

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**GUWAHATI BENCH**  
**GUWAHATI-05**

14

(DESTRUCTION OF RECORD RULES, 1990)

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petition copy not  
found

O.A/T.A No. OA 131/2007

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

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

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SECTION OFFICER (Judl.)

Shanta  
03.10.17

ORDERS SHEET

1. Original Application No. 131/07

2. Miscellaneous Petition No. \_\_\_\_\_

3. Contempt Petition No. \_\_\_\_\_

4. Review Application No. \_\_\_\_\_

Applicant(s) Arum Kr. Das For VS Union of India & Ors

Advocate for the Applicant(s) M. Chanda, S. Nair

Ms. M. Dutta .....

Advocate for the Respondent(s) UNCGSE, H. Das .....

Notes of the Registry	Date	Order of the Tribunal
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30.5.2007

This application is in form  
is filed/C. F. for Rs. 50/-

and posted vide IPO/20

No. 346653656

Dated 11.5.07

[Signature]  
29.5.07  
Dy. Registrar

[Signature]

Attorneys G.P. &  
issue notices are  
served.

[Signature]  
29.5.07

The Applicants were initially working as Assistant Chemist in the State Drugs Testing Laboratory, Assam and consequent upon taking over the existing staff, machinery and equipments by the Govt. of India they were absorbed as Junior Scientific Assistant. According to them, they have been granted the pay scale of Rs.4,500-7,000/- whereas identically placed persons are getting the pay scale of Rs.5,000-8,000/-. They have submitted representations for upgradation of their pay scales but the same were rejected. Hence this O.A.

Heard Mr.M.Chanda, learned counsel for the Applicants. He submitted that as per Pay Rules Applicants are entitled to upgraded pay scale of Rs.5,000-8,000/-. Mrs. M. Das,

Contd...


2  
OA. 13/2007

2  
Contd.  
30.5.2007

learned Addl. C.G.S.C. representing the Respondents requested for time to get instruction in the matter.

Considering the issue involved in this case I am of the view that the O.A. has to be admitted. Accordingly, admit the O.A. Issue notice to the Respondents. Six weeks' time is granted to the Respondents to file reply statement.

Post on 16.07.2007.

  
Vice-Chairman

Steps and order for resp. no-4 received by Mrs. M. Das, Addl. C.G.S.C., on 6/6/07.

  
6/6/07.

Order and notice sent to D/Section for issuing to R- 1, 2 and 3 by regd. A/D post.

/bb/

17.7.2007


No reply statement is filed. Mrs.M.Das, learned Addl.C.G.S.C. is granted further four weeks time to file the same.

Post on 17.8.2007.

  
Vice-Chairman

Wks not filed.

/bb/

  
13.7.07.


13.9.07

Four weeks further time allowed file written statement.

Post on 12.10.07 for order.

  
Vice

Wks not filed.

  
12.9.07.

pg

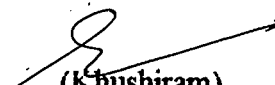
11-10-07  
no Wks filed.

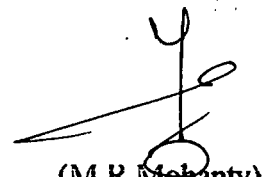
12.10.2007

No written statement has been filed in this case. Call this matter on 21.11.07 awaiting reply/written statement from the Respondents. Mrs. M.Das, learned Addl.Standing counsel appearing for the Central Government undertakes to file appearance memo for the Respondents.

W/s not filed.

M  
20.11.07.

  
(Khushiram)  
Member(A)

  
(M.R.Mohanty)  
Vice-Chairman

Im

21.11.2007

No written statement has been filed by the Respondents as yet.

Call this matter on 11.01.2008 awaiting written statement from the Respondents.

W/s not filed.

M  
10.1.08.

  
(Khushiram)  
Member (A)

  
(M.R.Mohanty)  
Vice-Chairman

/bb/

11. 01.2008

Despite five adjournments, no written statement has yet been filed by the Respondents.

2. To-day a written statement of the Respondent No.4 has been filed by Mrs. M.Das, learned Addl Standing Counsel for the Central Government appearing for the Respondents, virtually, answering nothing relating to the grievances (of the Applicants.) raised in this case. There are no materials on record to show that Respondent Nos.1,2 and 3 authorised the said Respondent No.4 to file written statement on their behalf.

Contd/-



4 0.14.13/11 07


11.01.2008


3. This case relates to the claim of a Particular pay scale by the Applicants and, it appears to us, that the Respondent No.4 is not a competent authority to say about grant of higher pay scale to the Applicants. It is for the Ministry of Health of Government of India and the Director General of Health services (Respondent No.1 & 2) to answer on the points raised in the O.A.

4. In the aforesaid premises, the Respondent No.1(Ministry of Health and Family Welfare of Government of India); Respondent No.2 (Director General of Health Services) of Ministry of Health & Family Welfare of Government of India, and Respondent No.3(Drugs Controller General of India) of Directorate General of Health Services of Ministry of Health & Family Welfare of Government of India (who are the proper authority) are called upon to file their written statement in this case within the next four weeks, failing which this case shall be decided ex parte.

5. Call this matter on 18.2.2008; awaiting written statement from the Respondent Nos 1,2 & 3.

Send copies of this order to all the Respondents( in the addresses given in the Original Application) and a free copy of this order be supplied to Mrs. M. Das, learned Addl. Standing Counsel appearing for the Respondents.

  
(Khushiram)  
Member(A)

  
(M.R. Mohanty)  
Vice-Chairman

Dt. 11.01.08

Pl. send copies of the order to all the Respondents  
Free copy of the order be supplied to Mrs. M. Das, Addl. SC for the Respondents

15/1/08

Order dt. 11/01/08 sent to D/Section and issuing to all the respondents by post.

And another copy handed over to Mrs M. Das, Addl. C. U. S. C, CAT, City.

Copy 16/01/08. D/No-189 to 193  
Dt= 16/1/08.

16.1.08  
W/s on behalf Respondent No.4. has been filed. Copy served.

Lm

No w/s filed by R. No. 1-3.

15-2-08

5. O.A. 131/07

18.02.2008

Mr. S. Nath, learned counsel appearing for the Applicant and Mrs. M. Das, learned Addl. Standing Counsel appearing for the Respondents are present. Written statement has been filed on behalf of Respondent No. 4. The written statement for Respondent No. 1, 2 & 3 are awaited. Counsel for the Applicant wanted four weeks time to file rejoinder.

Call this matter on 18.03.2008.

① Wks filed by R. No. 4.

② No rejoinder filed.

17.3.08

(Khushiram)  
Member(A)

lm

Rejoinder not filed.

01.04.08

18.03.2008

Call this matter on 2<sup>nd</sup> April, 2008.

(Khushiram)  
Member(A)

(M.R. Mohanty)  
Vice-Chairman

lm

18.03.2008

2008 along with O.A. No. 131/07.

02.04.2008

No written statement has yet been filed on behalf of the Respondents No.1, 2 & 3.

The Director General of Health Services and Drugs controller General of India, should personally file written statement in this case.

Mrs. Manjula Das, learned Addl. Standing Counsel appearing for the Respondents department <sup>should</sup> ~~has~~ ensured for filing of Written statement in this case, on behalf of Respondents No.1,2 & 3.

Call this matter on 16<sup>th</sup> May, 2008, awaiting written statement from the Respondents No. 1, 2 & 3 and rejoinder from the Applicant.

Send copies of this order to the Respondents and also to Shri Deepak Babbar, Section Officer, New Drugs Section of Directorate General of Health Services at 648 A Nirman Bhawan, New Delhi-110011.

(Khushiram)  
Member(A)

(M.R. Mohanty)  
Vice-Chairman

Order dt. 2/4/08 send in to D/Section for issuing to respondents and Shri D. Babbar, S.O. DH-S, N.Delhi by post.

D/No-1682 to 1686

8/4/08. Dt- 9/4/08.

① No w/s filed by R. No- 1, 2, & 3.

3  
15.5.08.

(M.R. Mohanty)  
Vice-Chairman

21.2.4.08.

Pl. send copies of this order to the Respondents Shri D. Babbar S.O. DH-S N.Delhi be served a copy of this order.

21.2.08

8/4/08

16.05.2008

Written statement was already filed in this case by the Respondent No.4. Today an Additional written statement is being filed on behalf of Respondent Nos.1, 2 and 3. Copy served.

Heard Mr M. Chanda, learned Counsel for the Applicant and Mrs M. Das, learned Senior Panel Counsel appearing for the Respondents(who is also assisted by Mr Hrishikant Singh, Advocate from Delhi High Court Bar) -in-part.

Call this part-heard matter on 02.07.2008 for further hearing.

The case is ready.

1.07.08

nkm

(Khushiram)  
Member (A)

(M.R. Mohanty)  
Vice-Chairman

Wks biled.

02.07.2008

Call this matter on 4<sup>th</sup> August, 2008 for hearing.

1.08.08.

11.8.08

lm

(R.C. Panda)  
Member(A)

(M.R. Mohanty)  
Vice-Chairman

Instruction contained in letter dt. 27.6.08 submitted by Adl. case. Mrs. M. Das, Copy served.

DD

04.08.2008

Call this matter on 19.08.2008 for hearing.

nkm

(M.R. Mohanty)  
Vice-Chairman

The case is ready for hearing.

18.08.2008

19.08.2008

BRe  
/bb/

On the request, made on behalf of Mrs.M.Das, learned Addl. Standing counsel for the Union of India, call this part heard matter on 05.09.2008 for hearing. (M.R.Mohanty)  
VICE-CHAIRMAN

19.08.2008

On the request, made on behalf of Mrs.M.Das, learned Addl. Standing counsel for the Union of India, call this part heard matter on 05.09.2008 for hearing.

(Khushiram)  
Member (A)

/bb/

(M.R.Mohanty)  
Vice-Chairman

The case is ready  
for hearing.

4.9.08.

05.09.08

A Memorandum dated 04.08.2008 having been filed by the Respondents. Mr M. Chanda, learned counsel appearing for the Applicant seeks an adjournment of the hearing of this case.

Accordingly call this matter on 01.10.2008.

(Khushiram )  
Member(A)

(M.R.Mohanty)  
Vice-Chairman

pg

01.10.2008

This case is not to be treated as part heard.

On the prayer of Mr.M.Chanda, learned counsel appearing for the Applicant, call this matter on 03.10.2008.

(S.N.Shukla)  
Member (A)

(M.R.Mohanty)  
Vice-Chairman

/bb/

03.10.2008.

By filing of M.P.No.132 of 2008, the Applicant has sought permission to amend the O.A. No.131 of 2007. A copy of the same has already been served on Mrs. M. Das, learned Standing Counsel appearing for the Respondents Organisation.

2. Heard. M. P. No. 132 of 2008, seeking permission to amend the Original Application No. 131 of 2007 is hereby allowed, permitting the Applicant to incorporate new Paragraphs 4.13 A, 4.13 B, 5.11 to 5.13 and 8.1 A and 8.1 B. The Applicant is also permitted to annex two more documents as Annexure- XIV & XV, by way of amendment.

3. Mr.M.Chanda, learned counsel appearing for the Applicant, undertakes to file consolidated copy of the O.A. incorporating amendments by 6<sup>th</sup> October 2008. He also undertakes to file <sup>in the Registry</sup> five extra copies of the amended O.A and serve an extra copy on Mrs. M. Das, learned Addl. Standing Counsel appearing for the Respondents, by 6<sup>th</sup> October, 2008.

4. Registry to issue fresh notice to all the five Respondents (along with the copies of the amended O.A) at the cost of the Applicant. Respondents should be asked to file their additional written statement, if any, by end of November 2008.

5. Mr.M.Chanda, learned Counsel appearing for the Applicant, also undertakes to file 5 extra envelopes and required postages/cost of the postages by 6<sup>th</sup> October, 2008.

6. Free copies of this order be supplied to both parties.

7. Call this matter on 1<sup>st</sup> December 2008.

(S.N.Shukla)  
Member(A)

((M.R.Mohanty)  
Vice-Chairman

Sl. 3.10.08  
Pls. issue fresh notice to all the 5 respondents & copies of the amended O.A at the cost of the Applicant.

Free copies of this order be supplied to both the parties.

*[Signature]*

6.10.08  
Amended application submitted by the Applicant. Copy served.

*[Signature]*

Copies of notices along with the copies of the amended O.A send to D/Section for issuing the same all the resp. by speed post, A/D at the cost of applicant.

Free copies of this order handed over to both counsel for both the parties.

Copy of P/No-4551-4555 D/- 7/11/08.


The case is ready for hearing.

28.11.08

- 10 - OA 13/07

01.12.2008 Mr M. Chanda, learned Counsel appearing for the Applicant, and Mrs M. Das, learned Standing Counsel for the Union of India, are present.

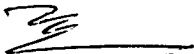
Call this matter on 19.01.2009.

  
(M.R. Mohanty)  
Vice-Chairman

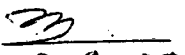
nkM

19.1.09 Bench is not available.  
list on 19.2.09 for hearing.  
by  
cl

The case is ready  
for hearing.

  
18.2.09.

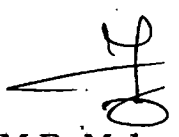
The case is ready  
for hearing.

  
17.4.09

19.02.2009

Call this matter on 28.04.2009

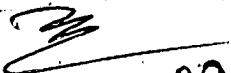
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12.04.2009 (M.R. Mohanty)  
Vice-Chairman  
At this time, the Bench is not available.  
The Bench is expected to be available on 19.04.2009.  
The Bench is expected to be available on 19.04.2009.

The case is ready  
for hearing.

20.04.2009

Call this matter on 01.06.2009 for hearing.

  
29.5.09


/bb/

  
(M.R. Mohanty)  
Vice-Chairman


01.06.2009

Mrs. U. Dutta, learned counsel appearing for the Applicant is present. Ms. M. Das, learned Addl. Standing counsel representing the Respondents is absent. On her behalf, Ms. Nimshim Vashum, Advocate is present.

The case is ready  
for hearing.

  
24.7.09


Call this Division Bench matter on 27.07.2009.

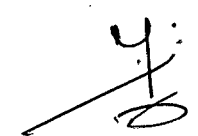
  
(M.R. Mohanty)  
Vice-Chairman

/bb/


0.A. 131/07 -11-

27.07.2009 Call this matter for hearing on  
20.08.2009.

  
(M.K. Chaturvedi)  
Member(A)


  
(M.R. Mohanty)  
Vice-Chairman


The case is ready  
for hearing.

  
11.8.09

/lm/

12.08.2009 Call this matter on  
18.09.2009 for hearing.

  
(M.K. Chaturvedi)  
Member(A)

  
(M.R. Mohanty)  
Vice-Chairman


/lm/


18.09.2009 Call this matter on 04.11.2009 for  
hearing.

  
(M.K. Chaturvedi)  
Member (A)

/lm/

04.11.2009 On the request of Shri M.Chanda,  
learned counsel for Applicant case is  
adjourned to 09.11.2009.

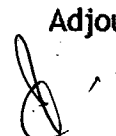
  
(Madan Kumar Chaturvedi)  
Member (A)

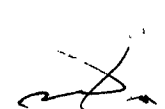
  
(Mukesh Kumar Gupta)  
Member (J)

/bb/

09.11.2009 Due to general strike call by ULFA, none  
appears for parties.


Adjourned to 16.11.2009

  
(Madan Kumar Chaturvedi)  
Member (A)


  
(Mukesh Kumar Gupta)  
Member (J)

nkm

Additional documents  
submitted by the  
Applicant through  
their L/Advocate  
Copy served.

  
3/11/09

The case is ready  
for hearing.

  
6.11.09



-12-  
O.A. No. 131/2002

Add N/S filed  
by the Respondent  
Nos 1 to 3 in the  
Court on 4.11.09.  
Copy served.  
10/11/09

The case is ready  
for hearing.

m  
13.11.09

20.11.09

Reply to the  
Addl. Statement filed  
by the Applicant  
in the Court on 16.11.09  
through Ms. U. Dubb,  
Advocate. Copy  
served.  
11/20/11/09

The case is ready  
for hearing.

34  
23.11.09

16.11.2009

Due to paucity of time, matter could  
not be taken up. List on 24.11.2009.

(Madan Kumar Chaturvedi)  
Member (A)

nkm

(Mukesh Kumar Gupta)  
Member (J)

24.11.2009

Heard the learned counsel for the  
parties. Hearing concluded.

Orders reserved.

(Madan Kumar Chaturvedi)  
Member (A)

nkm


(Mukesh Kumar Gupta)  
Member (J)

O.A. No.131 of 07

02.12.2009

For the reasons recorded separately,  
this O.A. stands disposed of.

  
Madan Kumar Chaturvedi)  
Member (A)


  
(Mukesh Kumar Gupta)  
Member (J)

/lm/

Received on  
behalf of Mrs. H. Das,  
A2. CA SC,  
CS Hazarika  
4.12.09  
tdv.

Received copy  
applicant no. - 1.  
Anum Kumar DAS.  
4/11/09

Issued vide memo  
No. 12796 to 12800  
dt 02-12-2009

  
18-12-09

15

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

.....

O.A. Nos. 131 of 2007

DATE OF DECISION: 02 -12-2009.

Shri Arun Kumar Das & Ors.

.....Applicant/s

Mr M. Chanda

.....Advocates for the  
Applicant/s

-Versus -

Union of India & Ors.

.....Respondent/s

Mrs M. Das, Sr. C.G.S.C.


.....Advocate for the  
Respondent/s

CORAM

THE HON'BLE MR MUKESH KUMAR GUPTA, MEMBER (J)

THE HON'BLE MR MADAN KUMAR CHATURVEDI, MEMBER (A)

1. Whether reporters of local newspapers may be allowed to see the judgment ? Yes/No
2. Whether to be referred to the Reporter or not ? Yes/No
3. Whether their Lordships wish to see the fair copy of the judgment ? Yes/No

  
Member (J)/Member(A)

16

**CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH, GUWAHATI :**

O.A. Nos.131 of 2007

DATE OF DECISION : THIS IS THE 2nd DAY OF DECEMBER, 2009.

**THE HON'BLE MR MUKESH KUMAR GUPTA, MEMBER (J)  
THE HON'BLE MR MADAN KUMAR CHATURVEDI, MEMBER (A)**

1. Shri Arun Kumar Das
2. Shri Amarjyoti Chamuah
3. Shri Dilip Kumar Sarkar
4. Smt Rinku Kalita.

All the applicants are Junior Scientific Assistant  
working in the Regional Drugs Testing Laboratory  
Six Mile, Guwahati – 37.

....Applicants

By Advocate Mr M. Chanda

- Versus -

1. The Union of India  
represented by the Secretary to the  
Govt. of India,  
Ministry of Health & Family Welfare,  
Nirman Bhawan, New Delhi – 110011.
2. The Director General of Health Services,  
Ministry of Health & Family Welfare,  
Government of India,  
Nirman Bhawan, New Delhi – 110011.
3. The Drugs Controller General of India,  
Directorate General of Health Services,  
Ministry of Health & Family Welfare,  
Government of India,  
Nirman Bhawan, New Delhi – 110011.
4. The Government Analyst,  
In Charge, Regional Drug Testing Laboratory,  
Govt. of India, Six Mile, Khanapara,  
Guwahati-37.
5. Secretary,  
Govt. of India,  
Ministry of Finance,  
Department of Expenditure,  
North Block, New Delhi – 110001.

....Respondents

By Advocate Mrs M. Das, Sr.C.G.S.C.



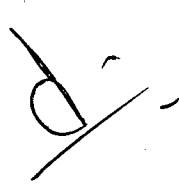
**ORDER****MR MADAN KUMAR CHATURVEDI, MEMBER (A)**

By this O.A applicants made a prayer to direct the respondents to modify/amend the Column IV of Schedule of the Regional Drug Testing Laboratory, Guwahati (Group 'C' and Group 'D' Posts) Recruitment Rules 2000 (Annexure-VI) deleting the scale of Rs.4500-125-7000/- and incorporating the scale of pay of Rs.5000-150-8000/-.

2. Adverting to the facts we find that applicants were initially appointed as Assistant Chemist in the year 1995 on temporary basis in the State Drug Testing Laboratory, Guwahati under the Director of Health Services, Govt. of Assam. Their services were since extended from time to time and eventually they were regularized as Assistant Chemist vide Order No.HSE/162/91/2514 dated 31.12.1996 and No. HSE/162/91/Pt./1205 dated 23.9.97.

3. Thereafter it was proposed that Government of India would set up a Regional Drug Testing Laboratory in Assam to serve the entire North Eastern States including Sikkim and accordingly necessary steps were initiated by Govt. of India and Govt. of Assam. It was decided that the existing State Drug Testing Laboratory, Guwahati would be taken over by the Govt. of India. It would function as Regional Drug Testing Laboratory under the Govt. of India to serve the aforesaid purpose.

4. Pursuant to this decision the said State Drug Testing Laboratory at Six Mile, Guwahati run by the Govt. of Assam was taken over by the Govt. of India, Ministry of Health & Family Welfare along with its staff, machinery and equipments with effect from 01.10.2002 vide Govt. of India's Order No.Z-14012/3/94-DC/MS & PFA dated 20.08.2002.



5. In pursuance of the aforesaid order dated 20.8.2002 the Govt. of India vide its Notification No. HA.306/91/256 dated 07.09.2002 handed over the said Drug Testing Laboratory, Panjabari, Six Mile, Guwahati-37 along with its existing staff, machinery and equipments to the Govt. of India with effect from 1.10.2002 with all assets and liabilities. The Govt. Analyst in State Drug Testing Laboratory was declared as the Head of office and drawing and disbursing officer for Regional Drug Testing Laboratory. The applicants were included in the staff of Regional Drug Testing Laboratory for all purposes. The Ministry of Health & Family Welfare vide Notification dated 2.9.2002 notified Recruitment Rules for various categories of staff of the regional drug testing laboratory, Guwahati (Group 'C' & 'D' posts). In the said Recruitment Rules the pay scale of Junior Scientific Assistant has been shown at Rs.4500-7000/-. Applicants were placed in this pay scale which was equivalent to the post of Assistant Chemist, the post which the applicants were holding prior to taking over of State Drug Testing Laboratory and their absorption and placement in the Regional Drug Testing Laboratory.

