ^{5th} Central Pay Commission recommendations, VFA, who were recruited in the pay scale of Rs. 950-20-1150-EB-25-1500/- per month and Rs. 975-23-1150-EB-30-1540/- per month will receive ^{revised} pay scale of Rs. 3200-85-4900/- p.m. to Rs. 400-100-6000 p.m. But in para 3 of the ~~para 2~~ written statement the respondent states that the applicant is entitled to the pay scale of Rs. 4000-85-6000/- p.m. with effect from 15.10.2003.

In this respect the applicant begs to state that there is two contradictory statement made by the respondents in their written statement regarding the pay scale of

2.

pay scale of Veterinary Field Assistant (VFA).

It is further submitted by the applicant that as per paragraph 1 of their written statement and also considering the recommendations of 5th Central Pay Commission, the instant applicant is entitled to the pay scale of Rs. 400-100-6000/- per month, not the pay scale of Rs. 4000-85-6000/- per month.

5. That in regards to the statements made in paragraph 3 of the written statements, the applicant is being placed in pay scale of Rs. 400-85-6000/- per month with effect from 15.10.2003 but till date the applicant is not getting his salary as per revised pay scale of Rs. 4000- 6000/- per month. On the other hand, as on today the applicant's basic pay is Rs. 4135/- in the pay scale of Rs. 3200-4900/- per month.

A copy of details of the basic pay from April, 1992 to April, 2007 is annexed herewith as Annexure-1.

6. That the statements made in this rejoinder is bonafide and for the ends of justice.

7. That the statements made in paragraphs 1, 2, 3, 4, 5 and 6 of this rejoinder are partly knowledge, which are derived from the records and partly records and those made in the rests are my humble submissions made before this Hon'ble Tribunal.

And I sign this rejoinder on this
th day of May, 2007 at Guwahati.

Identified by

Jyoti Das
Dt: 22/5/07
Advocate


Ch. Hachha Singh,
Deponent

DETAILS OF BASIC PAY FROM APRIL 1992 TO APRIL 2007

1. Name :- Ch. Itocha Singh.
2. Appointment pay scale :- Rs. 950-20-1150-25-1500/-
3. Date of join in service :- 20th April 1992
4. Post Held :- Veterinary Field Assistant.

Years	Description	Pay (Rs.)
(i) April 1992	Initial Pay fixed	950/-
(ii) April 1993	to	
April 1997	Granted Annual Increment regularly @ Rs. 20	1050/-
(iii) December 1997	Pay revised to the corresponding pay scale Rs. 3050-75-3950-80-4590 w.e.f. 01-01-96 on Implementation of 5 th CPC	
	Pay Fixed	3275/-
(iv) April 1998	to	
April 2003	Granted Annual Increment regularly @ Rs. 75	3725/-
(v) April 2004	Granted Annual Increment @ Rs. 75	3800/-
(vi) June 2004	Granted ACP Scheme in the next higher scale Rs. 3200-85-4900/- w.e.f. 20 th April 2004 Vide DGAR Letter No. I.14015/ACP/Med-IV/2004 Dated 15 th April 2004	
	Pay Fixed	3965/-
(vii) April 2005	Granted Annual Increment @ Rs. 85	4050/-
(viii) April 2006	Granted Annual Increment @ Rs. 85	4135/-
(ix) April 2007	Annual Increment due/-

*Carried to
true Cm
A. Itocha*

Date : 2007

[Signature]
Signature of Govt. Employee

Central Administartive Tribunal
BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GAUHATI BENCH: GAUHATI
GAUHATI Bench
ORIGINAL APPLICATION NO 307 OF 2006

Shri Ch. Itocha Singh, Veterinary Field Assistant Applicant

Versus
Union of India and 3 others Respondents

In the matter of :-

Reply to Rejoinder submitted by the Applicant.

The humble Respondents beg to submit the reply as follows:-

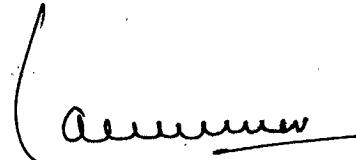
1. That no comments are called for in reply to the averments made in para 1 to 3 of the Rejoinder Affidavit.
2. That in reply to the averment made in para 4 and 5 of the Rejoinder Affidavit, it is submitted that the applicant is being placed in pay scale of Rs. 4000-100-6000/- pm with effect from the publication of the Gazette Notification that is 15.10.2003. That the pay scale was inadvertently quoted as 4000-85-6000/- pm instead of Rs. 4000-100-6000/-pm.
3. That no comments are called for in reply to the averments made in para 6 and 7 of the Rejoinder Affidavit.
4. That the Written Statement is made bonafide and for the ends of justice and equity.

A.Y

VERIFICATION

I, Lt Col S Salooja, S/o Gp Capt SC Salooja aged about 39 years, r/o Laitmukrah, East Khasi Hills District Shillong and competent officer of the answering respondents and I have been authorised to file written statement on behalf of respondents do hereby verify that the statement made in paras 1, 4 are true to my knowledge and those of the paras 2, 3 being matters of record are true to my information derived there from which I believe to be true and the rests are my humble submissions before this Hon'ble Tribunal.

And I sign this verification on this 21st the day of June 2007 at Guwahati



Lt Col

लेंकर्नल

Defence Law Officer

Signature

दप मुख्य दाख अधिकारी

HQ DGAR, Shillong-793011

मुहानिदेशालय असम राष्ट्रकल्प, रिहाँग-793011

Notice

of

Date - 28/6/07

From,

Usha Das

Addl. Cuse

To,

Mr. P. K. Roy Choudhury

Mr. J. Das

Advocates

- Sub: OA no. 307/06

Sir,

Please find herewith the
reply to the rejoinder today.
Kindly acknowledge the receipt
thereof.

Thanking You

Received copy

Sincerely Yours
Usha Das

Addl. Cuse

Advocate

I undertake to serve a
copy of reply on the
counsel for the
applicant.

Usha Das
Addl. Cuse
28/6/07