6. Mr M.Chanda, learned counsel appearing for the applicants vehemently argued that in the order dated 20.8.2002 it was clearly stipulated that the permanent employee on the date of taking over of the State Drug Testing Laboratory would be absorbed against equivalent post for which recruitment rules exists. Our attention was invited on order dated 20.8.2002 which reads as under :

"It has been decided to take over the State Drug Testing Laboratory, Sixmile, Panjabari, Guwahati - 781037 along with its aforesaid office will henceforth function as a subordinate office under the control of Directorate General of Health Services, Ministry of Health and Family Welfare and renamed as Regional Drugs Testing Laboratory.

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



pay will be fixed as per the rules as on the date of absorption."

Learned counsel also invited our attention on the office order dated 22.11.2002 by which the Group 'C' and 'D' staff were absorbed which is listed below :

"In pursuance of Directorate General of Health Services (Drugs Section) Government of India, Ministry of Health & F.W. Order No.Z.14012/3/94/DC/D (Pt.VIII) dated 1.10.2002 the under noted Group 'C' & Group 'D' staff are absorbed as shown against each post.

S.No	Name of the incumbent	Previous post held & scale of pay	Existing basic pay in the previous post	Post against which to be absorbed	Scale of pay as per GOI
1	Dilip Kumar Sarkar	Asst.Chemist Rs.3490-8100/-	Rs.4120/- p.m.	Jr Scintific Assistant	Rs.4500-7000
2	Amarjyoti Chamua	Asst.Chemist Rs.3490-8100/-	Rs.4120/- p.m.	Jr Scintific Assistant	Rs.4500-7000
3.	Arun Das	Asst.Chemist Rs.3490-8100/-	Rs.4120/- p.m.	Jr Scintific Assistant	Rs.4500-7000
4	Mrs Rinku Kalita	Asst.Chemist Rs.3490-8100/-	Rs.4120/- p.m.	Jr Scintific Assistant	Rs.4500-7000

7. Applicants made joint representation before the Joint Secretary to the Govt. of India vide letter dated 13.8.2006 wherein it was stated that each and every employee in the position of Junior Scientific Assistant of all other National Drugs Testing Laboratory under the Ministry of Health is drawing pay in the scale of pay of Rs.5000-8000/- whereas in the case of applicants it is Rs.4500-7000/-. The proposal for upgradation of pay scale was examined in consultation with Ministry of Finance, Department of Expenditure. It was found not to be feasible. Communication in this regard was forwarded to the applicants vide letter dated 4.4.2007.

8. Mr Chanda, learned counsel for the applicants submitted before us a comparative chart to demonstrate the disparity in the pay scale which reads as under :

Designation	Department	Educational Qualification	Scale of pay (Rs.)
Junior Scientific Assistant	Central Drug Laboratory Govt. of India, Ministry of Health & F.W.	Degree in Pharmacy Pharmaceutical/or Degree in Science with Chemistry as principal subject	5000-8000/-
Junior Scientific Assistant	Medical Store Organisation Govt. of India, Ministry of Health & F.W.	Degree in Pharmach/ Pharmaceutical/or Degree in Science with Chemistry as principal subject	5000-8000/-
Junior Scientific Assistant	Pharmacopeia Laboratory For Indian Meicines, Govt. of India, Ministry of Health & F.W.	Degree in Pharmach/ Pharmaceutical/or Degree in Science with Chemistry as principal subject	5000-8000/-

9. It was argued that parity in employment should be maintained. Equal pay for equal work principle has now assumed the status of fundamental right. Reference was made to the decision of the Hon'ble Supreme Court rendered in the case of Union of India vs. Dineshan K.K., (2008) 1 SCC 586, wherein it was held that though it is the task of expert body like Pay Commission to determine pay structure, yet judicial review is not altogether excluded. If there appears to be apparent disparity and anomaly, corrective steps can be taken to maintain the parity. In the case of Haryana State Minor Irrigation Tubewells Corporation and others vs. G.S.Uppal & Ors. (2008) 7 SCC 375 the Hon'ble Supreme Court has held that "in the matter of fixation of pay and determination of parity scope of judiciary is limited. However, court would interfere if pay fixation is unreasonable, unjust and prejudicial to a section of employees and taken in ignorance of material and relevant factors." Same view was reiterated in the case of State of Kerala vs. B.Renjith Kumar & Ors., (2008) 12 SCC 219.. In that case it was held that "action of the State Government in treating the officers presiding over the Industrial Tribunal differently from the District Judges in the



matter of pay scales on its face is in violation of Article 14 of the Constitution of India. The essential educational and professional qualifications for appointment of the Presiding Officers of the Industrial Tribunals are identical to that of the appointment of District Judges." In the case of Union of India & Ors. vs. Carpenter Workers Union and others, (2006) 12 SCC 435, the Hon'ble Supreme Court has held that "since the order of the Central Administrative Tribunal has already been complied with in respect of East Zone carpenters, there is no need to entertain this special leave petition which raises the same issue." Learned Standing counsel submitted that there is no Assistant Chemist post in the Drugs Testing Laboratory. The Junior Scientific Assistant is the feeder grade in the Drug Testing Laboratory.

10. We have heard the rival submission of the parties in the light of the material placed before us and precedents relied upon. The applicants were working in the rank of Junior Scientific Assistant in the Ministry of Health and F.W, Govt. of India. It was submitted that the Ministry of Finance, Department of Expenditure, Respondent No.5 did not consider judicially the representation for maintaining parity of pay structure as such principle of equality as contemplated under Article 14 of the Constitution of India was violated. According to learned counsel the matter was not examined in the right perspective as it is apparent that parity within the pay structure as compared with the applicants counter part working in Chennai and Kolkata has not been maintained. It was stated that qualifications and other service conditions were the same despite low scale was provided to those who are working at Guwahati.

11. Ex facie there appears to be apparent disparity and anomaly. However, we feel that respondents have not examined the matter in the right perspective. The representation made by the applicants was not properly

appreciated and reply was given in mechanical form without considering the various aspects indicated in the representation. The factual details were not considered. No reasoned order was passed. It is imperative on the part of the respondents to obey the mandate issued by the Apex Court. Parity should be maintained if other things are equal. Like should be treated alike. Since no reasoned order was passed in this regard, we direct the respondents to pass a reasoned order within a period of 4 months from the date of the receipt of this order. We give liberty to the applicants that in the eventuality of any grievance against the said order they may approach the Tribunal within a period of one month from the date of receipt of reasoned order.

O.A. stands disposed of accordingly. No costs.

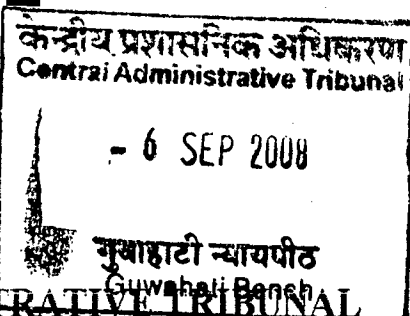
Misc. Petition also stands disposed of.



(MADAN KUMAR CHATURVEDI)  
ADMINISTRATIVE MEMBER



(MUKESH KUMAR GUPTA)  
JUDICIAL MEMBER



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH: GUWAHATI

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

AMENDED ORIGINAL APPLICATION

O.A. No. 131 /2007

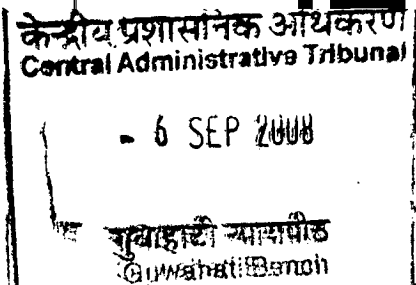
**Sri Arun Kumar Das and Others.**

**-Vs-**

**Union of India & Ors.**

LIST OF DATES AND SYNOPSIS OF THE APPLICATION

- 1995- Applicants were initially appointed as Asstt. Chemist on temporary basis in the State Drugs Testing Laboratory, Guwahati.
- 31.12.96, 23.09.97- Applicants services were regularised as Assistant Chemist.  
(Annexure-I and II)
- 20.08.2002- Govt. of India in order to set up a Regional Drugs Testing Laboratory in Assam proposed to take over Drug Testing Laboratory at Guwahati.  
(Annexure-III)
- 07.09.2002- Govt. of Assam handed over the State Drugs Testing Laboratory, Guwahati along with its existing staff, machinery and equipments to the Govt. of India w.e.f. 01.10.02.  
(Annexure-V)
- 21.08.2002- Applicants became staff of Regional Drugs Testing Laboratory (RDTL) under the Ministry of Health and F.W, Govt. of India.  
(Annexure-IV)
- 21.09.2002- Govt. of India published the recruitment rule, pay scale of Junior Scientific Assistant has been shown as Rs. 4500-7000/-.  
(Annexure-VI)
- 01.10.02, 22.11.02- As per recruitment rules permanent employees on the date of taking over would be absorbed against equivalent post, but the applicants, after taking over were absorbed in the post of Junior Scientific Assistant instead of Asstt. Chemist. As such applicants were not only reduced in their rank and discriminated in respect of pay scales.  
(Annexure-VII and VIII)
- 01.11.2002- Director (CIPL), Ghaziabad intimated that the pay scale of the Junior Scientific assistants has been upgraded from the scale of Rs. 4500-7000/- to Rs. 5000-8000/- w.e.f 01.01.1996. (Annexure- IX)
- 15.11.2002- Respondent No. 4 referred the matter to the Respondent No. 3 and requested him to look into the matter pay scales of Jr. Scientific Assistant.  
(Annexure- X and XI)



09.07.1998- Respondent No. 4 requested R-2 for implementation of scale of pay of Rs. 5000-8000/- instead of Rs. 4500-7000/- to the Jr. Scientific Assistant. (Annexure- XI)

27.03.06, 28.06.06, 13.08.06- Applicants submitted representations for up gradation of their pay scales. (Annexure- XII series)

04.04.2007- Respondent No. 2 vide impugned letter dated 04.04.07 most mechanically rejected upgradation of scale of pay of the applicants. (Annexure-XIII)

1983 Recruitment qualification has been prescribed, degree with chemistry as one of the subject for the post of JSA in the scale of Rs. 5000-8000/- (revised) in Govt. Medical Store Depot as per recruitment rule 1983, which is still in force, under the Govt. of India, Ministry of Health and Family Welfare.

(Annexure-XIV)

27.06.2008 Impugned letter dtd 27.06.2008 issued by the Deputy Secretary, Govt. of India, whereby claim of the applicant for pay parity in fact rejected on the alleged ground that recruitment qualification has been prescribed for the post of JSA as master degree without disclosing any detail particulars or date of imposition of higher qualification of master degree. (Annexure-XV)

### PRAYERS

1. That the Hon'ble Tribunal be pleased to set aside and quash the impugned letter bearing No. A.32022/2/2002-D dated 04.04.2007 (Annexure- XIII).
2. That the Hon'ble Tribunal be pleased to direct the respondents to modify/amend the Column IV of Schedule of the Regional Drug Testing Laboratory, Guwahati (Group 'C' and Group 'D' posts) Recruitment Rules, 2000 (Annexure- VI) by deleting the scale of Rs. 4,500-125-7,000 and incorporating the scale of pay of Rs. 5,000-150-8,000/- in."
3. That the Hon'ble Tribunal be pleased to set aside and quash the Ministry of Finance U.O letter No. 6/104/99-IC dated 27.06.2008.
4. That the Hon'ble Tribunal be pleased to declare that the applicants are entitled to get the pay scale of Rs. 5,000-8,000/- from the date of their absorption in RDTL i.e. from 01.10.2002.

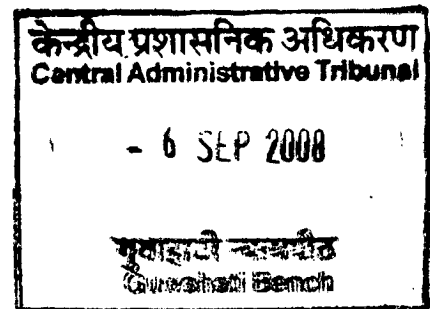
5. That the Hon'ble Tribunal be pleased to direct the respondents re-fix the pay of the applicants in the scale of Rs. 5000-8000/- instead of Rs. 4500-7000/- w.e.f 01.10.2002 with all consequential benefits the arrears pay etc.
6. Costs of the application.
7. Any other relief(s) to which the applicant is entitled as the Hon'ble Tribunal may deem fit and proper.

**Interim order prayed for.**

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

1. That the Hon'ble Tribunal be pleased to direct the respondents that pendency of this Original Application shall not be a bar for considering the representations of the applicants.

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# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

## GUWAHATI BENCH: GUWAHATI

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

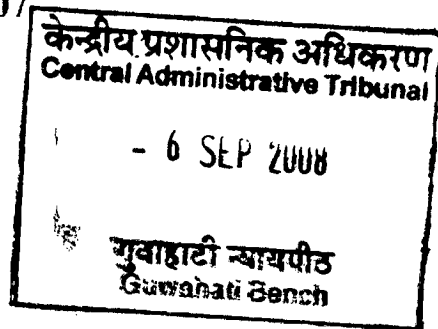
### AMENDED ORIGINAL APPLICATION

Title of the case : O. A. No. 131 /2007

Shri Arun Kumar Das and Others. : Applicants.

-Versus -

Union of India & Others. : Respondents.



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Filed by

M. Under.  
Advocate

Date: 6-10-08

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH: GUWAHATI

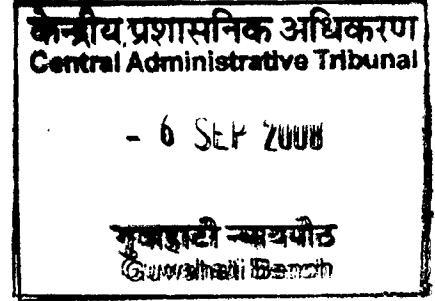
(An Application under Section 19 of the Administrative Tribunals Act, 1985)

AMENDED ORIGINAL APPLICATION

O. A. No. 131 /2007

**BETWEEN:**

1. Shri Arun Kumar Das.  
S/o Shri Prabhat Chandra Das,  
Junior Scientific Assistant,  
O/o- Regional Drugs Testing Laboratory,  
Six Mile, Guwahati- 37.
2. Shri Amarjyoti Chamuah.  
Junior Scientific Assistant,  
Regional Drugs Testing Laboratory,  
Six Mile, Guwahati-37.
3. Shri Dilpi Kumar Sarkar.  
Junior Scientific Assistant,  
Regional Drugs Testing Laboratory,  
Six Mile, Guwahati-37.
4. Smti. Rinku Kalita.  
Junior Scientific Assistant,  
Regional Drugs Testing Laboratory,  
Six Mile, Guwahati-37.

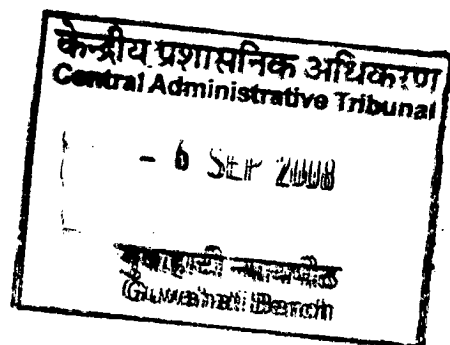


...Applicants.

-AND-

1. The Union of India,  
Represented by the Secretary to the  
Government of India,  
Ministry of Health and Family Welfare,  
Nirman Bhawan, New Delhi- 110011.
2. The Director General of Health Services,  
Ministry of Health & Family Welfare,  
Government of India,  
Nirman Bhawan, New Delhi- 110011.
3. The Drugs Controller General of India,  
Directorate General of Health Services,  
Ministry of Health & Family Welfare,  
Government of India,

Arun Kumar Das.



Niraman Bhawan, New Delhi-110011.

4. The Government Analyst,  
In Charge, Regional Drug Testing Laboratory,  
Govt. of India, Six Mile, Khanapara, Guwahati-37.
5. Secretary,  
Govt. of India,  
Ministry of Finance,  
Department of Expenditure,  
North Block,  
New Delhi-110001.

... Respondents.

### DETAILS OF THE APPLICATION

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

This application is made against the impugned letter bearing No. A-32022/2/2002-D dated 04.04.2007 (Annexure- XIII), issued from the office of the respondent No. 2, whereby the prayer of the applicants for up gradation of their pay scale vis-à-vis parity of pay scales with that of other similarly situated employees have been rejected in an arbitrary and discriminatory manner.

#### 2. Jurisdiction of the Tribunal:

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

#### 3. Limitation:

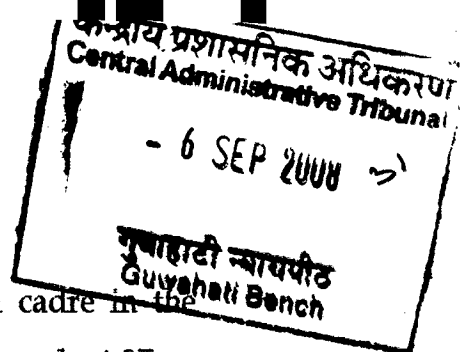
The applicants further declare that this application is filed within the limitation prescribed under section-21 of the Administrative Tribunals Act, 1985.

#### 4. Facts of the Case:

- 4.1 That the applicants are citizens of India and as such they are entitled to all the rights, protections and privileges as guaranteed under the Constitution of India. All the applicants are working as Junior Scientific Assistants (for

Arun Kumar Das.





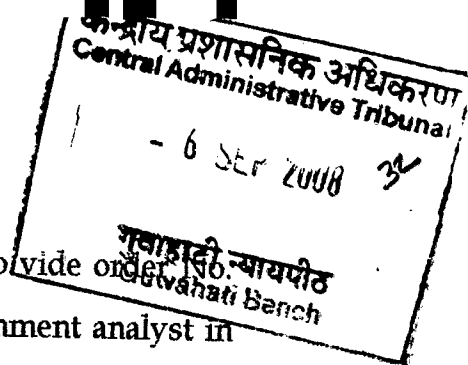
short J.S.A) under Group 'C' non-gazetted, non-ministerial cadre in the Regional Drug Testing Laboratory, Govt. of India, Six Mile, Guwahati-37.

- 4.2 That the applicants pray for permission to move this application jointly in a single application under the provisions of section 4 (5) (a) of the Central Administrative Tribunal (Procedure) Rules, 1985, as the relief's sought for in this application by the applicants are common.
- 4.3 That the applicants were initially appointed as Asstt. Chemist in the year 1995 on temporary basis in the State Drugs Testing Laboratory, Guwahati under the Directorate of Health Services, Govt. of Assam. Their services were since extended from time to time and eventually they were regularised as Asstt. Chemist vide order No. HSE/162/91/2515-19 dated 31.12.1996 and No. HSE/162/91/Pt/1206-210 dated 23.09.1997.

(Copy of order dated 31.12.1996 and dated 23.09.1997 are annexed hereto for perusal of Hon'ble Tribunal as Annexures-I and II respectively).

- 4.4 That subsequently, it was proposed that Govt. of India would set up a Regional Drugs Testing Laboratory in Assam to serve the entire North Eastern States including Sikkim and accordingly necessary steps were initiated by the Govt. of India and the Govt. of Assam. Thereafter, it was decided that the existing State Drugs Testing Laboratory at Guwahati would taken over by the Govt. of India, which would function as the Regional Drugs Testing Laboratory under the Govt. of India to serve the purpose aforesaid. Pursuant to the decision, the said state Drugs Testing Laboratory at Six Mile, Guwahati run by the Govt. of Assam was taken over by the Govt. of India, Ministry of Health and Family Welfare along with its staffs, machinery and equipments w.e.f. 01.10.2002 vide Govt. of India's order No. Z-14012/3/94-DC/MS & PFA dated 20.08.2002. Thereafter, in pursuance of the Govt. of India's said order dated 20.08.2002, the Govt. of Assam vide its Notification No. HA. 306/91/256 dated 07.09.2002 handed over the State Drugs Testing Laboratory, Panjabari, Six Mile, Guwahati- 37 along with its existing staff, machinery and equipments to the Govt. of

Atun Kumar Das.



India w.e.f 01.10.2002 with all assets and liabilities thereto vide order No. Z. 14012/3/94-DC/DMS & PFA dated 21.08.2002, the government analyst in State Drug Testing laboratory, Six Mile, Panjabari, Guwahati- 37 was declared as the Head of office and drawing and disbursing officer for regional drugs testing laboratory. Thenceforth, the applicants came to be the staff of regional drugs testing laboratory, six mile, Panjabari, Guwahati-37, under the Ministry of Health and Welfare, Govt. of India for all purposes.

(Copy of the order dated 20.08.02, dated 21.08.02 and notification dated 07.09.02 are annexed hereto for perusal of Hon'ble Tribunal as Annexure- III, IV and V respectively).

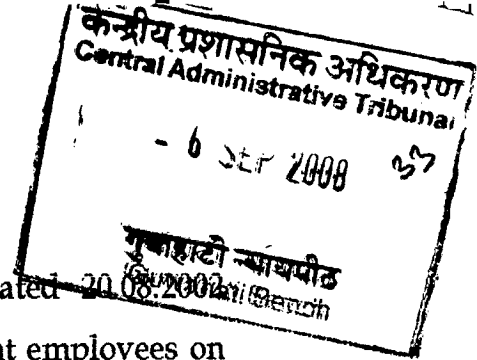
- 4.5 That thereafter, the Govt. of India, Ministry of Health and family welfare vide its notification dated 02.09.2002 published in the central Gazette, dated 21.09.2002, notified the recruitment rules for various categories of staff of the regional drugs testing laboratory, Guwahati (Group 'C' and 'D' posts). In the said recruitment rules, the pay scale of junior scientific Assistant has been shown as Rs. 4500-7000/-.

(Copy of extract from Gazette dated 21.09.2002 is annexed hereto for perusal of Hon'ble Tribunal as Annexure-VI).

- 4.6 That consequent upon the taking over the state drugs testing laboratory, Guwahati, the applicant became the staff of Regional Drugs Testing Laboratory, aforesaid w.e.f 01.10.2002. Accordingly they were placed in the pay scale of Rs. 4500-7000/-, which is equivalent to the scale of post of Asstt. Chemist, the post which the applicants were holding prior to taking over of the State Drugs Testing Laboratory, and their absorption and placement in the Regional Drugs Testing Laboratory was notified vide office order No. Z. 14012/3/94-DC/D (Pt. VIII) dated 01.10.2002 and No. RDTL/Ett/01/02/165 dated 22.11.2002.

(Copy of the order dated 01.10.2002 and dated 22.11.202 are annexed hereto for perusal of Hon'ble Tribunal as Annexure-VII and VIII respectively).

Atun Kumar Das.



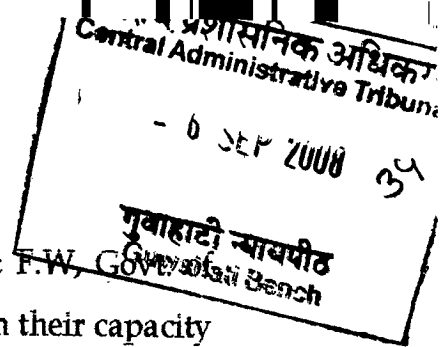
- 4.7 That the applicants begs to state that in the order dated (Annexure-III), it was clearly mentioned that the permanent employees on the date of taking over the said State Drugs Testing Laboratory would be absorbed against equivalent post for which recruitment rules exists. It is pertinent to mention here that the applicants prior to taking over the SDTL, were serving as Assistant Chemist and the equivalent posts of Assistant Chemist do also exist in the departments under the same Ministry of Health & F.W. But the applicants, after taking over, were absorbed in the post of Junior Scientific Assistant instead of Asst. Chemist, thereby enforcing a reduction in their rank and status since the post of Junior Scientific Assistant is lower than the post of Asst. Chemist. But even thereafter, further discrimination has been meted out to the applicants by granting them the pay scale, which is lower than the existing pay scale of the Junior Scientific Assistants even. It is relevant to mention here that whereas the existing scale of Junior Scientific Assistant is Rs. 5,000-8,000/-, the applicants have been placed in the lower scale of Rs. 4,500-7,000/- which means that following their absorption in the Regional Drugs Testing Laboratory, the applicants have not only been reduced in their rank and status but have further been discriminated upon in respect of pay scales attached to their present post. As such the actions of the respondents are arbitrary, unfair opposed to the agreed terms and conditions of absorptions and violative of the provisions of Article 14 and 16 of the Constitution of India.
- 4.8 That the applicants most respectfully beg to submit that as per the recommendations of the Fifth Central Pay Commission, the pay scales of junior scientific assistant and assistant chemist stand as follows:-

Jr. Scientific Assistant = Rs. 5,000-8,000/-

Assistant Chemist = Rs. 5,500-9,000/-

The abovementioned scales of pay have been adopted and implemented by the Ministry of Health and F.W, Govt. of India in its various departments like central drug laboratories, medical stores organization, pharmacopoeia laboratory for India medicines etc. The Regional Drugs Testing Laboratory, Guwahati where the applicants are

Atan Kumar Das.



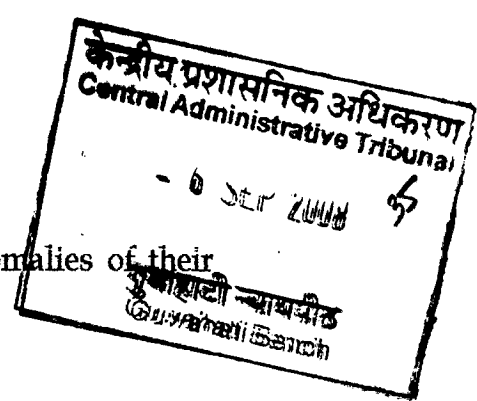
now working, is also under the same Ministry of Health & F.W, Govt. of India and as such in all fitness of the things, the applicants in their capacity of Junior Scientific Assistant, ought to have been placed in the scale of Rs. 5000- 8000/-, as shown above and not in the scale of Rs. 4,500-7,500/- since there is no such scale for the for the post of Jr. Scientific Assistant. As such the action of the respondents is malafide, illegal, arbitrary and opposed to the principles of natural justice.

- 4.9 That the applicants brought this matter of anomalies in their pay scale to the notice of the Govt. analyst i.e. the office-in-charge of RDTL, Guwahati and requested for his necessary action in the matter. The Govt. analyst, RDTL, Guwahati made a communication to the Director of Central Indian Pharmacopocia laboratory (CIPL) Ghaziabad and in reply, the Director, CIPL, Ghaziabad vide his letter No. CIPL/1040/2002-03 dated 01.11.2002 addressed to the Govt. analyst, RDTL Guwahati, has informed that the pay scale of the Junior Scientific Assistants of IPL has been upgraded from the scale of Rs. 4,500-7,000/- to Rs 5,000-8,000/- vide DHGS order No. A. 32022/2/98-D dated 5/8.5.2000 w.e.f. 01.01.1996. Acting on this information, the Govt. analyst, RDTL/Pay-Estt/16/01/157 dated 15.11.2002 referred the matter to the Drugs Controller General of India (respondent No. 3) and requested him to look into the matter and to suggest for its applicability for RTDL, Guwahati also. This matter was brought to the notice of Directorate general of Health services, New Delhi on earlier occasions also by the Govt., Analyst, RTDL, Guwahati which is evident from his letter No. DTL/ConvertRTDL/14/95/1525 dated 09.07.1998.

(Copy of Director, CIPL's letter dated 01.11.2002, and Govt. analyst Guwahati's letters dated 15.11.2002 and dated 09.07.1998 are annexed hereto for perusal of Hon'ble Tribunal as Annexure-IX, X and XI respectively).

- 4.10 That thereafter, the applicants approached the authority and again for upgradation of their pay scale from Rs. 4500-7000/- to Rs. 5000- 8000/- which they are legitimately entitled to. Eventually they submitted their individual representations from time to time and finally even a join

Arun Kumar Das.



representation on 13.08.2006 praying for removing the anomalies of their pay scale, but with no response whatsoever.

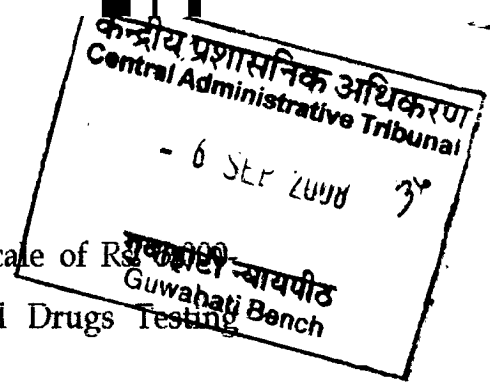
(Copy of some representations dated 27.03.06, 28.06.06 and 13.08.06 are annexed hereto for perusal of Hon'ble Tribunal as Annexure-XII Series).

- 4.11 That after a long service, the respondents vide their impugned letter No. A 32022/2/2002-D dated 04.04.2007 have informed that the proposal of upgrading the pay scale of the Junior Scientific Assistants of RTDL, Guwahati from Rs. 4,500-7,000/- to Rs. 5,000-8,000/- at par with that of CIPL, Ghaziabad has been found not feasible to agree to. The respondents have not stated any reason whatsoever for such rejection, but have most mechanically issued an arbitrary order dated 04.04.2007 and without cogent and valid reason, as such the impugned order dated 04.04.2007 is liable to be set aside and quashed.

(Copy of the impugned letter dated 04.04.2007 is annexed hereto for perusal of Hon'ble Tribunal as Annexure-XIII).

- 4.12 That the applicants most humbly and respectfully beg to submit that the applicants possess similar educational qualifications like that of other Junior Scientific Assistants and discharging same duties and responsibilities which the other Junior Scientific Assistants are doing in various departments under the same Ministry and as such the applicants are similarly situated like all other Junior Scientific Assistants serving elsewhere in the respondent department. But surprisingly, when the prescribed pay scale of Rs. 5,000-8,000/- has been granted to other similarly situated Junior Scientific Assistants, the respondents have granted a separate lower scale of Rs. 4,500-7,000/- for the Junior Scientific Assistants of RTDL, Guwahati at his own, thus creating an inequality amongst the equals which is against all procedures established by law and devoid of the solemn principles of equality, justice and good conscience, and unknown in all canons of service jurisprudence. As such the Hon'ble Tribunal be pleased to set aside and quash the impugned order dated 04.04.2007 and further be pleased to

Arjun Kumar Das.



declare that the applicants are entitled to get the pay scale of Rs. 5000-8000/- from the date of their absorption in Regional Drugs Testing Laboratory i.e. from 01.01.2002.

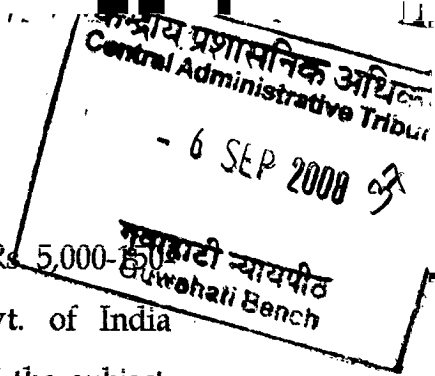
4.13 That the applicants beg to state that due to non-consideration of upgradation of their pay scales, the applicants have been incurring heavy financial loss and further loss in terms of the service prospects. As such finding no other alternative, the applicants are approaching this Hon'ble Tribunal for protection of their legitimate rights and it is a fit case for the Hon'ble Tribunal to interfere with and to protect the rights and interests of the applicants by directing the respondents to the pay scales of the applicants from Rs. 4500-7000/- to 5000-8000/- w.e.f the date of their absorption as Junior Scientific Assistant in RTDL, Guwahati i.e. w.e.f 01.10.2002 with all consequential service benefits.

4.13 A That it is stated that the following departments under the Ministry of Health and Family Welfare, Govt. of India, the scale of pay and educational qualification for the post of J.S.A has been prescribed as follows:

Designation	Department	Educational qualification	Scale of pay (Rs.)
Junior Scientific Assistant	Central Drug Laboratory, Govt. of India, Ministry of Health & Family Welfare	Degree in Pharmacy/ pharmaceutical/or Degree in Science with Chemistry as principal subject	5,000-8,0000
Junior Scientific Assistant	Medical Store Organisation, Govt. of India, Ministry of Health & Family Welfare	Degree in Pharmacy/ pharmaceutical/or Degree in Science with Chemistry as principal subject	5,000-8,0000
Junior Scientific Assistant	Pharmacopeia Laboratory for Indian Medicines, Govt. of India, Ministry of Health & Family Welfare	Degree in Pharmacy/ pharmaceutical/or Degree in Science with Chemistry as principal subject	5,000-8,0000

It is categorically stated that in all the above mentioned Central Government establishments the pre-revised scale was Rs. 1400-40-1800-50-

Arun Kumar Das.

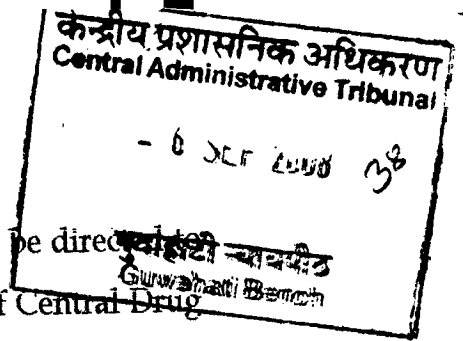


2,300/- and corresponding scale is given in the scale of pay of Rs. 5,000-8,000/- and in all the aforesaid department of the Govt. of India recruitment qualification is Degree with Chemistry as one of the subject. However, in some of the department desirable qualification is Masters Degree in Science with knowledge of Drugs analysis. It is learned that in all the recruitment rules of the aforesaid departments the similar essential qualification has been prescribed for the post of Junior Scientific Assistants. It would be evident from recruitment rule 1983 of the Govt. Medical Store Department prescribed as Degree in Pharmacy/ Pharmaceutical Chemistry or Degree in Science with Chemistry as one of the principal subject. During 1983, the scale of pay of J.S.A was prescribed as Rs. 380-560/-, however, after 5<sup>th</sup> Central Pay Commission, the higher scale of pay of Rs. 5,000-8000/- has been allotted to the cadre of J.S.A. As such the applicants being Central Govt. employees having similar recruitment qualifications with similar duties and responsibilities working in other establishments entitled to same scale of pay of Rs. 5,000-8,000/-.

Copy of the recruitment rule 1983 of Govt. of India Medical Store Department is enclosed herewith and marked as Annexure- XIV.

4.13 B That it is stated that during pendency of the Original Application the same is kept as part heard, however, the respondents have submitted one office note dated 27.06.2008 wherein it is stated that for the post of J.S.A at Central Indian Pharmacopoeia Laboratory (CIPL), Gaziabad have Post Graduate Degree as essential qualification whereas in the applicants department Degree with Chemistry as one of the subject are essential qualification. However, in the said Office note it has not been disclosed since when the Post Graduate Degree has been prescribed as essential qualification for the post of J.S.A in CIPL. Even no recruitment rule of CIPL have been placed by the respondents department before the learned Tribunal. It is categorically submitted that in the department of Medical Store department organization, Central Drug Testing Laboratory the educational qualification has been prescribed similar to that of the applicants but they were given the scale of pay of Rs. 5,000-8,000/-.

Arun Kumar Sris.



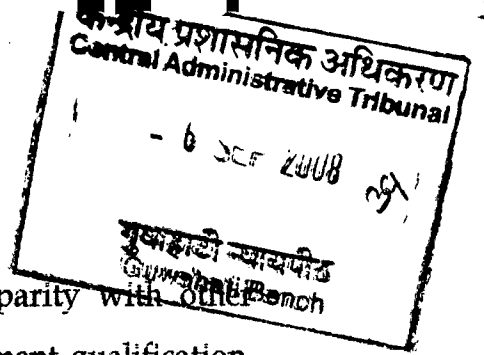
In the circumstances, it is prayed that the respondents be directed to produce recruitment rule of J.S.A in CIPL, Gaziabad, J.S.A of Central Drug Laboratory, Govt. medical store department for proper adjudication of the case of the applicants.

4.13 C That it is stated that the recruitment rule, 2000 wherein Column IV, the scale of pay of Rs. 4,500-150-7,000/- is required to be amended by incorporating the scale of pay of Rs. 5,000-150-8,000/- for the post of J.S.A at RDTL, Guwahati in order to maintain parity in pay scale for the post of J.S.A with other Central Govt. departments.

4.13 D That it is stated that the respondent placed an impugned letter issued by the Dy. Secretary to the Govt. of India, Ministry of Finance, Deptt. of Expenditure bearing letter no. UO No. 6/104/99-IC dated 27.06.2008, wherein certain observation is made by the Dy. Secretary to the Govt. of India, which is pre-judicial to the right and interest of the present applicants on a mere reading of the impugned letter dated 27.06.2008, it appears that the contention and observations made in sub para I, II and III of Para 2 are contradictory to each other as because in sub clause I, it has been observed that fifth CPC had recommended as many as 4 (four) scale of pay i.e Rs. 4000-3000/-, Rs. 4500-7000/-, Rs. 5000-8000/- and Rs. 5500-9000/- for posts carrying minimum Direct Recruitment qualifications of graduate degree with chemistry as one of the subject, therefore, there cannot be any bar on the part of the applicants to claim parity of pay scale of Rs. 5000-8000/- since the said scale already granted to the junior Scientific Assistant of Govt. Medical Store Depot under the Ministry of Health and family Welfare. It is not disclosed in the observation made in clause-III, as to when the recruitment rule for the post of JSA in CIPL recruitment Rule is amended, providing higher qualification of Post Graduate Degree has been prescribed for the post of JSA. Which is a relevant fact for adjudication of the case of the present applicants. It is specifically stated that if there is any higher qualification or additional qualification is prescribed for a particular cadre post, the same should be effected from the date of the amendment of the recruitment rule or from a prospective date which cannot stand on the way of upgradation of the pay

Arun Kumar Das.





scale of the present applicants in order to maintain parity with other Central Government Department having similar recruitment qualification, similar nature of duties and responsibilities. The impugned letter dated 27.06.2008 has been cleverly drafted without providing all relevant facts or information regarding recruitment rule for the post of JSA in CIPL but the impugned letter has been issued with the sole intention to deny the higher pay scale to the applicants as such the impugned letter dated 27.06.2008 is liable to be set aside and quashed.

Copy of the letter dated 27.06.2008 is enclosed as Annexure-XV.

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

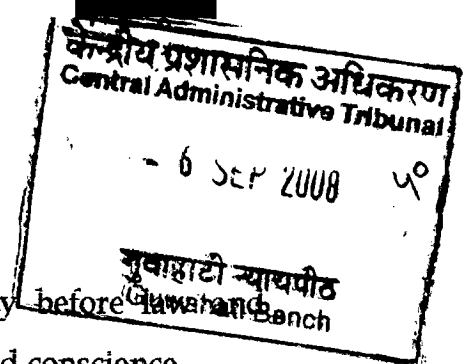
5. Grounds for relief(s) with legal provisions.

5.1 For that, as per the recommendations of the Fifth Central Pay Commission, the pay scale of Junior Scientific Assistants is Rs. 5000-8000/- and as such the applicants are entitled to the scale of Rs. 5000-8000/-.

5.2 For that, the Junior Scientific Assistants working in other departments under the same Ministry have been granted the revised pay scale of Rs. 5,000-8,000/- w.e.f 01.01.1996 following the recommendations of the 5<sup>th</sup> pay commissions. As such denial of the same scale to the applicants who were serving as Junior Scientific assistant, in RTDL, Guwahati and placing hem in a lower scale of Rs. 4500-7000/- is discriminatory and violative of the provisions of the article 14 and 16 of the Constitution of India.

5.3 For that, the applicants possess similar educational qualifications like that of other Junior Scientific Assistants and responsibilities, which the other Junior Scientific Assistants are doing in various offices in the respondent department. As such the applicants are similarly situated like other Junior Scientific Assistants and hence legitimately entitled to get the same pay scale of Rs. 5000-8000/-, which the other similarly situated Junior Scientific Assistants under the same department have been getting. Denial of the same to the applicants means deliberate creation of inequality amongst the

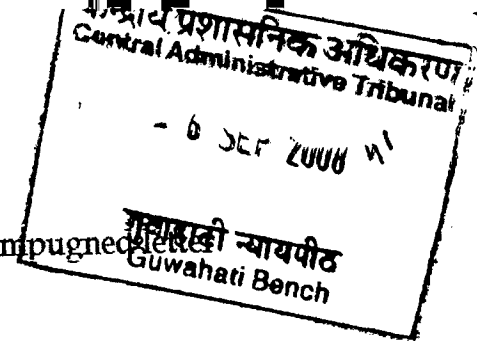
Arun Kumar Das.



equals, which is opposed to the principles of equality before law and devoid of the solemn principles of equity, justice and good conscience.

- 5.4 For that, at the time of taking over the DTL by the RDTL, it was clearly mentioned in the order dated 20.08.2002 (Annexure- III) that permanent employees of SDTL would be absorbed against equivalent post but after absorption in RTDL they were placed in the post of Junior Scientific Assistant instead of the post of Assistant Chemist which they were holding in DTL prior to their absorption, thereby reducing their rank and status and even thereafter further discrimination has been made by placing them in a scale which is lower than that of even Junior Scientific Assistant which is in existence. Such actions of the respondents are arbitrary, unfair, malafide and opposed to all principles of service jurisprudence, as such the impugned order dated 04.04.2007 is liable to be set aside and quashed.
- 5.5 For that, the pay scale for Junior Scientific Assistant prescribed under law is Rs. 5000-8000/- which is existent in the respondent department and as such denial of the same to the applicants and granting them a lower scale of Rs. 4500-7000/- at the whims and caprices of the respondents is opposed to the principles of natural justice and strikes at the root of the doctrine of "Rule of law", as such the impugned letter dated 04.04.2007 is liable to be set aside and quashed.
- 5.6 For that the applicants have approached/submitted representations time and again seeking for justice and even the officer-in-charge of RDTL, Guwahati has placed the matter time and again before the authorities and requested for removing anomalies of pay scale in respect of junior scientific assistants of RDTL, Guwahati so as to make it at par with that of other junior scientific assistants of the department, but with no response whatsoever.
- 5.7 For that the respondents vide their impugned letter dated 04.04.2007 (Annexure-XIII) have rejected the claim of the applicants in respect of their pay scales but without showing any reason thereof which is arbitrary,

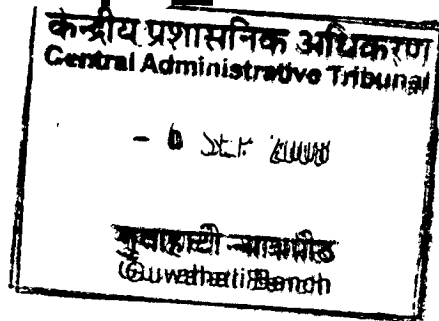
Atun Kumar Das.



capricious, illegal, unfair and malafide and as such the said impugned letter is liable to be quashed and set aside.

- 5.8 For that the respondents do not have any right or jurisdiction whatsoever to create two separate scales for the employees working in the same post and discharging the same duties and responsibilities which amounts to unreasonable classification and attracts judicial interference.
- 5.9 For that the impugned letter dated 04.04.2007 is cryptic, non-speaking, arbitrary and violative of Article 14 and 16 of the Constitution of India, as such the same is liable to be set aside and quashed.
- 5.10 For that, the applicants demanded justice but the same has been denied to them in an arbitrary, illegal and unfair manner.
- 5.11 For that since the essential qualification has been prescribed for J.S.A the Degree in Chemistry even in the Govt. Medical Store Department under the Ministry of Health and Family Welfare, Govt. of India, and also in other department as stated in a preceeding paragraph as such the benefit of higher scale of pay of Rs. 5,000-8,000/- cannot be denied to the applicants when the recruitment qualification, duties and responsibilities are similar in both the departments.
- 5.12 For that at the time of absorption of the applicants in the cadre of J.S.A by the Govt. of India, the essential qualification in all the Drug Testing Laboratories was similar for the post of J.S.A. As such the recruitment rule, 2000 is liable to be amended in order to bring uniformity in the post of J.S.A in all the Central Govt. establishment and department.
- 5.13 For that the impugned letter dated 27.06.2008 issued by the Deputy Secretary, Govt. of India, Ministry of Finance, is cryptic and the same has been issued without discharging the recruitment qualification for the post of JSA in other department like Govt. Medical Store Depot etc., under the Ministry of Health and family Welfare, Govt. of India, as such impugned letter dated 27.06.2008 issued during pendency of the original application is liable to be set aside and quashed."

Arjun Kumar Das.



6. Details of remedies exhausted.

That the applicants state that they have exhausted all the remedies available to them and there is no other alternative and efficacious remedy than to file this application.

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

The applicants further declare that they did not previously filed any application, Writ Petition or Suit before any Court or any other authority or any other Bench of the Tribunal regarding the subject matter of this application nor any such application, Writ Petition or Suit is pending before any of them.

8. Relief(s) sought for:

Under the facts and circumstances stated above, the applicants humbly pray that Your Lordships be pleased to admit this application, call for the records of the case and issue notice to the respondents to show cause as to why the relief(s) sought for in this application shall not be granted and on perusal of the records and after hearing the parties on the cause or causes that may be shown, be pleased to grant the following relief(s):

8.1 That the Hon'ble Tribunal be pleased to set aside and quash the impugned letter bearing No. A.32022/2/2002-D dated 04.04.2007 (Annexure- XIII).

8.1 A That the Hon'ble Tribunal be pleased to direct the respondents to modify/amend the Column IV of Schedule of the Regional Drug Testing Laboratory, Guwahati (Group 'C' and Group 'D' posts) Recruitment Rules, 2000 (Annexure- VI) by deleting the scale of Rs. 4,500-125-7,000 (and incorporating the scale of pay of Rs. 5,000-150-8,000/- in."

8.1 B That the Hon'ble Tribunal be pleased to set aside and quash the Ministry of Finance U.O letter No. 6/104/99-IC dated 27.06.2008.

8.2 That the Hon'ble Tribunal be pleased to declare that the applicants are entitled to get the pay scale of Rs. 5,000-8,000/- from the date of their absorption in RDTL i.e from 01.10.2002.

Arjun Kumar Das.

8.3 That the Hon'ble Tribunal be pleased to direct the respondents re-fix the pay of the applicants in the scale of Rs. 5000-8000/- instead of Rs. 4500-7000/- w.e.f 01.10.2002 with all consequential benefits the arrears pay etc.

8.4 Costs of the application.

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

9. Interim order prayed for.

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

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

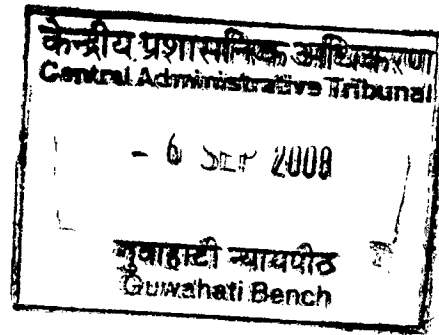
10. ....  
This application is filed through Advocates.

11. Particulars of the I.P.O.

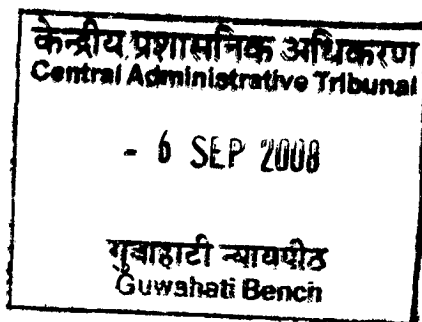
- |      |               |                    |
|------|---------------|--------------------|
| i)   | I. P. O. No.  | :                  |
| ii)  | Date of Issuc | :                  |
| iii) | Issued from   | : G.P.O, Guwahati. |
| iv)  | Payable at    | : G.P.O, Guwahati. |

12. List of enclosures.

As given in the index.



Arun Kumar Das.



**VERIFICATION**

I, Shri Arun Kumar Das, S/o Shri Prabhat Chandra Das, aged about 43 years, presently working as Junior Scientific Assistant in the Regional Drug Testing Laboratory, Six mile, Khanapara, Guwahati-37 do hereby verify that the statements of the amended original application made in Paragraph 1 to 4 and 6 to 12 are true to my knowledge and those made in Paragraph 5 are true to my legal advice and I have not suppressed any material fact.

And I sign this verification on this the \_\_\_\_ day of October 2008.

Arun Kumar Das.

GOVERNMENT OF ASSAM  
ORDER OF THE DIRECTOR OF HEALTH SERVICES : ASSAM :  
HENGRAHARI : GUWAHATI-6.

Dated Guwahati, the 31/12/96.

No.HSE/162/91/2514 - The term of appointments of the Asstt. Chemist of the following person issued vide this Directorate order No.HSE/162/91/2890 dt. 30-03-95 and HSE/162/91/4042 dt. 03-05-95 respectively and extended their services from time to time is hereby regularised with effect from the date of their joining as Asstt. Chemist without break against the post created vide HLA/713/73/52 dt. 18-02-77.

- ✓ 1. Sri Anarjyoti Chamuah.
- ✓ 2. Sri Dilip Sarkar.
- ✓ 3. Miss Rinku Kalita.

केन्द्रीय प्रशासनिक अधिकरण  
Control Administrative Tribunal

- 6 SEP 2008

गुवाहाटी न्यायपीठ  
Guwahati Bench

Sd/- Dr. A.R. Basumatary,  
Director of Health Services, Assam,  
Hengrabari : Guwahati-6.

Memo No.HSE/162/91/2515-19 Dated Guwahati, the 31/12/96.

Copy for information and necessary action to :-

1. The Govt. Analyst, State Drugs Testing Laboratory, Ghy-22.
2. The Supdt. Account Branch of this Directorate.
3. The Establishment Records of this Directorate.
4. The Person concerned.
5. The Accountant General, Assam, Guwahati-28.

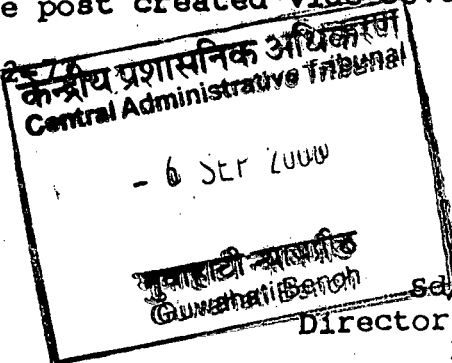
*[Signature]*  
Director of Health Services, Assam,  
Hengrabari : Guwahati : : : 61

Attested  
by  
Advocate

GOVT. OF ASSAM  
ORDER OF THE DIRECTOR OF HEALTH SERVICES:::ASSAM:  
HENGRABARI::: GUWAHATI-6.

Dated --2--23/9/97--

No.HSE/162/91/pt/1205-210 The term of appointment of Sri Arun Kr.Das,Asstt.Chemist,issued vide this Directorate order No.HSE/162/91/5240 dated 25-5-95 and extended his term of services from time to time is hereby regularised as Asstt.Chemist, with effect from the date of joining, against the post created vide Govt.letter No.HLA/713/73/52 dated 18-02-78



Sd/- Dr. A.R. Basumatary.  
Director of Health Services,Assam,  
Hengrabari,Ghy-6.

Memo No.HSE/162/91/pt/1206-210 Dated 23-9-97

copy for information and necessary action to:-

- 1) The Govt.Analyst,State Drugs Testing Laboratory,Sixmile Khanapara,Ghy-22.
- 2) The Supdt.Account Branch of this Directorate.
- 3) The Establishment records of this Directorate.
- 4) The person concerned.
- 5) The Accountant General,Assam,Beltola,Ghy-28.

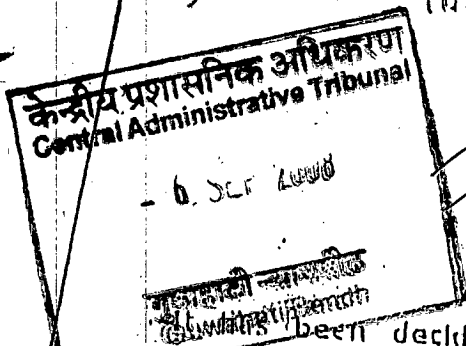
Director of Health Services,Assam,  
Hengrabari,Guwahati-6.

Attested  
Chhulu  
Advocate



ANNEXURE - III

Z.14012/3/2002/DC/1/15 G.P.E.A.  
Government of India  
Ministry of Health and Family Welfare  
(Department of Health)



64B-A, Nirman Bhavan,  
New Delhi.  
Dated the 26.8.2002.

ORDER

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

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

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

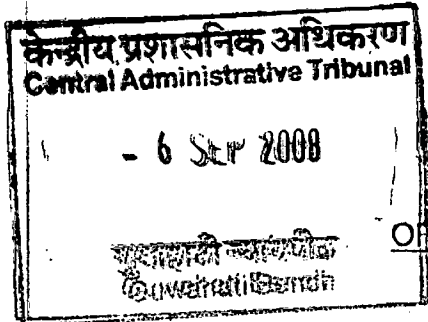
Attested  
Advocate

(P.T.O.)

No.Z.14012/3/94-DC/DMS&PFA  
Government of India  
Ministry of Health and Family Welfare

648-A, Nirman Bhavan,  
New Delhi

Dated the 21<sup>st</sup>, August, 02



ORDER

In continuation of the order of even no. dated 20<sup>th</sup> August, 2002 Government Analyst in State Drug Testing Laboratory, Sixmile, Panjabari, Guwahati - 781037 is hereby declared as the Head of office and Drawing and Disbursing officer for Regional Drugs Testing Laboratory. He will also act as officer in charge for day to day functions. For accounting purpose Regional Drug Testing Laboratory will be attached with the CDDO, ADG, GMSD, Guwahati w.e.f. from 1.10.2002.

(J.S. CHOUDHARY)

DEPUTY SECRETARY TO THE GOVT. OF INDIA

Copy to:-

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

A Heated  
Advocate

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

NOTIFICATION

Dated Dispur the 7<sup>th</sup> September 2002

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

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

(Sri Alok Pertti IAS)  
Principle Secretary to the Govt.of Assam  
Health & F.W Department

Dated 7<sup>th</sup> September 2002

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

Copy to:

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

By order etc.  
Principle Secretary to the Govt of Assam

ANNEXURE-V  
केन्द्रीय प्रशासनिक अधिकारी  
Central Administrative Tribunal

- 6 SEP 2002

Attended  
M. L. Choudhary  
Advocate

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

Appearing on Page No. 2001

Dated 21-9-2002

अधिसूचना

स्वास्थ्य और परिवार कल्याण मंत्रालय

नई दिल्ली, 2 सितम्बर, 2002

केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal

- 6 SEP 2002

गुवाहाटी न्यायपीठ  
Guwahati Bench

सा. का. नि. 382.—राष्ट्रपति, संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए प्रादेशिक औषधि परीक्षण प्रयोगशाला, गुवाहाटी (समूह 'ग' और समूह 'घ' पद) भर्ती नियम, 2000 का और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :-

1. (1) इन नियमों का संक्षिप्त नाम प्रादेशिक औषधि परीक्षण प्रयोगशाला, गुवाहाटी (समूह 'ग' और समूह 'घ' पद) भर्ती (संशोधन) नियम, 2002 है।

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

2. प्रादेशिक औषधि परीक्षण प्रयोगशाला, गुवाहाटी (समूह 'ग' और समूह 'घ' पद) भर्ती नियम, 2000 की अनुसूची में, कनिष्ठ वैज्ञानिक सहायक के पद से संबंधित प्रविष्टियों के सामने स्तंभ 6 के नीचे "18 से 25 वर्ष के बीच" शब्दों और अंकों के स्थान पर "25 वर्ष से अधिक नहीं" अंक और शब्द रखे जाएंगे।

[फा. सं. ए-12018/11/98-डी (डी एम एस एंड पी एफ ए) वाल. II]

चन्द्र प्रकाश, अवर सचिव

टिप्पण :—मूल नियम, सा.का.नि. 513, तारीख 8-12-2000 द्वारा प्रकाशित किए गए थे।

## MINISTRY OF HEALTH &amp; FAMILY WELFARE

New Delhi, the 2nd September, 2002.

G.S.R. 382.—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 Regional Drug Testing Laboratory, Guwahati (Group 'C' and Group 'D' Posts) Recruitment Rules, 2000, namely :—

1. (1) These rules may be called the Regional Drug Testing Laboratory, Guwahati (Group 'C' and Group 'D' Posts) Recruitment (Amendment) Rules, 2002.

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

2. In the Schedule of the Regional Drug Testing Laboratory, Guwahati (Group 'C' and Group 'D' Posts) Recruitment Rules, 2000, against the entries relating to the post of Junior Scientific Assistant under column 6, for the words and figures "Between 18 to 25 years" the words and figures "Not exceeding 25 years" shall be substituted.

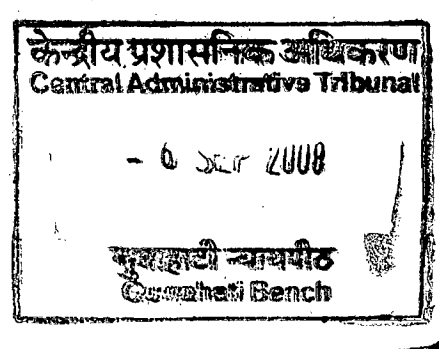
[F. No. A 12018/11/98-D (DMS&amp;PFA) Vol. II]

CHANDER PRAKASH, Under Secy.

Note :—The Principal rules were published vide No. G.S.R. 513 dated 8-12-2000.

Attested  
M. K. Adhikari  
Advocate

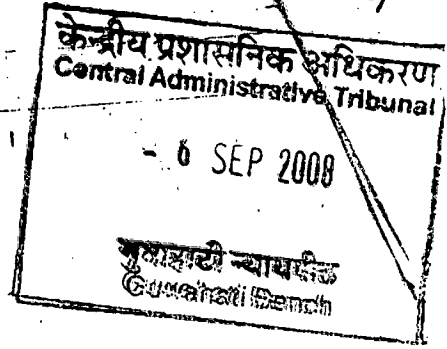
1	2	3	4	5	6	7
सफाईवाला	1	साधारण (2000) कार्यभार के आधार पर परिवर्तन किया जा सकता है।	2550-55- केन्द्रीय सेवा समूह "घ" 3200/- अराजपत्रित, रुपये अननुसन्धित	लागू नहीं होता	18 से 25 वर्ष के बीच	नहीं (केन्द्रीय सरकार द्वारा सम्बन्धित समय पर जारी किए गए अनुदेशों या आदेशों के अनुसार सरकारी सेवाओं के लिए शिथिल करके 40 वर्ष तक की जा सकती है)।



टिप्पण : 1. आयु सीमा अवधारित करने के लिए निर्णायक तारीख भारत में अभ्यर्थियों से आवेदन प्राप्त करने के लिए नियत की गई अंतिम तारीख होगी। (न कि वह अंतिम तारीख जो असम, मेवालय, अरुणाचल प्रदेश, मिजोरम, मणिपुर, नागालैंड, त्रिपुरा, मिक्किम, जम्मू-कश्मीर राज्य के लद्दाख खंड, हिमाचल प्रदेश के लाहौल और स्पीति जिले तथा चम्पा जिले के पांगी उपखंड, अंडमान और निकोबार द्वीप या लक्षद्वीप के अभ्यर्थियों के लिए विहित की गई है।)

टिप्पण 2 : रोजगार कार्यालयों के माध्यम से की जाने वाली भर्ती की दशा में, आयुसीमा अवधारित करने के लिए निर्णायक तारीख वह अंतिम तारीख होगी जिस तक रोजगार कार्यालयों में नाम भेजने के लिए कहा गया है।

8	9	10
अभ्यर्थियों को किसी भारतीय भाषा को पढ़ने और लिखने का ज्ञान होना चाहिए	लागू नहीं होता	दो वर्ष
11	12	
सीधी भर्ती द्वारा	लागू नहीं होता	



लागू नहीं होता।

पुष्टि के संबंध में विचार करने के लिए समूह 'घ' विभागीय प्रोन्नति समिति, जिसमें निम्नलिखित होंगे :—

1. उप निदेशक, प्रादेशिक औषधि परीक्षण प्रयोगशाला, गुवाहाटी — अध्यक्ष
2. सहायक औषधि नियंत्रक (भारत) पूर्वी जोन — सदस्य
3. गुवाहाटी में स्थित किसी केन्द्रीय सरकार के कार्यालय से अधिकारी — सदस्य

[फा. सं. ए-12018/11/98-डी]

एफ. के. पाण्डे, अव्वर सचिव

New Delhi, the 8th December, 2000

G.S.R. 513.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to Group 'C' and Group 'D' posts in Regional Drugs Testing Laboratory, Guwahati, namely :—

1. Short title and commencement.—(1) These rules may be called the Regional Drugs Testing Laboratory, Guwahati (Group 'C' and Group 'D' posts) Recruitment Rules, 2000.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. Application.—These rules shall apply to the posts specified in column 1 of the Schedule annexed to these rules.

3. Number of posts, classification and scale of pay.—The number of the said posts, their classification and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

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

5. Initial constitution.—The persons holding on regular basis, on the date of commencement of these rules, the posts specified in column 2 of the Table below, shall be redesignated as the posts specified in the corresponding entries in column 3 thereof and shall be deemed to have been appointed at the initial constitution to the said posts.

S. No.	Post presently held	Post to be appointed to
1	2	3
(I)	Assistant Chemist	Junior Scientific Assistant.
(II)	Lower Division Assistant	Lower Division Clerk

1	2	3
(III)	Watchman	Peon
(IV)	Laboratory Bearer	Attendant/Sample Opener
(V)	Cleaner	Attendant/Sample Opener
(VI)	Sweeper	Safaiwala

6. Disqualifications.—No person,—

- (a) Who has entered into or contracted a marriage with a person having a spouse living; or
- (b) Who having a spouse living, has entered into or contracted a marriage with any other persons,

shall be eligible for appointment to the said posts :

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

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

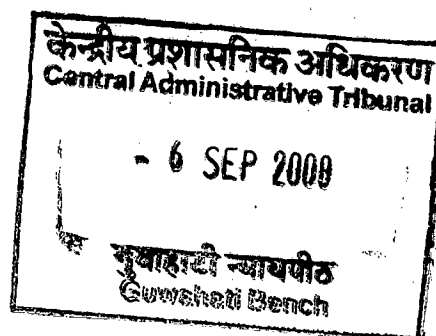
8. Saving.—Nothing in these rules shall affect reservations, relaxation of age limit and other concessions required to be provided for the Scheduled Castes, Scheduled Tribes, Ex-Servicemen, Other Backward Classes and other special categories of persons in accordance with the orders issued by the Central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

#### SCHEDULE

Name of post	Number of posts	Classification	Scale of pay	Whether selection by merit or selection-cum-seniority or non-selection post
1	2	3	4	5
1. Junior Scientific Assistant	4* (2000) *Subject to variation dependent on workload.	General Central Service, Group 'C', Non-Gazetted, Non-Ministerial	Rs. 4500-125-7000	Not applicable

Age limit for direct recruits	Whether benefit of added years of service admissible under Rule 30 of the Central Civil Pension Rules, 1972.	Educational and other qualifications required for direct recruits
-------------------------------	--	---

6	7	8
<p>Between 18 to 25 years (relaxable for Government servants upto 40 years in accordance with the instructions or orders issued by the Central Government).</p> <p>Note 1 : The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India except for Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu and Kashmir State, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, the Union Territory of the Andaman and Nicobar Islands or the Union Territory of Lakshadweep.</p> <p>Note 2 : In case of recruitment made through Employment Exchange, the crucial date for determining the age limit shall be the last date upto which the Employment Exchanges are asked to submit the names.</p>	No.	<p>Essential Qualification : Degree with Chemistry as one of the subjects.</p> <p>Desirable Qualification : Master's Degree in Science with knowledge of Drugs Analysis.</p>



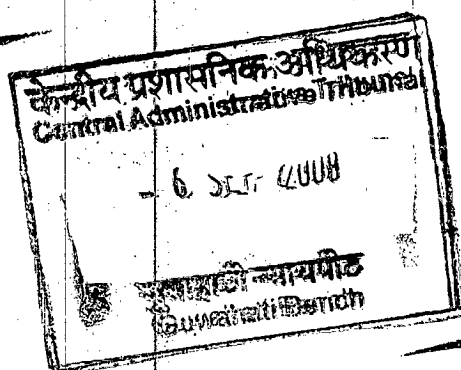
Whether age and Educational Qualification prescribed for direct recruits will apply in the case of promotees	Period of probation. if any	Method of recruitment, whether by direct recruitment or by promotion or by deputation or absorption and percentage of the posts to be filled by various methods
--	-----------------------------	---

9	10	11
Not applicable	Two years	<p>By direct recruitment.</p> <p>Note : Vacancies caused by the incumbent being away on deputation or Training or Study leave or under other circumstances for a duration of one year or more may be filled on deputation basis from officers of Central Government :</p> <p>(a) (i) holding analogous posts on regular basis; or (ii) with five years regular service in the scale of Rs. 4000—6000 or equivalent; and</p> <p>(b) possessing the qualifications prescribed for direct recruits under column 8.</p>

In case of recruitment by promotion or deputation or absorption, grade from which promotion or deputation or absorption to be made

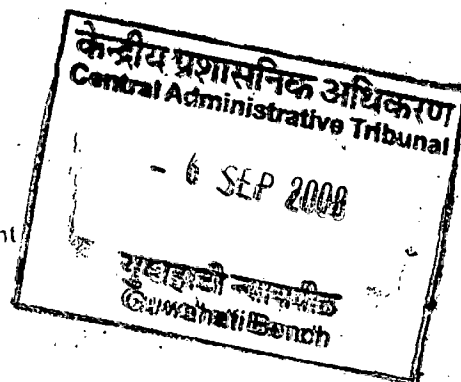
If a Departmental Promotion Committee exists, what is its composition

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



motion of tion, grade from which promotion or deputation or absorption to be made		12		13		14	
Not applicable		Group 'C' Departmental Promotion Committee (for considering confirmation) :—		1. Deputy Drugs Controller (INDIA), Central Drugs Standard Control Organisation, East Zone/ Headquarter— Chairman.		Not applicable	
2. Deputy Director, Regional Drugs Testing Laboratory, Guwahati — Member.		3. Assistant Drugs Controller (INDIA), East Zone —Member.		4. An Officer from any other Central Government Office located in Guwahati — Member.			
1		2		3		4	
2. Upper Division Clerk		1* (2000) *Subject to variation dependent on workload.		General Central Service, Group 'C', Non-Gazetted, Ministerial.		Rs. 4000-100-6000	
						Selection-c seniority	
						8	
6		7		8			
Not applicable.		No		Not applicable		Not applicable	
9		10		11			
Not applicable.		Not applicable.		By promotion failing which by deputation.			
12		13		14			
Promotion : Lower Division Clerk with eight years regular service in the grade: Deputation : Officers of the Central Government : (a) (i) holding analogous posts on regular basis; or		Group 'C' Departmental Promotion Committee : 1. Deputy Drugs Controller (India), Central Drugs Standard Control Organisation, East Zone/ Headquarter — Chairman. 2. Deputy Director, Regional Drugs Testing Laboratory, Guwahati — Member. 3. Assistant Drugs Controller (India), East Zone —Member		Not applicable			





- (ii) with 8 years regular service in grade of Rs. 3050-4590; and
4. An Officer from any other Central Government office located in Guwahati — Member.

- (b) (i) possessing the qualification of Matriculation; and  
(ii) having minimum speed of 30 words per minute in typewriting in English or 25 words per minute in typewriting in Hindi.

1	2	3	4	5
3. Lower Division Clerk.	2* (2000) *Subject to variation dependent on work load.	General Central Service, Group 'C', Non-Gazetted, Ministerial.	Rs. 3050-75-3950-80-4590.	Not applicable.
6	7	8		

Between 18 to 25 years (relaxable for Government servants upto 40 years in accordance with the instructions or orders issued by the Central Government).

Not applicable.

1. Matriculation or equivalent.
2. Minimum speed of 30 words per minute in typewriting in English or 25 words per minute in typewriting in Hindi.

Note 1 : The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India except for Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu and Kashmir State, Lahaul and Spiti District and Pangl Sub-Division of Chamba District of Himachal Pradesh, the Union Territory of the Andaman and Nicobar Islands or the Union Territory of Lakshadweep.

Note 2 : In case of recruitment made through Employment Exchange, the crucial date for determining the age limit shall be the last date up to which the Employment Exchanges are asked to submit the names.

9	10	11
Not applicable	Two years	By direct recruitment. Note : In case any post falls vacant for more than one years on account of the incumbent proceeding on long leave, training, deputation etc., the post will be filled on deputation basis from Officers of Central/State Government holding analogous posts on regular basis and possessing qualifications prescribed for direct recruits under column 8.

Not applicable

Group 'C' Departmental Promotion Committee (for considering confirmation) consisting of :

Not applicable.

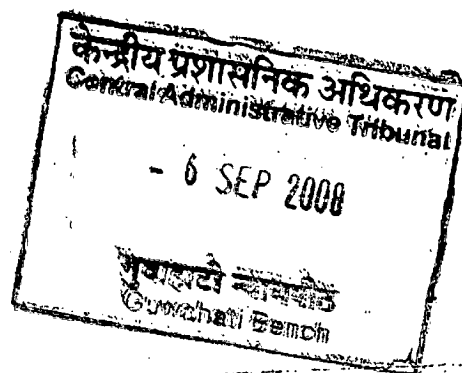
1. Deputy Drugs Controller (India), Central Drugs Standard Control Organisation, East Zone/ Headquarter— Chairman.
2. Deputy Director, Regional Drugs Testing Laboratory, Guwahati— Member.
3. Assistant Drugs Controller (India), East Zone — Member.

1	2	3	4	5
4. Attendant/Sample Opener	3* (2000) *Subject to variation dependent on workload.	General Central Service Group 'D' Non Gazetted non-Ministerial	Rs. 2650-65-3300-70-4000	Not applicable

Between 18 to 25 years  
(Relaxable for Government servants upto 40 years in accordance with the instructions or orders issued by the Central Government).  
Note 1 :—The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India except for Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu and Kashmir State, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, the Union Territory of the Andaman and Nicobar Islands or the Union Territory of Lakshadweep.  
Note 2 :—In case of recruitment made through Employment Exchange the crucial date for determining the age limit shall be the last date up to which the Employment Exchanges are asked to submit the names.

No

Essential :—Matriculation (10th class pass) or equivalent with Science as one of the subjects.  
Note :—Qualifications are relaxable at discretion of the competent authority in case of candidates otherwise well qualified.  
Desirable :—One year's experience as Attendant in a Laboratory.



9	10	11
Not applicable	Two years	By direct recruitment. Note :—Vacancies caused by the incumbent being away on deputation or training or study leave or under other circumstances for a duration of one year or more may be filled on deputation basis from officers of Central Government :— (a) (i) holding analogous posts on regular basis; or (ii) with two/four years regular service in the scale of Rs. 2610—3540/2550—3200 or equivalent; and (b) possessing the qualifications and experience prescribed for direct recruits under column 8.

12  
Not applicable

13  
Group 'D' Departmental Promotion Committee (for considering confirmation) consisting of :-- Not applicable

1. Deputy Director, Regional Drugs Testing Laboratory, Guwahati—Chairman
2. Assistant Drugs Controller (India) East Zone—Member
3. An Officer from any Central Government office located in Guwahati—Member

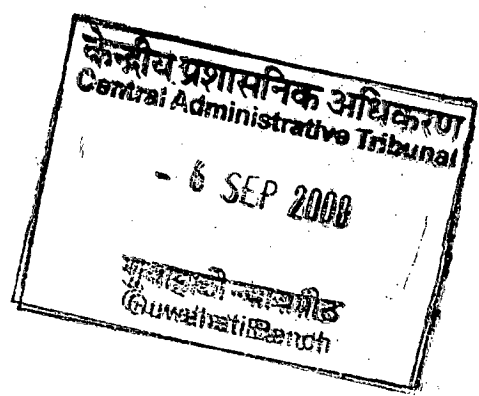
1	2	3	4	5
5. Peon	1* (2000) *Subject to variation dependent on workload	General Central Service Group 'D' Non-Gazetted Ministerial	Rs. 2550-55-2660-60-3200	Not applicable

Between 18 to 25 years  
(Relaxable for Government servants upto 40 years in accordance with the instructions or orders issued by the Central Government).

Note 1 :—The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India except for Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu and Kashmir State, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, the Union Territory of the Andaman and Nicobar Islands or the Union Territory of Lakshadweep.

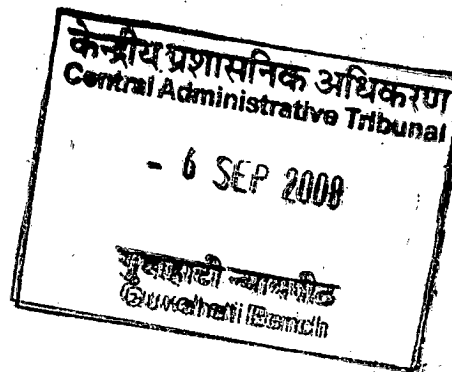
Note. 2 :—In case of recruitment made through Employment Exchange the crucial date for determining the age limit shall be the last date up to which the Employment Exchanges are asked to submit the names.

No Middle standard pass from a recognised school.



9	10	11
Not applicable	Two years	By direct recruitment.

12	13	14
Not applicable	Group 'D' Departmental Promotion Committee for considering confirmation consisting of :— 1. Deputy Director, Regional Drugs Testing Laboratory Guwahati—Chairman 2. Assistant Drugs Controller (India) East Zone—Member 3. An officer from any other Central Government office located in Guwahati—Member	Not applicable
1	2	3
6. Safaiwala	1* (2000) *Subject to variation dependent on work load.	General Central Service Group 'D' Non-Gazetted Non-Ministerial
		Rs. 2550-55-2660-60-3200
		Not applicable
6	7	8
Between 18 to 25 years (Relaxable for Government servants upto 40 years in accordance with the instructions or orders issued by the Central Government). Note 1 :—The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India except for Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu and Kashmir State, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, the Union Territory of the Andaman and Nicobar Islands or the Union Territory of Lakshadweep. Note 2 :—In case of recruitment made through Employment Exchange the crucial date for determining the age limit shall be the last date up to which the Employment Exchanges are asked to submit the names.	No	The candidates should know how to read and write in any Indian Language.



[F. No. A.-12018/11/98-D(DMS & PFA)]  
F. K. PANDE, Under Secy.

**ANNEXURE-VII**

No.2.14012/3/94-DC/D(Pt.VIII).  
DIRECTORATE GENERAL OF HEALTH SERVICES  
(DRUGS SECTION)

New Delhi, dated: 1/10/02

ORDER

Consequent upon taking over of the State Drug Testing Laboratory, Guwahati as Regional Drugs Testing Laboratory as a Subordinate office under Directorate General of Health Services, Ministry of Health & F.W., it has been decided to absorb Group 'C' & 'D' staff against the posts given below w.e.f. the date of absorption as per order No.2.14012/3/94-DC & DHS & FFA Dated 20.8.2002.

Sl. No.	Post presently held	Post against which to be absorbed	N. of post.
I.	Assistant Chemist	Junior Scientific Asstt.	(4)
II.	Lower Division Assistant	Lower Division Clerk	(2)
III.	Watchman	Peon	(1)
IV.	Laboratory Bearer	Attendant/Sample Opener	(3)
V.	Cleaner	Attendant/Sample Opener	
VI.	Sweeper	Bafalwala	(1)
VII.	Upper Division Assistant	Upper Division Clerk	(1)

( J. J. CHOWDHURY  
DEPUTY SECRETARY

केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal  
- 6 SEP 2008  
गुवाहाटी न्यायपीठ  
Guwahati Bench

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

Attested  
N. Indira  
Advocate

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**ANNEXURE-VIII**

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

केन्द्रीय प्रशासनिक अधिकारी  
Central Administrative Tribunal  
- 6 SEP 2008  
गुवाहाटी न्यायपीठ  
Guwahati Bench

No.RDTL/Estt/01/02/1645

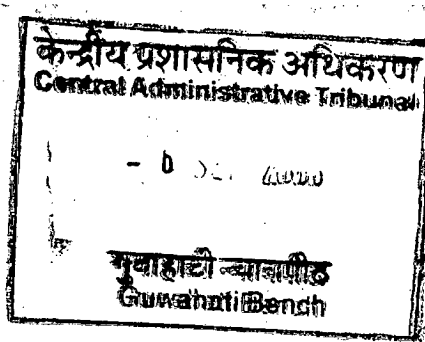
Dated Guwahati the 22/11/02

OFFICE ORDER

In pursuance of Directorate General of Health Services (Drugs Section) Government of India Ministry of Health & F.W. Order No.Z.14012/3/94/-DC/D (pt.VIII) dated 1.10.2002, the under noted Group "C" & Group "D" staff are absorbed as shown against each post.

S.No	Name of the Incumbent	Pervious Post held and Scale of pay	Existing Basic pay in the previous post	Post against which to be absorbed	Scale of Pay as per GOI
1. ✓	Mr.Dilip Kumar Sarkar ✓	Asst. Chemist Rs.3490-8100/-	Rs.4120/-p.m.	Jr. Scientific Assistant	Rs.4500-7000
2. ✓	Mr.Amarjyoti Chamua ✓	Asst. Chemist Rs.3490-8100/-	Rs.4120/-p.m.	Jr. Scientific Assistant	Rs.4500-7000
3. ✓	Mr.Arun Das //	Asst. Chemist Rs.3490-8100/-	Rs.4120/-p.m.	Jr. Scientific Assistant	Rs.4500-7000
4. ✓	Mrs.Rinku Kalita //	Asst. Chemist Rs.3490-8100/-	Rs.4120/-p.m.	Jr. Scientific Assistant	Rs.4500-7000
5.	Mr.Kushal Kalita	U.D.Asst Rs.3850-7350/-	Rs.7850/-p.m.	Upper Division Clerk	Rs.4000-6000
6.	Mr.Bipin kalita	L.D.Asst Rs.2890-5725/-	Rs.3310/-p.m.	Lower Division Clerk	Rs.3050-4590
7.	Mr.Bijan Bora	L.D.Asst Rs.2890-5725/-	Rs.3310/-p.m.	Lower Division Clerk	Rs.3050-4590
8.	Mr.Manoranjan Bayan	Cleaner Rs.2450-3670/-	Rs.3010/-p.m.	Attendant/Sample opener	Rs.2650-4000
9.	Mr.Umesh Ch.Barman	Watchman Rs.2450-3670/-	Rs.2890/-p.m.	Attendant/Sample opener	Rs.2650-4000
10.	Mr.Balen Thakuria	Lab. Bearer Rs.2450-3670/-	Rs.2770/-p.m.	Attendant/Sample opener	Rs.2650-4000
11.	Mr.Jogesh Mahanta	Lab. Bearer Rs.2450-3670/-	Rs.2770/-p.m.	Peon	Rs.2550-3200
12.	Mr.Mukesh Balmiki	Sweeper	Rs.2450 -p.m.	Safaiwala	Rs.2550-3200

Attested  
Mukul  
Advocate



- 33 -

- (a) The pay will be fixed as per the existing Government Rules and order
- (b) Absorption of the staff has been made as per seniority in the State Government for this office
- (c) The above order will take effect from 01-10-2002 from the date of taken over by the Government of India.

Sd/- P.J.Gogoi  
Government Analyst  
Officer-In-charge RDTL

Memo No. RDTI/Esst/01/2002 / 166 74

Dated Guwahati the 22/11/02

Copy to:

1. The Director General of Health Services, Ministry of Health & F.W Government of India, Nirman Bhawan, New Delhi. 110 011.
2. The Drugs Controller General of India Directorate General of Health Services, Ministry of Health & F.W Government of India. Nirman Bhawan, New Delhi. 110 011
3. The Dy. Secretary to the Govt. of India Ministry of Health & F.W, Nirman Bhawan, New Delhi. 110 011
4. The Chief Pay & Accounts officer, Ministry of Health & F.W. Min of Health & F.W Nirman Bhwan, New Delhi. 110 011
5. The Pay & Accounts Officer Min of Health & F.W. 15/1 Chowrangee Square Calcutta-69
6. The ADG GMSD Guwahati .DGHS, Kalapahar
7. Section officer Drugs Section
8. Person concern
9. Personal file

P.J.Gogoi  
Government Analyst  
Officer-In-charge RDTL

34

By Speed Post

Gram: CIPLAB

**ANNEXURE-IX**

GOVERNMENT OF INDIA

केन्द्रीय भारतीय औषधि विज्ञान प्रयोगशाला  
CENTRAL INDIAN PHARMACOPOEIA LABORATORY

सेक्टर-23, राजनगर, गजियाबाद-201002  
Sector-23, Raj Nagar, Ghaziabad-201002

All letters should be addressed  
to the Director and not to any  
officer by name.

संख्या/क्रमांक/दिनांक/दि. CIPL/1040/2002-03

दिनांक/Dated.. NOV. 01.. 2003

To,

The Govt. Analyst O/C RDTL,  
Office of the Regional Drugs Testing Laboratory,  
Sixmile Panjabari,  
GUWAHATI-781037

Sub: Pay scale of Bench Chemists of RDTL, Guwahati-Reg.

Sir,

With reference to your 'FAX' letter No. RDTL/General/  
05/02 dated 31.10.2002 on the above mentioned subject,  
this is to inform you that the pay scale of Junior Scientific  
Assistants of this Laboratory has been upgraded from the  
pay scale of Rs. 4500-125-7000 to Rs. 5000-150-8000 vide DGHS  
Order No. A.32022/2/98-D dated 5/8.5.2000 w.o.f. 01.01.96.

Yours faithfully,

*(Signature)*  
01-11-02  
(DR. G.N. SINGH)  
DIRECTOR

Advocate

केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal  
- 6 SEP 2008  
गुवाहाटी बेंच  
Guwahati Bench



- 35 -

ANNEXURE-X

67

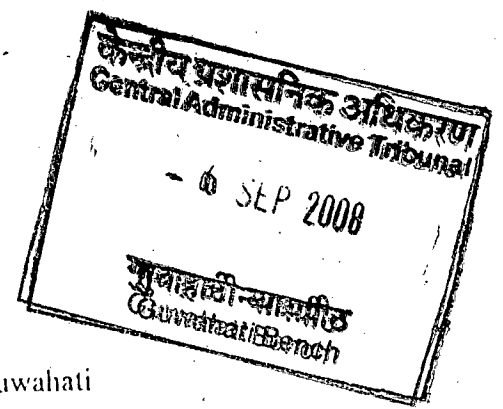
GOVERNMENT OF INDIA  
OFFICE OF THE REGIONAL DRUGS TESTING LABORATORY  
SIXMILE. KIHANAPARA.GUWAHATI-37.

No. RDTL/Pay-Est/16/02/156

dated Guwahati the November 15, 2002

From: The Government Analyst  
Office in Charge  
Regional Drugs Testing Laboratory  
Guwahati-37

To: The Drugs Controller General India  
Directorate General of Health Services  
Ministry of Health & F.W  
Nirman Bhawan New Delhi-110 011



Sub: Pay scale for the post of Jr. Scientific Asstt. In RDTL Guwahati

Sir,

I have the honour to inform you that Directorate General Health services ( Drugs Section) has created 4 (four) nos. of Jr. Scientific Asstt. posts for RDTL with the pay scale of Rs.4500/- to Rs.7000/- vide order No. Z.14012/3/91-D dated 11/4/1996 along with other posts for RDTL.

In this connection I am to inform you that during my discussion and enquiry with the Director CIPL Ghaziabad he informed us that the pay scales of Jr. Scientific Asstt. for CIPL Ghaziabad has been upgraded to Rs.5000-150-Rs.8000/- w.e.f. from 01/01/96 vide order no.A.32022/2/98-D dated 5/8.5.2000 (copy enclosed).

I therefore request you kindly look in to the matter and suggest accordingly whether it is applicable for RDTL Guwahati also.

Yours faithfully,

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

Memo No.: RDTL/Ano-pay/16/02/157

Dated Guwahati the November 15, 2002

Copy to:

Sri J.S. Choudhary I.R.S Deputy Secretary to the Govt. of India Ministry of Health & F.W for his kind information and necessary action.

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

*Attested  
Advocate*

GOVT. OF INDIA  
OFFICE OF THE REGIONAL DRUGS TESTING LABORATORY  
KHANAPARA : GUWAHATI-22.

No. DTL/Convert/RDTL/14/95/1525 Dated the 2.7.98

From : The Govt. Analyst, Officer-in-charge,  
Regional Drugs Testing Laboratory,  
Khanapara, Guwahati-22.

To : The Dy. Director of Administration (D)  
Directorate General of Health Services,  
Drugs Control Section, Nirman Bhawan,  
New Delhi-110011.

Sub : Continuance of Temporary post in the Regional  
Drugs Testing Laboratory, Guwahati-22.

Ref : Govt. of India's letter No. Z-14012/3/91-DC  
Dt. 3-4-98.

Sir, In inviting reference to your above cited letter No. I have the honour to state that, this has already been stated this office letter No. DTL/Convert/RDTL/14/95/1486 dt. 5-6-98 that Govt. of India, Ministry of Health & F.W. deptt. has created 21 (twenty one) nos of post in different categories vide Govt. of India's letter No. Z-14012/3/91-DC (LMS-PFA) dt. 11-4-96 for the Regional Drugs Testing Laboratory, Sixmiles, Khanapara, Ghy-22, to absorb the existing staff of the State Drugs Testing Laboratory, Guwahati-22 which was not yet meterilized.

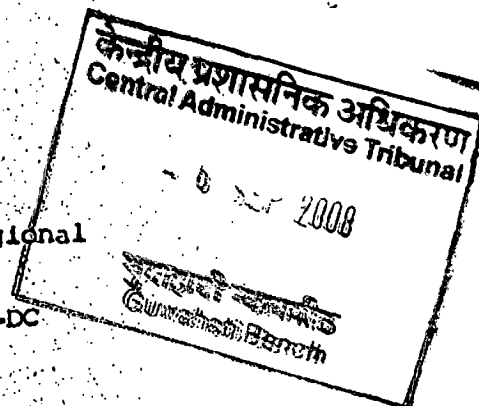
It is not clear to us that as we have received a letter vide No. Z-14012/3/91-DC dt. 3-4-98, where only 14 nos of posts were sanctioned for continuance, instead of 21 (twenty one) nos of posts originally sanctioned vide letter No. Z-14012/3/91-DC (LMS-PFA) dt. 11-4-96.

In this connection I am to mention here that the post of Supdt. for the Regional Drugs Testing Laboratory, Ghy-22 was created in the scale of pay Rs. 1640-2900/- (in old scale) which was revised in the scale of pay Rs. 6500-10,500/- against the noted scale. But in your sanctioned letter instead of said scale, it was found as Rs. 5500-9000/-. As proposed sanction of the all temporary post of Regional Drugs Testing Laboratory in every respect should be commensurate with the pay scale of the original sanctioned and status to should be maintained.

Further the scale of pay for Jr. Scientific Asstt. was Rs. 1400-2300/- in the original sanctioned letter (in old scale) which will be Rs. 5000-8000/- as revised scale and this has been already implemented in Central Drugs Laboratory, Calcutta, but it was given only Rs. 4500-7000/- instead of Rs. 5000-8000/-, which need necessary correction.

Contd..2.

*Attested  
By  
Adocate*



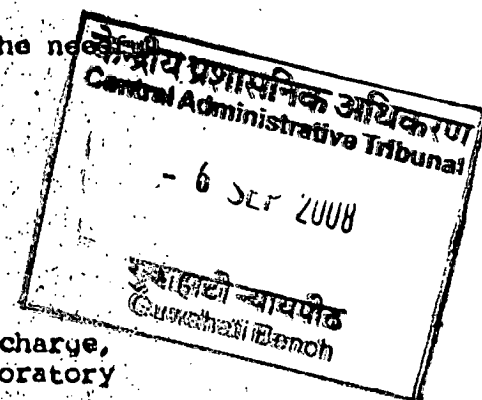
More over this has been already mentioned in the earlier letter we have three L.D.C. post and the incumbent permanently working in the State Drugs Testing Laboratory to absorb their services, the nos of post of L.D.C. should be 3 (three) instead of two, as mentioned in your sanction letter.

I would therefore request you kindly to make necessary arrangement for convey the sanction of the continuance of the above noted posts commensurateing the pay scale given in the original sanctioned so that incumbent absorb against the post will not suffer for the said anomalies of the scale in near future.

This may be treated an urgent and do the needful at an earliest.

Yours faithfully

Govt. Analyst, Officer-in-charge,  
Regional Drugs Testing Laboratory  
Khanapara : Guwahati-22.



Memo No.DTL/Convert/RLTL/14/95/7526-28 Dt. 3-7-98

Copy forwarded for information and necessary action:-

1. The Drugs Controller General (India) Directorate General of Health Services, Nirman Bhawan, New Delhi-110011.
2. The Commissioner, to the Govt. of Assam, Health and F.W. Dept t. Dispur, Guwahati-6.
3. The Director of Health Services, Assam, Hengrabari, Ghy-6.

Govt. Analyst, Officer-in-charge,  
Regional Drugs Testing Laboratory,  
Khanapara : Guwahati-22.

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## ANNEXURE - XII (Series)

To,

Drugs Controller General,  
Director General Of Health Service,  
Ministry Of Health & F.W. ,  
Nirman Bhavan,  
New Delhi. - 110011.

(Through G.A. ; I/C R.D.T.L.)

Dated, the 27 th March, 2006.

Subject:: Pay anomalies of J.S.A. In R.D.T.L.

SIR,

With due respect, I would like to draw your kind attention towards the following few lines;

That SIR, I Mrs. Rinku Kalita, joined as Asstt. Chemist in the State Drugs Testing Laboratory under the Directorate of Health Service, Assam in the year 1995. Fortunately the laboratory was handed over to the Ministry of Health and Family Welfare, Director General of Health Service, Govt. of India for setting up Regional Drugs Testing Laboratory to serve the entire North eastern State, in the year 2002 vide letter no. Z - 14012/3/94 - DC/DMS & PFA dtd. 20-8-2002. Consequently GOI was agreed to absorb the exsisting staff of S.D.T.L. to the R.D.T.L. into the equivalent post with necessary pay protection vide letter no. Z. 14012/3/94 - DC/D (Pt.VIII) D.G.H.S. (DRUGS SECTION) dated 1/10/2002. As a result I was absorbed in the rank of Junior Scientific Assistant with the pay scale of 4500 - 7000.

Secondly, I would like to inform you that, each and every employee in the position of J.S.A. of all other National Drugs Testing Laboratory, under the Ministry of Health and F.W. GOI, is drawing pay in the scale of 5000 - 8000, whereas in my case it is 4500 - 7000. I had discuss several time with the head of my Institution Mr. P.J.Gogoi regarding this anomalies since 2002 and he tried his best from his side till date to solve my case. He himself take initiative and make telephonic discussion with the Director of all other central laboratories. He also send a fax on 31/10/2002 under the caption "Pay scale of Bench Chemists of RDTL Guwahati" to Dr.S.K.Talwar, Director in charge of C.I.P.L., Ghaziabad to confirm about the pay scale of J.S.A's of that organisation. The return fax dated Nov. 01 . 2003 from Dr. G.N. Singh clearly indicate that the pay scale of Junior Scientific Assistant has been upgraded from Rs. 4500 - 125 - 7000 to Rs. 5000 - 150 - 8000 vide DGHS order no.A.32022/2/98-D dated 5/8.5.2000 w.e.f. 01.01.96.(Xerox copy enclosed). But till now there is no any positive response from Government side in this regard.

So, I request you kindly to look after my case and make needful action at an early date after doing all the necessary at your end.

Thanking you, SIR,

Faithfully your's

*Rinku Kalita*

(Mrs. Rinku Kalita)  
J.S.A.

Regional Drugs Testing Laboratory.

Copy to :::

- 1) Section Officer (Drugs), Director General Of Health Service, MOHFW, GOI.
- 2) Deputy Director (Admn.) ; Drugs section; Director General Of Health Service, MOHFW, GOI.

To,

Drugs Controller General,  
Director General Of Health Service,  
Ministry Of Health & F.W.,  
Nirman Bhavan,  
New Delhi. 110011.

(Through G.A. ; I/C R.D.T.L.)

Dated, the 28 th June, 2006.

Subject: Pay anomalies of J.S.A. In R.D.T.L.

SIR,

With due respect, I would like to draw your kind attention towards the fact that, I Shri Amariyoti Chamuah, J.S.A. of Regional Drugs Testing Laboratory under the Ministry of Health and Family Welfare, Director General of Health Service, Govt. of India, have a grievance for the above captioned subject and because of that a written details was send to you through G.A. ; I/C R.D.T.L. Dated 27th March 2006. But although already three month is over from the date of my written request, till now there is no any positive response from Government side in this regard.

So, I request you once again kindly to look after my case and make needful action at an early date after doing all the necessary at your end plz.

Thanking you, SIR,

Faithfully your's  
*Amariyoti Chamuah*  
(Amariyoti Chamuah)  
J.S.A.

Regional Drugs Testing Laboratory.

Copy to :::

- 1) Section Officer (Drugs), Director General Of Health Service, MOHFW, GOI.
- 2) Deputy Director (Admn.) ; Drugs section; Director General Of Health Service, MOHFW, GOI.

Attended  
by  
Advocate

# ANNEXURE-XII (Series)

To,

Smt. Rita Teatolia,  
Joint Secretary, Govt. Of India,  
Ministry Of Health & F.W.,  
Nirman Bhavan,  
New Delhi. - 110011.

(Through G.A. ; I/C R.D.T.L.)

Dated, the 13<sup>th</sup> August, 2006.

Subject:: Pay anomalies of J.S.A. In R.D.T.L.

MADAM,

With due respect, I would like to draw your kind attention towards the following few lines;

That MADAM, we the four Junior Scientific Assistant, namely Shri Arun Kumar Das, Shri Amarjyoti Chamuah, Shri Dilip Kumar Sarkar and Smt. Rinku Kalita, joined as Asstt. Chemist in the State Drugs Testing Laboratory under the Directorate of Health Service, Assam in the year 1995. Fortunately the laboratory was handed over to the Ministry of Health and Family Welfare, Director General of Health Service, Govt. of India for setting up Regional Drugs Testing Laboratory to serve the entire North eastern State, including Sikkim in the year 2002 vide letter no. Z - 14012/3/94 - DC/DMS & PFA dtd. 20-8-2002. Consequently G O I was agreed to absorb the existing staff of S.D.T.L. to the R.D.T.L. into the equivalent post with necessary pay protection vide letter no. Z. 14012/3/94 - DC/D (Pt.VIII) D.G.H.S. (DRUGS SECTION) dated 1/10/2002. As a result we were absorbed in the rank of Junior Scientific Assistant with the pay scale of 4500 - 7000.

Secondly, we would like to inform you that, each and every employee in the position of J. S. A. of all other National Drugs Testing Laboratory, under the Ministry of Health and F. W. G O I, is drawing pay in the scale of 5000 - 8000, whereas in our case it is 4500 - 7000. We had discussed several time with the head of our Institution Mr. P. J. Gogoi regarding this anomalies since 2002 and he tried his best from his side till date to solve our case. He himself take initiative and make telephonic discussion with the Director of all other central laboratories. He also send a fax on 31/10/2002 under the caption "Pay scale of Bench Chemists of RDTL Guwahati" to Dr. S. K. Talwar, Director in charge of C.I.P.L., Ghaziabad to confirm about the pay scale of J.S.A's of that organisation. The return fax dated Nov. 01. 2003 from Dr. G.N. Singh, Director, C.I.P.L., clearly indicate that the pay scale of Junior Scientific Assistant has been upgraded from Rs. 4500 - 125 - 7000 to Rs. 5000 - 150 - 8000 vide DGHS order no. A.32022/2/98-D dated 5/8.5.2000 w.e.f. 01.01.96. (Xerox copy enclosed). But till date there is no any response from Government side in this regard despite of written grievance posted to The Drugs Controller General, MOHFW, through Govt. Analyst, I/C R.D.T.L. dated 27<sup>th</sup> March 2006 followed by a reminder dated 28<sup>th</sup> June 2006.

So, we request you kindly to look after our case and make needful action at an early date after doing all the necessary at your end.

Thanking you, MADAM,

Faithfully your's

1) Arun Kumar Das.

2) Amarjyoti Chamuah

3) Dilip Kumar Sarkar.

4) Rinku Kalita.

A.H. S. to  
Advocate

J.S.A.

Regional Drugs Testing Laboratory.

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ANNEXURE - XIII

No.A.32022/2/2002-D  
Directorate General of Health Services  
Drugs Section

Nirman Bhawan, New Delhi.

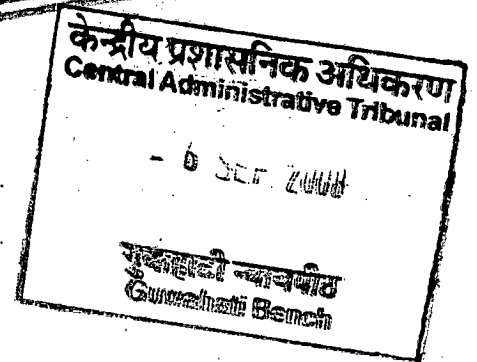
Dated. 04/04/07

To

The Govt. Analyst,  
I/c. RDTL, G.O.L.,  
Six-Mile, Guwahati-37.

Subject:- Up-gradation of Pay Scale of Jr. Scientific Asstt. -- reg.

Sir,



I am directed to refer to your letter No.RDTL/Estt./Pay/16/06-07/1213, dated 8.3.07 on the subject mentioned above and to say that the proposal regarding up-gradation of Pay Scale of Jr. Scientific Asstt. at RDTL, Guwahati from Rs.4500-7000 to Rs.5000-8000 at par with the post of J.S.A. at CIPL, Ghaziabad and other Laboratories has been examined in consultation with the M/o. Finance, Deptt. Of Expenditure. It has however, not been found feasible to agree to the instant proposal. Therefore, it is requested that this may be informed to all concerned J.S.A.'s at RDTL, Guwahati.

Yours faithfully,

A handwritten signature in dark ink, appearing to read 'Lucas L. Kamstuan'.

(Lucas L. Kamstuan)  
Dy. Director Admn. (D)

Attested  
N. K. Deka  
Advocate

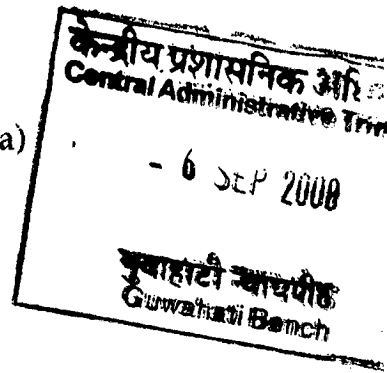
(Extract)

(To be published in Part-II, Section 8, Sub Section (i) of the gazette of India)

No. A. 120

Government of India  
Ministry of Health and family Welfare

New Delhi, the 4-2-1983.



### NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution and in suppression of the Government Medical Stores Organization (Class III and Class IV posts) Recruitment Rules, 1966, as amended from time to time, except as respects things done or committed to be done before such suppression, the President hereby makes the following rules regulating the method of recruitment to Group 'C' and Group 'D' posts in the Government Medical Store Depots, Bombay, Madras, Calcutta, Hyderabad, Gauhati and Karnal, namely:-

1. (1) SHORT TITLE AND COMMENCEMENT:- These rules may be called the Government Medical Store Depots (Group 'C' and Group 'D' posts) Recruitment Rules, 1983.

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

2. APPLICATION:- These rules shall apply to Group 'C' (Ministerial and Non- Ministerial) and Group 'D' posts in the Government medical Store Depots specified in Column 2 of the schedule annexed to these rules.

3. NUMBER OF POSTS, CLASSIFICATION AND SCALES OF PAY:- The number of posts, their classification and the scales of pay attached thereto shall be as specified in column 3 to 5 of the schedule aforesaid. The break up of the number of posts specified in column 3 among the various Depots are as indicated in the Annexure appended to these rules.

4. METHOD OF RECRUITMENT, AGE LIMITS AND QUALIFICATIONS ETC. :- The method of recruitment, age limit, qualifications and other matters connected therewith shall be as specified in column 6 to 14 of the schedule aforesaid. These recruitment rules shall be applicable separately for each depot.

5. DISQUALIFICATION:-

- who has entered into or contracted a marriage with a person having a spouse living; or
- Who, having a spouse living, has entered into or contracted marriage with any person, shall be eligible for appointment to any of the said posts;-

Attested  
M. J. Sule  
Advocate

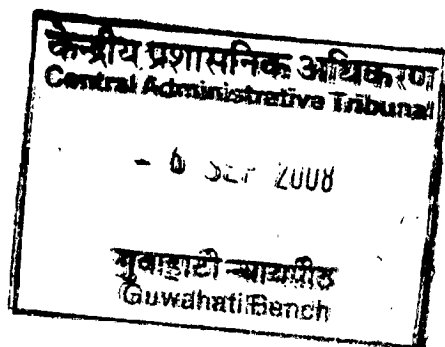


Provided that, the Central Government, may, if satisfied that marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

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

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

### SCHEDULE



3.	3.	4.	5.	6.	7.	8.
✓ Junior Scientific Assistant	14 (*Subject to variation depending on work-load).	General Central Service Group 'C' (Non-Gazetted Non-Ministerial).	Rs. 385-12-500-EB-15-560. Rs 5000-150-8000 As per Vth Pay commission.	Not Applicable	23-28 years (1) Relaxable for Govt. servants up to 35 years in accordance with the instructions or orders issued by Government.	A Degree in Pharmacy/Pharmaceutical Chemistry or Degree in Science with Chemistry as the principal subject.

**DESIRABLE**

Note : The crucial date for determining the age-limit shall be the closing date for receipt of applications from candidates in India (other than Andaman & Nicobar Islands and Lakshadweep). In case of appointment to be made through the Employment Exchanges, the crucial date for determining the age-limit shall be the last date/which the Employment Exchanges are asked to submit the names.

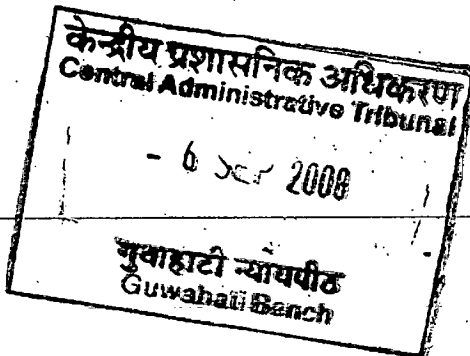
Two years experience in testing/manufacture of drugs.  
Knowledge of Botany.

केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal  
- 6 SEP 2008  
गुवाहाटी बेंच  
Guwahati Bench

03/08/2008 03:24 03612471211  
GNSD/CHY  
#0790 2 003

9.	10.	11.	12.	13.	14.
Not Applicable	Two years	By direct recruitment	Not Applicable	Group 'C' D.P.C. for confirmation consisting of :- (1) Deputy Assistant Director General (Medical Store) - Chairman (2) Factory Manager / Depot Manager (3) Assistant Depot Manager / Chemist Accounts Officer : Member (4) An outside officer from the Central Government office located at the station : Member	Not Applicable

NOTE: In the absence of Deputy Assistant Director General (Medical Store), the D.P.C. will be headed by Factory Manager / Depot Manager and in the case the proceedings will be sent to the Directorate General of Health Services for approval.



8. Senior Scientific Assistant. 4\* (1986)

\*Subject to variation dependent on workload.

General Central Service, Group 'B', Non-Gazetted, Non-Ministerial.

Rs. 550-25-750-EB-30-900.

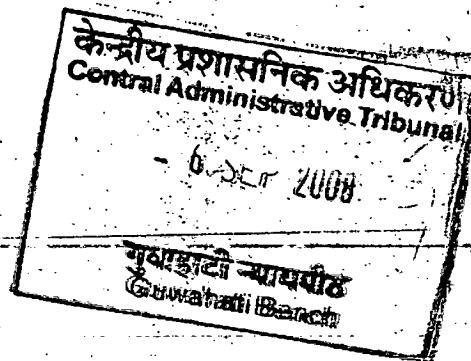
Selection

Not exceeding 30 years.

No.

(Relaxable for Government servants upto 5 years in accordance with the instructions or orders issued by the Central Government).

Note: The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (other than those in the Andaman and Nicobar Islands and Lakshadweep).



8

9

10

11

Essential

- (A)(i) Master's degree of a Chemistry/Bio-Chemistry/  
Pharmacy/Pharmaceutical Chemistry or Degree  
in Chemical Engineering/Chemical Technology of  
a recognised University or equivalent.  
(ii) One year's practical experience in the  
manufacture of drugs.

OR

- (B)(i) Degree in Pharmacy or Pharmaceutical Chemistry  
of a recognised University or equivalent.  
(ii) 3 years practical experience after graduation  
in manufacture of drugs.

OR

- (C)(i) Degree of a recognised University with Chemistry  
as a Principal subject from a recognised  
University or equivalent.  
(ii) 5 years' practical experience in the manufacture  
of drugs, after graduation.

Note 1: Qualifications are relaxable at the discretion  
of the Union Public Service Commission in case of  
candidates otherwise well qualified.

Note 2: The qualification(s) regarding experience is/  
are relaxable at the discretion of the Union Public  
Service Commission in the case of candidates belonging  
to scheduled castes and Scheduled Tribes if, at any  
stage of selection, the Union Public Service Commission  
is of the opinion that sufficient number of candidates from  
these communities possessing the requisite experience are  
not likely to be available to fill up the vacancies  
reserved for them.

Age: No.  
Educational  
Qualifica-  
tion: Yes.

2 years.

(i) 75% by  
promotion,  
failing  
which by  
transfer  
on depu-  
tation and  
failing  
both by  
direct  
recruit-  
ment.

(ii) 25%  
by direct  
recruit-  
ment.

Promotion

Assistant Chemist with 5 years regular service in the grade.

Transfer or Deputation

Officers under the Central/State Governments:

- (a)(i) holding analogous posts; or
- (ii) with 5 years' service in posts in the scale of Rs.425-700 or equivalent; and
- (b) possessing the educational qualifications and experience prescribed for direct recruits under Column 7.

(The departmental officers in the feeder category who are in the direct line of promotion will not be eligible for consideration for appointment on deputation. Similarly deputationists shall not be eligible for consideration for appointment by promotion. Period of deputation including period of deputation in another ex-cadre post held immediately preceding this appointment in the same organisation/department shall ordinarily not exceed 3 years).

Group 'B' Departmental Promotion Committee  
(for consideration of promotion and confirmation)

1. Deputy Director General (Stores) - Chairman.
2. Director (A&V) - Member
3. Assistant Director General (Stores) -Member

Consultation with the Union Public Service Commission necessary when making direct recruitment and selecting an officer for appointment or deputation.

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

*A. K. Keshore*

(SMT. A. KESHORE)  
UNDER SECRETARY TO THE GOVT. OF INDIA

The Manager,  
Government of India Press,  
Maya Puri, Ring Road,  
New Delhi

\*M\*14X\*

Ministry of Finance  
Department of Expenditure  
E.III B Branch.  
\*\*\*\*

Ministry of Health & Family Welfare may please refer to their notes on pre pages regarding upgradation of the pay scale of the post of Junior Scientific Assistant in the Regional Drugs Testing Laboratory(RDTL), Guwahati from Rs. 4500-7000 to Rs. 5000-8000 w.e.f 1.1.96 at par with the post of Junior Scientific Assistant of Central Indian Pharmacopoeia Laboratory(CIPL), Ghaziabad.

2. The matter has been examined in this Department and the following observations are made:-

- Vth CPC had recommended scales of Rs. 4000-6000/Rs.4500-7000/Rs.5000-8000/Rs.5500-9000 for posts carrying minimum DR qualifications of Graduate Degree(para 43.15 of the report). The post is already in the pay scale of Rs. 4500-7000.
- Posts in CIPL were upgraded as the view was taken that these upgradations were broadly recommended by Vth CPC.
- As per the RRs for the post of JSA in RDTL, the essential educational qualification for the post is Degree with Chemistry as one of the subject. However, the post of JSA in CIPL have Post Graduate Degree as essential qualification. Since, the essential qualification for the post of JSA in RDTL is lower than that of the post of JSA in CIPL, the pay scale at par with the post in CIPL cannot be extended to the post in RDTL.

3. In view of the above, the proposal is regretted. The Administrative Ministry may defend the case properly and bring the above indicated facts to the notice of the court.

4. This issues with the approval of JS(Per).

*Manoj Sahay*  
(Manoj Sahay)  
Deputy Secretary to the Govt. of India

FA(Health)

Ministry of Finance(Exp.) UO No. 6/104/99-1C dated 27.6.2008

Attested  
*Chirle*  
Advocate

केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal  
- 6 SEP 2008  
गुवाहाटी बेंच  
Guwahati Bench

Received/brought  
by hand. *Am*  
27/6

50/104/99-1C  
27/6

*SW*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH, GUWAHATI

O.A. NO. 131/2007



IN THE MATTER OF:

SHRI ARUN KUMAR DAS AND Ors

APPLICANT

V/S

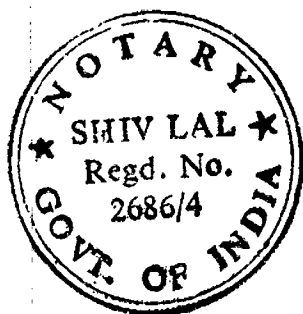
UNION OF INDIA AND Ors

RESPONDENTS

REPLY AFFIDAVIT ON BEHALF OF RESPONDENT NO. 1, 2 & 3

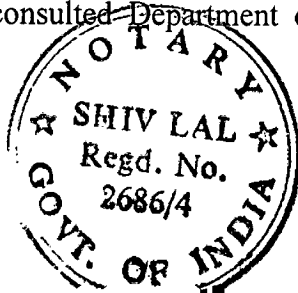
I SURINDER SINGH S/O LATE. Lt. COL. PREM SINGH aged about 48 years working as  
Drugs Controller General (India) do hereby solemnly affirm and swear as under that:

1. I am working as Drugs Controller General (India) in the Directorate General of Health Services, Ministry of Health & Family Welfare and as such fully competent and authorized to depose by way of present affidavit.
2. That in response to the O.A. No. 131/2007 the present reply of affidavit is being filed on behalf of respondent no. 1, 2 & 3. It is most respectfully submitted that the contents of the O.A. may be treated as denied and traversed unless specifically admitted by the answering respondent herein.
3. That the present petition is a blatant misuse of the process of this Hon'ble Tribunal and deserves to be dismissed as such. It is submitted that the applicant with a malafide motive to arm twist the answering respondents has filed this present petition despite knowing fully well that the prayers which they are seeking is not feasible. It is further submitted that the answering respondent can not give them the pay scale which they are not entitled for and thus putting them on a higher pedestal then their colloques.
4. That in reply to the contents of paragraph no. 1, it is submitted that the case of the applicant is different with those with whom the applicant is seeking parity.. It is respectfully submitted that the nature of job performed by the applicant is different with the nature of job being performed by those with whom the applicant is seeking parity.
5. That the contents of paragraph no. 2 & 3 needs no reply from the answering respondent.
6. That the contents of paragraph nos. 4.1 to 4.6 are matter of record and needs no reply.





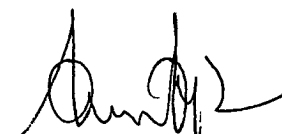
7. That in reply to the contents of paragraph no. 4.7, submission made herein above are reiterated. It is further submitted that the order dated 20.8.2002 only mentions that the employees of State Drugs Testing Laboratory, six mile, Punjabari, Guwahati will be absorbed against equivalent post for which recruitment rules exists. It is further submitted that order dated 20.8.2002, only states about the employees being absorbed in the equivalent post and not necessarily in the same pay scale. It is further submitted that the applicants were absorbed in the Directorate General of Health Services (DGHS) at their own volition. It is further submitted that the applicants at time of being absorbed in the DGHS from The State Drugs Laboratory were aware of this fact that they will be provided a pay scale of 4500 - 7000 and hence they can not agitate on this issue as they had voluntarily chosen to place themselves in this pay scale and post. Moreover it is quite surprising to note that the applicant had joined this service in the year 2002, and after a delay of 5 years that is in the year 2007, they felt aggrieved. Further submitted that the applicants are trying to cover up their short comings by leveling baseless and frivolous allegations against the answering respondents in order to camouflage the whole issue before this Hon'ble Court for illegal gains. It is most respectfully submitted that the nature of job and the responsibility of those with whom the applicants are seeking parity are entirely different and hence the applicants can not be placed on the same pedestal. It is denied that the respondents are acting in an unfair and arbitrary manner and are violating the provisions of Article 14 & 16 of the Constitution of India. It is most respectfully that allowing the demands of the applicant will result in putting the unequals with equals which will be violative of the provision of the Constitution.
8. That in reply to the contents of paragraph no. 4.8 to 4.10, submissions made herein above are reiterated. It is most respectfully submitted that the nature of job and the responsibility of those with whom the applicants are seeking parity are entirely different and hence the applicants cannot be placed on the same pedestal. Moreover the applicants had voluntarily decided to join this job under the DGHS and hence they cannot agitate over this issue and that too after a delay of 5 years. This clearly shows the malafide intent of the applicants for seeking illegal gains by arm twisting the answering respondents through the process of this Hon'ble Tribunal.
9. That in reply to the contents of paragraph no. 4.11 to 5.10, submissions made herein above are reiterated. It is denied that order dated 4.4.2007 is arbitrary and mechanical. It is most respectfully submitted that the answering respondent have gone in detail on this issue and had even consulted Department of Expenditure, Ministry of Finance. It is



further submitted that after going through all the relevant consideration on the subject, it was decided that as the nature of job and the responsibility of those with whom the applicants are seeking parity are entirely different, the applicants are not entitled for up gradation of pay as they are seeking. It is most respectfully submitted that the respondents are not creating any inequality and discrimination amongst its employees instead allowing the prayers of the applicant will create inequality. It is further submitted there is a delay and laches on the part of applicant before approaching this Hon'ble Tribunal and misusing its process. It is denied that there is any violation of principles of natural justice and the doctrine rule of law. It is denied that there is any violation of Articles 14 and 16 of the Constitution of India and the order dated 4.4.2007 is arbitrary and unfair. It is most respectfully submitted that the applicants have filed this present petition after a delay of 5 years only with an intention of arm twisting the answering respondent through this Hon'ble Tribunal by misusing its process.

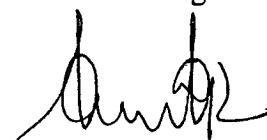
10. That in reply to paragraph no. 6 to 8 submissions made herein above are reiterated.

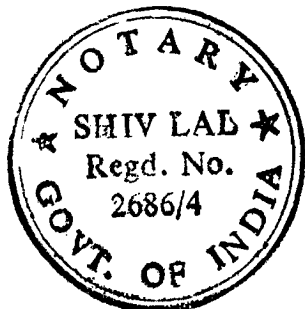
That in view of the aforesaid facts and circumstances it is most respectfully prayed that the present petition is a blatant misuse of the process of this Hon'ble Tribunal and deserves to be dismissed as such. It is further prayed that this Hon'ble Tribunal may be pleased to pass such other and further orders as it may deem fit and proper.

  
DEPONENT

#### VERIFICATION

Verified on this 12<sup>th</sup> day of May, 2008 that the contents of my above affidavit are true and correct as derived from the official records and that no part of it is false and that nothing material concealed there from.

  
DEPONENT



**ATTESTED**  
  
Notary Public, Delhi

13 MAY 2008

IN THE COURT OF CAT, Guwahati Bench, Guwahati

Suit / Appeal No. DA No. 131 / JURISDICTION of 2007

in re :- Arun Kumar Das & Ors Piff / Applt. / Petitioner / Complainant

**VERSUS**

Union of India & Ors Defdt./Respt./Accused

KNOW ALL to whom these presents shall come that I/We Dr. Surinder Singh

The above-named Respondent No. 1, 2 & 3 do hereby appoint

Mrs. Manjula Das  
Mr. Rishi Kant Singh

(herein after called the advocate/s) to be my/our Advocate in the above-noted case authorise him :-

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each court by me/us.

To sign, file, verify and present pleadings, appeals cross-objections or petitions for executions review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subjects to payment of fees for each stage.

To file and take back documents, to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings.

The deposit, draw and receive money, cheques, cash and grant receipts hereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.

To appoint and instruct any other Legal Practitioner authorising him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purpose.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/We undertake that I/We or my/our duly authorised agent would appear in Court on all hearings and will inform the Advocate for appearance when the case is called.


And I/We undersigned do hereby agree not to hold the advocate of his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain for himself.

And I/We the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fees is paid, I/We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/us.

IN WITNESS WHERE OF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this 13 day

Of May 2008

Accepted subject to the terms of the fees.

  
Advocate

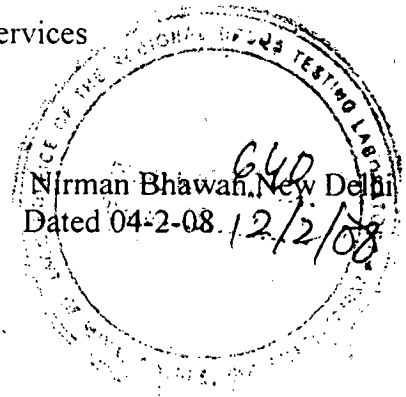
Dr. SURINDER SINGH  
Dr. Surinder Singh  
D/o. Controller (India)  
D/o. Controller of Health Services  
Nirman Bhawan  
New Delhi

Client

By Speed Post

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No.C.18018/1/08-ND  
Directorate General of Health Services  
(New Drugs Section)



To  
The Director (I/C)  
R.D.T.L.  
Guwahati.

Sub:-O.A. No.131/07 filed by Sh. Arun Kumar Das.

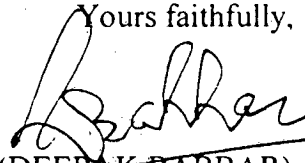
Sir,

I am directed to refer to Memo No. 191 dated 11-1-08 in the O.A No.131/07 filed by Sh. Arun Kumar Das & Ors VS UOI & ors (copy enclosed).

You are hereby authorised by Drugs Controller General (India) to file written statement in the above referred O.A on behalf of UOI in CAT Guwahati and also defend the interest of UOI as and when the case is listed for hearing.

You are also requested to send the detailed papers of the case and intimate latest developments of the case.

Encl: As above.

Yours faithfully,  
  
(DEEPAK BABBAR)  
Section Officer (New Drugs)

29 MAY 2007

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI

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

O.A. No. 131 /2007

Sri Arun Kumar Das and Others.

-Vs-

Union of India & Ors.

LIST OF DATES AND SYNOPSIS OF THE APPLICATION

- 1995- Applicants were initially appointed as Asstt. Chemist on temporary basis in the State Drugs Testing Laboratory, Guwahati.
- 31.12.96. 23.09.97- Applicants services were regularised as Assistant Chemist. (Annexure-I and II)
- 20.08.2002- Govt. of India in order to set up a Regional Drugs Testing Laboratory in Assam proposed to take over Drug Testing Laboratory at Guwahati. (Annexure-III)
- 07.09.2002- Govt. of Assam handed over the State Drugs Testing Laboratory, Guwahati along with its existing staff, machinery and equipments to the Govt. of India w.e.f. 01.10.02. (Annexure-V)
- 21.08.2002- Applicants became staff of Regional Drugs Testing Laboratory (RDTL) under the Ministry of Health and F.W, Govt. of India. (Annexure-IV)
- 21.09.2002- Govt. of India published the recruitment rule, pay scale of Junior Scientific Assistant has been shown as Rs. 4500-7000/-. (Annexure-VI)
- 01.10.02, 22.11.02- As per recruitment rules permanent employees on the date of taking over would be absorbed against equivalent post, but the applicants, after taking over were absorbed in the post of Junior Scientific Assistant instead of Asstt. Chemist. As such applicants were not only reduced in their rank and discriminated in respect of pay scales. (Annexure-VII and VIII)
- 01.11.2002- Director (CIPL), Ghaziabad intimated that the pay scale of the Junior Scientific assistants has been upgraded from the scale of Rs. 4500-7000/- to Rs. 5000-8000/- w.e.f 01.01.1996. (Annexure- IX)

Arun Kumar Das.

- 15.11.2002- Respondent No. 4 referred the matter to the Respondent No. 3 and requested him to look into the matter pay scales of Jr. Scientific Assistant. (Annexure- X and XI)
- 09.07.1998- Respondent No. 4 requested R-2 for implementation of scale of pay of Rs. 5000-8000/- instead of Rs. 4500-7000/- to the Jr. Scientific Assistant. (Annexure- XI)
- 27.03.06, 28.06.06, 13.08.06- Applicants submitted representations for up gradation of their pay scales. (Annexure- XII series)
- 04.04.2007- Respondent No. 2 vide impugned letter dated 04.04.07 most mechanically rejected upgradation of scale of pay of the applicants. (Annexure-XIII)

Hence this Original Application

### PRAYERS

1. That the Hon'ble Tribunal be pleased to set aside and quash the impugned letter bearing No. A.32022/2/2002-D dated 04.04.2007 (Annexure- XIII).
2. That the Hon'ble Tribunal be pleased to declare that the applicants are entitled to get the pay scale of Rs. 5,000-8,000/- from the date of their absorption in RDTL i.e. from 01.10.2002.
3. That the Hon'ble Tribunal be pleased to direct the respondents re-fix the pay of the applicants in the scale of Rs. 5000-8000/- instead of Rs. 4500-7000/- w.e.f 01.10.2002 with all consequential benefits the arrears pay etc.
4. Costs of the application.
5. Any other relief(s) to which the applicant is entitled as the Hon'ble Tribunal may deem fit and proper.

### Interim order prayed for.

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

1. That the Hon'ble Tribunal be pleased to direct the respondents that pendency of this Original Application shall not be a bar for considering the representations of the applicants.

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Anum kumar Das.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH: GUWAHATI

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

Title of the case : O. A. No 131 /2007

**Shri Arun Kumar Das and Others.** : **Applicants.**

-Versus -

**Union of India & Others.** : **Respondents.**

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Date: .05.07

Filed by

*ADutta*  
Advocate

*Arun Kumar Das.*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH: GUWAHATI

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

O. A. No. 131 /2007

BETWEEN:

1. Shri Arun Kumar Das.  
S/o Shri Prabhat Chandra Das,  
Junior Scientific Assistant,  
O/o- Regional Drugs Testing Laboratory,  
Six Mile, Guwahati- 37.
2. Shri Amarjyoti Chamuah.  
Junior Scientific Assistant,  
Regional Drugs Testing Laboratory,  
Six Mile, Guwahati-37.
3. Shri Dilpi Kumar Sarkar.  
Junior Scientific Assistant,  
Regional Drugs Testing Laboratory,  
Six Mile, Guwahati-37.
4. Smti. Rinku Kalita.  
Junior Scientific Assistant,  
Regional Drugs Testing Laboratory,  
Six Mile, Guwahati-37.

...Applicants.

~~AND~~

1. The Union of India,  
Represented by the Secretary to the  
Government of India,  
Ministry of Health and Family Welfare,  
Nirman Bhawan, New Delhi- 110011.
2. The Director General of Health Services,  
Ministry of Health & Family Welfare,  
Government of India,  
Nirman Bhawan, New Delhi- 110011.
3. The Drugs Controller General of India,  
Directorate General of Health Services,  
Ministry of Health & Family Welfare,  
Government of India,

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Filed by the applicant  
through U. Dutta, advocate  
On 29.05.07.

Arun Kumar Das.



Niraman Bhawan, New Delhi-110011.

4. The Government Analyst,  
In Charge, Regional Drug Testing Laboratory,  
Govt. of India, Six Mile, Khanapara, Guwahati-37.

... Respondents.

DETAILS OF THE APPLICATION

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

This application is made against the impugned letter bearing No. A-32022/2/2002-D dated 04.04.2007 (Annexure- XIII), issued from the office of the respondent No. 2, whereby the prayer of the applicants for up gradation of their pay scale vis-à-vis parity of pay scales with that of other similarly situated employees have been rejected in an arbitrary and discriminatory manner.

2. Jurisdiction of the Tribunal:

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

3. Limitation:

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

4. Facts of the Case:

- 4.1 That the applicants are citizens of India and as such they are entitled to all the rights, protections and privileges as guaranteed under the Constitution of India. All the applicants are working as Junior Scientific Assistants (for short J.S.A) under Group 'C' non-gazetted, non-ministerial

cadre in the Regional Drug Testing Laboratory, Govt. of India, Six Mile, Guwahati-37.

- 4.2 That the applicants pray for permission to move this application jointly in a single application under the provisions of section 4 (5) (a) of the Central Administrative Tribunal (Procedure) Rules, 1985, as the relief's sought for in this application by the applicants are common.
- 4.3 That the applicants were initially appointed as Asstt. Chemist in the year 1995 on temporary basis in the State Drugs Testing Laboratory, Guwahati under the Directorate of Health Services, Govt. of Assam. Their services were since extended from time to time and eventually they were regularised as Asstt. Chemist vide order No. HSE/162/91/2515-19 dated 31.12.1996 and No. HSE/162/91/Pt/1206-210 dated 23.09.1997.

(Copy of order dated 31.12.1996 and dated 23.09.1997 are annexed hereto for perusal of Hon'ble Tribunal as Annexures- I and II respectively).

- 4.4 That subsequently, it was proposed that Govt. of India would set up a Regional Drugs Testing Laboratory in Assam to serve the entire North Eastern States including Sikkim and accordingly necessary steps were initiated by the Govt. of India and the Govt. of Assam. Thereafter, it was decided that the existing State Drugs Testing Laboratory at Guwahati would taken over by the Govt. of India, which would function as the Regional Drugs Testing Laboratory under the Govt. of India to serve the purpose aforesaid. Pursuant to the decision, the said state Drugs Testing Laboratory at Six Mile, Guwahati run by the Govt. of Assam was taken over by the Govt. of India. Ministry of Health and Family Welfare along with its staffs, machinery and equipments w.e.f. 01.10.2002 vide Govt. of India's order No. Z-14012/3/94-DC/MS & PFA dated 20.08.2002. Thereafter, in pursuance of the Govt. of India's said order dated

Arjun Kumar Das.

20.08.2002, the Govt. of Assam vide its Notification No. HA. 306/91/256 dated 07.09.2002 handed over the State Drugs Testing Laboratory, Panjabari, Six Mile, Guwahati- 37 along with its existing staff, machinery and equipments to the Govt. of India w.e.f 01.10.2002 with all assets and liabilities thereto vide order No. 14012/3/94-DC/DMS & PFA dated 21.08.2002. the government analyst in State Drug Testing laboratory, Six Mile, Panjabari, Guwahati- 37 was declared as the Head of office and drawing and disbursing officer for regional drugs testing laboratory. Henceforth, the applicants came to be the staff of regional drugs testing laboratory, six mile, Panjabari, Guwahati-37, under the Ministry of Health and Welfare, Govt. of India for all purposes.

(Copy of the order dated 20.08.02, dated 21.08.02 and notification dated 07.09.02 are annexed hereto for perusal of Hon'ble Tribunal as Annexure- III, IV and V respectively).

- 4.5 That thereafter, the Govt. of India, Ministry of Health and family welfare vide its notification dated 02.09.2002 published in the central Gazette, dated 21.09.2002, notified the recruitment rules for various categories of staff of the regional drugs testing laboratory, Guwahati (Group 'C' and 'D' posts). In the said recruitment rules, the pay scale of junior scientific Assistant has been shown as Rs. 4500-7000/-.

(Copy of extract from Gazette dated 21.09.2002 is annexed hereto for perusal of Hon'ble Tribunal as Annexure-VI).

- 4.6 That consequent upon the taking over the state drugs testing laboratory, Guwahati, the applicant became the staff of Regional Drugs Testing Laboratory, aforesaid w.e.f 01.10.2002. Accordingly they were placed in the pay scale of Rs. 4500-7000/-, which is equivalent to the scale of post of Asstt. Chemist, the post which the applicants were holding prior to taking over of the State Drugs Testing Laboratory, and their absorption and

placement in the Regional Drugs Testing Laboratory was notified vide office order No. Z. 14012/3/94-DC/D (Pl. VIII) dated 01.10.2002 and No. RDTL/Ett/01/02/165 dated 22.11.2002.

(Copy of the order dated 01.10.2002 and dated 22.11.2002 are annexed hereto for perusal of Hon'ble Tribunal as Annexure-VII and VIII respectively).

- 4.7) That the applicants beg to state that in the order dated 20.08.2002 (Annexure-III), it was clearly mentioned that the permanent employees on the date of taking over the said State Drugs Testing Laboratory would be absorbed against equivalent post for which recruitment rules exists. It is pertinent to mention here that the applicants prior to taking over the SDTL, were serving as Assistant Chemist and the equivalent posts of Assistant Chemist do also exist in the departments under the same Ministry of Health & F.W. But the applicants, after taking over, were absorbed in the post of Junior Scientific Assistant instead of Asst. Chemist, thereby enforcing a reduction in their rank and status since the post of Junior Scientific Assistant is lower than the post of Asst. Chemist. But even thereafter, further discrimination has been meted out to the applicants by granting them the pay scale, which is lower than the existing pay scale of the Junior Scientific Assistants even. It is relevant to mention here that whereas the existing scale of Junior Scientific Assistant is Rs. 5,000-8,000/-, the applicants have been placed in the lower scale of Rs. 4,500-7,000/- which means that following their absorption in the Regional Drugs Testing Laboratory, the applicants have not only been reduced in their rank and status but have further been discriminated upon in respect of pay scales attached to their present post. As such the actions of the respondents are arbitrary, unfair opposed to the agreed terms and conditions of absorptions and violative of the provisions of Article 14 and 16 of the Constitution of India.

4.8 That the applicants most respectfully beg to submit that as per the recommendations of the Fifth Central Pay Commission, the pay scales of junior scientific assistant and assistant chemist stand as follows:-

Jr. Scientific Assistant = Rs. 5,000-8,000/-

Assistant Chemist = Rs. 5,500-9,000/-

The abovementioned scales of pay have been adopted and implemented by the Ministry of Health and F.W. Govt. of India in its various departments like central drug laboratories, medical stores organization, pharmacopoeia laboratory for India medicines etc. The Regional Drugs Testing Laboratory, Guwahati where the applicants are now working, is also under the same Ministry of Health & F.W. Govt. of India and as such in all fitness of the things, the applicants in their capacity of Junior Scientific Assistant, ought to have been placed in the scale of Rs. 5000- 8000/-, as shown above and not in the scale of Rs. 4,500-7,500/- since there is no such scale for the post of Jr. Scientific Assistant. As such the action of the respondents is malafide, illegal, arbitrary and opposed to the principles of natural justice.

4.9 That the applicants brought this matter of anomalies in their pay scale to the notice of the Govt. analyst i.e. the office-in-charge of RDTL, Guwahati and requested for his necessary action in the matter. The Govt. analyst, RDTL, Guwahati made a communication to the Director of Central Indian Pharmacopoeia laboratory (CIPL) Ghaziabad and in reply, the Director, CIPL, Ghaziabad vide his letter No. CIPL/1040/2002-03 dated 01.11.2002 addressed to the Govt. analyst, RDTL Guwahati, has informed that the pay scale of the Junior Scientific Assistants of IPL has been upgraded from the scale of Rs. 4,500-7,000/- to Rs 5,000-8,000/- vide DHGS order No. A. 32022/2/98-D dated 5/8.5.2000 w.e.f. 01.01.1996. Acting on this information, the Govt. analyst, RDTL/Pay-Estt/16/01/157 dated 15.11.2002 referred the matter to the Drugs Controller General of India

(respondent No. 3) and requested him to look into the matter and to suggest for its applicability for RTDL, Guwahati also. This matter was brought to the notice of Directorate general of Health services, New Delhi on earlier occasions also by the Govt., Analyst, RTDL, Guwahati which is evident from his letter No. DTL/ConvertRTDL/14/95/1525 dated 09.07.1998.

(Copy of Director, CIPL's letter dated 01.11.2002, and Govt. analyst Guwahati's letters dated 15.11.2002 and dated 09.07.1998 are annexed hereto for perusal of Hon'ble Tribunal as Annexure-IX, X and XI respectively).

- 4.10 That thereafter, the applicants approached the authority and again for upgradation of their pay scale from Rs. 4500-7000/- to Rs. 5000- 8000/- which they are legitimately entitled to. Eventually they submitted their individual representations from time to time and finally even a join representation on 13.08.2006 praying for removing the anomalies of their pay scale, but with no response whatsoever.

(Copy of some representations dated 27.03.06, 28.06.06 and 13.08.06 are annexed hereto for perusal of Hon'ble Tribunal as Annexure-XII Series).

- 4.11 That after a long service, the respondents vide their impugned letter No. A 32022/2/2002-D dated 04.04.2007 have informed that the proposal of upgrading the pay scale of the Junior Scientific Assistants of RTDL, Guwahati from Rs. 4,500-7,000/- to Rs. 5,000-8,000/- at par with that of CIPL, Ghaziabad has been found not feasible to agree to. The respondents have not stated any reason whatsoever for such rejection, but have most mechanically issued an arbitrary order dated 04.04.2007 and without cogent and valid reason, as such the impugned order dated 04.04.2007 is liable to be set aside and quashed.

(Copy of the impugned letter dated 04.04.2007 is annexed hereto for perusal of Hon'ble Tribunal as Annexure-XIII).

4.12 That the applicants most humbly and respectfully beg to submit that the applicants possess similar educational qualifications like that of other Junior Scientific Assistants and discharging same duties and responsibilities which the other Junior Scientific Assistants are doing in various departments under the same Ministry and as such the applicants are similarly situated like all other Junior Scientific Assistants serving elsewhere in the respondent department. But surprisingly, when the prescribed pay scale of Rs. 5,000-8,000/- has been granted to other similarly situated Junior Scientific Assistants, the respondents have granted a separate lower scale of Rs. 4,500-7,000/- for the Junior Scientific Assistants of RTDL, Guwahati at his own, thus creating an inequality amongst the equals which is against all procedures established by law and devoid of the solemn principles of equality, justice and good conscience, and unknown in all canons of service jurisprudence. As such the Hon'ble Tribunal be pleased to set aside and quash the impugned order dated 04.04.2007 and further be pleased to declare that the applicants are entitled to get the pay scale of Rs. 5,000-8,000/- from the date of their absorption in Regional Drugs Testing Laboratory i.e. from 01.01.2002.

4.13 That the applicants beg to state that due to non-consideration of upgradation of their pay scales, the applicants have been incurring heavy financial loss and further loss in terms of the service prospects. As such finding no other alternative, the applicants are approaching this Hon'ble Tribunal for protection of their legitimate rights and it is a fit case for the Hon'ble Tribunal to interfere with and to protect the rights and interests of the applicants by directing the respondents to the pay scales of the applicants from Rs. 4500-7000/- to 5000-8000/- w.e.f the date of their

Arun Kumar Das.

absorption as Junior Scientific Assistant in RTDL, Guwahati i.e. w.e.f 01.10.2002 with all consequential service benefits.

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

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

5.1 For that, as per the recommendations of the Fifth Central Pay Commission, the pay scale of Junior Scientific Assistants is Rs. 5000-8000/- and as such the applicants are entitled to the scale of Rs. 5000-8000/-.

5.2 For that, the Junior Scientific Assistants working in other departments under the same Ministry have been granted the revised pay scale of Rs. 5,000-8,000/- w.e.f 01.01.1996 following the recommendations of the 5<sup>th</sup> pay commissions. As such denial of the same scale to the applicants who were serving as Junior Scientific assistant, in RTDL, Guwahati and placing them in a lower scale of Rs. 4500-7000/- is discriminatory and violative of the provisions of the article 14 and 16 of the Constitution of India.

5.3 For that, the applicants possess similar educational qualifications like that of other Junior Scientific Assistants and responsibilities, which the other Junior Scientific Assistants are doing in various offices in the respondent department. As such the applicants are similarly situated like other Junior Scientific Assistants and hence legitimately entitled to get the same pay scale of Rs. 5000-8000/-, which the other similarly situated Junior Scientific Assistants under the same department have been getting. Denial of the same to the applicants means deliberate creation of inequality amongst the equals, which is opposed to the principles of equality before law and devoid of the solemn principles of equity, justice and good conscience.

5.4 For that, at the time of taking over the DTL by the RDTL, it was clearly mentioned in the order dated 20.08.2002 (Annexure- III) that permanent

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employees of SDTL would be absorbed against equivalent post but after absorption in RTDL they were placed in the post of Junior Scientific Assistant instead of the post of Assistant Chemist which they were holding in DTL prior to their absorption, thereby reducing their rank and status and even thereafter further discrimination has been made by placing them in a scale which is lower than that of even Junior Scientific Assistant which is in existence. Such actions of the respondents are arbitrary, unfair, malafide and opposed to all principles of service jurisprudence, as such the impugned order dated 04.04.2007 is liable to be set aside and quashed.

- 5.5 For that, the pay scale for Junior Scientific Assistant prescribed under law is Rs. 5000-8000/- which is existent in the respondent department and as such denial of the same to the applicants and granting them a lower scale of Rs. 4500-7000/- at the whims and caprices of the respondents is opposed to the principles of natural justice and strikes at the root of the doctrine of "Rule of law", as such the impugned letter dated 04.04.2007 is liable to be set aside and quashed.
- 5.6 For that the applicants have approached/submitted representations time and again seeking for justice and even the officer-in-charge of RTDL, Guwahati has placed the matter time and again before the authorities and requested for removing anomalies of pay scale in respect of junior scientific assistants of RTDL, Guwahati so as to make it at par with that of other junior scientific assistants of the department, but with no response whatsoever.
- 5.7 For that the respondents vide their impugned letter dated 04.04.2007 (Annexure-XIII) have rejected the claim of the applicants in respect of their pay scales but without showing any reason thereof which is arbitrary, capricious, illegal, unfair and malafide and as such the said impugned letter is liable to be quashed and set aside.

- 5.8 For that the respondents do not have any right or jurisdiction whatsoever to create two separate scales for the employees working in the same post and discharging the same duties and responsibilities which amounts to unreasonable classification and attracts judicial interference.
- 5.9 For that the impugned letter dated 04.04.2007 is cryptic, non-speaking, arbitrary and violative of Article 14 and 16 of the Constitution of India, as such the same is liable to be set aside and quashed.
- 5.10 For that, the applicants demanded justice but the same has been denied to them in an arbitrary, illegal and unfair manner.

6. Details of remedies exhausted.

That the applicants state that they have exhausted all the remedies available to them and there is no other alternative and efficacious remedy than to file this application.

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

The applicants further declare that they did not previously filed any application, Writ Petition or Suit before any Court or any other authority or any other Bench of the Tribunal regarding the subject matter of this application nor any such application, Writ Petition or Suit is pending before any of them.

8. Relief(s) sought for:

Under the facts and circumstances stated above, the applicants humbly pray that Your Lordships be pleased to admit this application, call for the records of the case and issue notice to the respondents to show cause as to why the relief(s) sought for in this application shall not be granted and on perusal of the records and after hearing the parties on the cause or causes that may be shown, be pleased to grant the following relief(s):

- 8.1 That the Hon'ble Tribunal be pleased to set aside and quash the impugned letter bearing No. A.32022/2/2002-D dated 04.04.2007 (Annexure- XIII).
- 8.2 That the Hon'ble Tribunal be pleased to declare that the applicants are entitled to get the pay scale of Rs. 5,000-8,000/- from the date of their absorption in RDTL i.e from 01.10.2002.
- 8.3 That the Hon'ble Tribunal be pleased to direct the respondents re-fix the pay of the applicants in the scale of Rs. 5000-8000/- instead of Rs. 4500-7000/- w.e.f 01.10.2002 with all consequential benefits the arrears pay etc.
- 8.4 Costs of the application.
- 8.5 Any other relief(s) to which the applicant is entitled as the Hon'ble Tribunal may deem fit and proper.

9. Interim order prayed for.

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

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

10. ....  
This application is filed through Advocates.

11. Particulars of the I.P.O.

- |      |               |                    |
|------|---------------|--------------------|
| i)   | I. P. O. No.  | : 34G 653656.      |
| ii)  | Date of Issue | : 11.5.07.         |
| iii) | Issued from   | : G.P.O, Guwahati. |
| iv)  | Payable at    | : G.P.O, Guwahati. |

12. List of enclosures.

As given in the index.

Arun Kumar Das

VERIFICATION

I, Shri Arun Kumar Das, S/o Shri Prabhat Chandra Das, aged about 43 years, presently working as Junior Scientific Assistant in the Regional Drug Testing Laboratory, Six mile, Khanapara, Guwahati-37 do hereby verify that the statements made in Paragraph 1 to 4 and 6 to 12 are true to my knowledge and those made in Paragraph 5 are true to my legal advice and I have not suppressed any material fact.

And I sign this verification on this the 27<sup>th</sup> day of May 2007.

Arun Kumar Das.

GOVERNMENT OF ASSAM  
ORDER OF THE DIRECTOR OF HEALTH SERVICES, ASSAM;  
HENGGRABARI, GUWAHATI-6.

Dated Guwahati, the 31/12/96.

No.HSE/162/91/2514 - The term of appointments of the Asstt. Chemist of the following person issued vide this Directorate order No.HSE/162/91/2890 dt. 30-03-95 and HSE/162/91/4042 dt. 03-05-95 respectively and extended their services from time to time is hereby regularised with effect from the date of their joining as Asstt. Chemist without break against the post created vide MHA/713/73/52 dt. 18-02-77.

1. Sri Amarjyoti Chamuah.
2. Sri Dilip Sarkar.
3. Miss Rinku Kalita.

Sd/- Dr. A.R. Basumatary,  
Director of Health Services, Assam,  
Hengrabari : Guwahati-6.

Memo No.HSE/162/91/2515-19 Dated Guwahati, the 31/12/96.

Copy for information and necessary action to :-

1. The Govt. Analyst, State Drugs Testing Laboratory, Ghy-22.
2. The Supdt. Account Branch of this Directorate.
3. The Establishment Records of this Directorate.
4. The Person concerned.
5. The Accountant General, Assam, Guwahati-28.

*Dr. A.R. Basumatary*  
Director of Health Services, Assam,  
Hengrabari : Guwahati : : : 6.

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16  
ANNEXURE - III

Z.14012/3/2002 DC/D-15 B PFA  
Government of India  
Ministry of Health and Family Welfare  
(Department of Health)

64B-A, Nirman Bhavan,  
New Delhi.  
Dated the 20.8.2002.

**ORDER**

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

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

479  
21/8/02  
Deputy Secretary to the Govt. of India.  
(J.S. Choudhary)

(PTC)

- 17 -

ANNEXURE-IV

122


No.Z.14012/3/94-DC/DMS&PFA  
Government of India  
Ministry of Health and Family Welfare

648-A, Nirman Bhavan,  
New Delhi

Dated the 21<sup>st</sup>, August, 02

ORDER

In continuation of the order of even no. dated 20<sup>th</sup> August, 2002 Government Analyst in State Drug Testing Laboratory, Sixmile, Panjabari, Guwahati - 781037 is hereby declared as the Head of office and Drawing and Disbursing officer for Regional Drugs Testing Laboratory. He will also act as officer in charge for day to day functions. For accounting purpose Regional Drug Testing Laboratory will be attached with the CDDO, ADG, GMSD, Guwahati w.e.f. from 1.10.2002.

  
(J.S. CHOUDHARY)  
DEPUTY SECRETARY TO THE GOVT. OF INDIA

Copy to:-

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

*Attested  
Ministry  
H.W.*



18 - ANNEXURE-V 103

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

NOTIFICATION

Dated Dispur the 7<sup>th</sup> September 2002

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

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

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

Dated 7<sup>th</sup> September 2002

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

Copy to:

1. The Secretary to the Govt of India, Ministry of Health F.W, Nirman Bhawan, New Delhi.110 011.
2. The Director General of Health Services Govt. of India, Ministry of Health F.W, Nirman Bhawan, New Delhi.110 011.

3. The Drugs Controller General India, Directorate General of Health Services Govt. of India, Ministry of Health F.W, Nirman Bhawan, New Delhi.110 011.

4. The Accountant General Assam etc. Guwahati- 29. He is requested to transfer the service record and LPC etc to the Pay and Accounts Office, Ministry of Health & F.W 15/1, Chowranghee Square Kolkata in respect of Govt. Drugs Analyst (Sri P.J.Gogoi) and other staff of State Drugs Testing laboratory guwahati-37. to SDIL.

5. Sri. J.S.Choudhary Dy.Secretary to the Govt of India, Ministry of Health F.W, Nirman Bhawan, New Delhi.110 011 for information.

6. The Commissioner & Secretary to the Govt. of Assam Finance Department (E.C-III) Dispur.Ghy-6 for information and necessary action.

7. The Commissioner & Secretary to the Hon'ble Chief Minister Assam for information.

8. The PPS to the Chief Minister for appraisal of Hon'ble CM Assam

9. The P.S to the Minister Health & F.W for appraisal of the Hon'ble Minister of Health & F.W Govt of Assam.

10. The P.S to the Minister of State Health & F.W for appraisal of Hon'ble State Minister of Health & F.W Govt. of Assam

11. The Director of Health Services, Assam, Heangrabari Ghy-36 with a request to issue the service record and LPC of the existing staff of SDIL to the Govt. Analyst/Officer in Charge RDIL Ghy-37.

12. The Govt. Analyst to Govt. of Assam for information and necessary action.

13. The Drugs Controller Assam, Directorate of Health Services.Ghy-36 for information

14. The Dy. Commissioner Kamrup/Guwahati for his kind information.

15. The Treasury Officer Dispur GHY-6 for information .He requested not to honour any bill w.e.f. From 01/10/2002 in respect of office of Govt. Analyst, Assam SDIL, Ghy-37

16. The Dy. Director Assam Govt Press Bamuni Maidan, Guwahati -21 requested for publication of the above notification in the next issue of Assam Gazette.

By order etc..

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ANNEXURE-VI

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

Appearing on Page No. 2001

Dated 21-9-2002

अधिसूचना

स्वास्थ्य और परिवार कल्याण मंत्रालय

नई दिल्ली, 2 सितम्बर, 2002

सा. का. नि. 382.—राष्ट्रपति, संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, प्रादेशिक औषधि परीक्षण प्रयोगशाला, गुवाहाटी (समूह 'ग' और समूह 'घ' पद) भर्ती नियम, 2000 का और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. (1) इन नियमों का संक्षिप्त नाम प्रादेशिक औषधि परीक्षण प्रयोगशाला, गुवाहाटी (समूह 'ग' और समूह 'घ' पद) भर्ती (संशोधन) नियम, 2002 है।

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

2. प्रादेशिक औषधि परीक्षण प्रयोगशाला, गुवाहाटी (समूह 'ग' और समूह 'घ' पद) भर्ती नियम, 2000 की अनुसूची में, कनिष्ठ वैज्ञानिक सहायक के पद से संबंधित प्रविष्टियों के सामने स्तंभ 6 के नीचे "18 से 25 वर्ष के बीच" शब्दों और अंकों के स्थान पर "25 वर्ष से अधिक नहीं" अंक और शब्द रखे जाएंगे।

[फा. सं. ए-12018/11/98-डी (डी एम एस एंड पी एफ ए) वाल. II]

चन्द्र प्रकाश, अवर सचिव

टिप्पण :—मूल नियम, सा.का.नि. 513, तारीख 8-12-2000 द्वारा प्रकाशित किए गए थे।

## MINISTRY OF HEALTH &amp; FAMILY WELFARE

New Delhi. the 2nd September. 2002.

G.S.R. 382.—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 Regional Drug Testing Laboratory, Guwahati (Group 'C' and Group 'D' Posts) Recruitment Rules, 2000, namely :—

1. (1) These rules may be called the Regional Drug Testing Laboratory, Guwahati (Group 'C' and Group 'D' Posts) Recruitment (Amendment) Rules, 2002.

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

2. In the Schedule of the Regional Drug Testing Laboratory, Guwahati (Group 'C' and Group 'D' Posts) Recruitment Rules, 2000, against the entries relating to the post of Junior Scientific Assistant under column 6, for the words and figures "Between 18 to 25 years" the words and figures "Not exceeding 25 years" shall be substituted.

[F. No. A 12018/11/98-D (DMS&PFA) Vol. II]

CHANDER PRAKASH, Under Secy.

Note :—The Principal rules were published vide No. G.S.R. 513 dated 8-12-2000.

*Attested  
M. S. Thakur  
A. S. W.*

3380 H & FW, 2000-2

पुष्टि के संबंध में विचार करने के लिए समूह 'घ' विभागीय प्रोन्नति समिति, जिसमें निम्नलिखित होंगे :—

1. उप निदेशक, प्रादेशिक औषधि परीक्षण प्रयोगशाला, गुवाहाटी —अध्यक्ष
2. सहायक औषधि नियंत्रक (भारत) पूर्वी जोन —सदस्य
3. गुवाहाटी में स्थित किसी केन्द्रीय सरकार के कार्यालय से अधिकारी —सदस्य

लागू नहीं होता ।

[फा. सं. ए-12018/11/98-डी]

एफ. के. पाण्डे, अवसर सचिव

New Delhi, the 8th December, 2000

G.S.R. 513.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to Group 'C' and Group 'D' posts in Regional Drugs Testing Laboratory, Guwahati, namely :—

1. Short title and commencement.—(1) These rules may be called the Regional Drugs Testing Laboratory, Guwahati (Group 'C' and Group 'D' posts) Recruitment Rules, 2000.

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

2. Application.—These rules shall apply to the posts specified in column 1 of the Schedule annexed to these rules.

3. Number of posts, classification and scale of pay.—The number of the said posts, their classification and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

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

5. Initial constitution.—The persons holding on regular basis, on the date of commencement of these rules, the posts specified in column 2 of the Table below, shall be redesignated as the posts specified in the corresponding entries in column 3 thereof and shall be deemed to have been appointed at the initial constitution to the said posts.

S. No.	Post presently held	Post to be appointed to
1	2	3
(I) Assistant Chemist		Junior Scientific Assistant.
(II) Lower Division Assistant		Lower Division Clerk

1	2	3
(III) Watchman		Peon
(IV) Laboratory Bearer		Attendant/Sample Opener
(V) Cleaner		Attendant/Sample Opener
(VI) Sweeper		Safaiwala

6. Disqualifications.—No person,—

- (a) Who has entered into or contracted a marriage with a person having a spouse living; or
- (b) Who having a spouse living, has entered into or contracted a marriage with any other persons,

shall be eligible for appointment to the said posts :

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

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

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

#### SCHEDULE

Name of post	Number of posts	Classification	Scale of pay	Whether selection by merit or selection-cum-seniority or non-selection post
1	2	3	4	5
1. Junior Scientific Assistant	4* (2000) *Subject to variation dependent on workload.	General Central Service, Group 'C', Non-Gazetted, Non-Ministerial	Rs. 4500-125-7000	Not applicable

Age limit for direct recruits	Whether benefit of added years of service admissible under Rule 30 of the Central Civil Pension Rules, 1972.	Educational and other qualifications required for direct recruits
6	7	8
<p>Between 18 to 25 years (relaxable for Government servants upto 40 years in accordance with the instructions or orders issued by the Central Government).</p> <p>Note 1 : The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India except for Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu and Kashmir State, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, the Union Territory of the Andaman and Nicobar Islands or the Union Territory of Lakshadweep.</p> <p>Note 2 : In case of recruitment made through Employment Exchange, the crucial date for determining the age limit shall be the last date upto which the Employment Exchanges are asked to submit the names.</p>	<p>No.</p>	<p>Essential Qualification : Degree with Chemistry as one of the subjects. Desirable Qualification : Master's Degree in Science with knowledge of Drugs Analysis.</p>
Whether age and Educational Qualification prescribed for direct recruits will apply in the case of promotees	Period of probation, if any	Method of recruitment, whether by direct recruitment or by promotion or by deputation or absorption and percentage of the posts to be filled by various methods
9	10	11
<p>Not applicable</p>	<p>Two years</p>	<p>By direct recruitment. Note : Vacancies caused by the incumbent being away on deputation or Training or Study leave or under other circumstances for a duration of one year or more may be filled on deputation basis from officers of Central Government :</p> <p>(a) (i) holding analogous posts on regular basis; or (ii) with five years regular service in the scale of Rs. 4000—6000 or equivalent; and</p> <p>(b) possessing the qualifications prescribed for direct recruits under column 8.</p>

In case of recruitment by promotion or deputation or absorption, grade from which promotion or deputation or absorption to be made

If a Departmental Promotion Committee exists, what is its composition

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

12

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Not applicable

Group 'C' Departmental Promotion Committee (for considering confirmation) :—

Not applicable

1. Deputy Drugs Controller (INDIA), Central Drugs Standard Control Organisation, East Zone/ Headquarter— Chairman.
2. Deputy Director, Regional Drugs Testing Laboratory, Guwahati — Member.
3. Assistant Drugs Controller (INDIA), East Zone —Member.
4. An Officer from any other Central Government Office located in Guwahati — Member.

1

2

3

4

5

2. Upper Division Clerk

1\*  
(2000)  
\*Subject to variation dependent on workload.

General Central Service, Group 'C', Non-Gazetted, Ministerial.

Rs. 4000-100-6000

Selection-cum-seniority.

6

7

8

Not applicable.

No

Not applicable

9

10

11

Not applicable.

Not applicable.

By promotion failing which by deputation.

12

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14

Promotion :  
Lower Division Clerk with eight years regular service in the grade:  
Deputation :

Officers of the Central Government :  
(a) (i) holding analogous posts on regular basis; or

- Group 'C' Departmental Promotion Committee :
1. Deputy Drugs Controller (India), Central Drugs Standard Control Organisation, East Zone/ Headquarter — Chairman.
  2. Deputy Director, Regional Drugs Testing Laboratory, Guwahati — Member.
  3. Assistant Drugs Controller (India), East Zone —Member

Not applicable

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(ii) with 8 years regular service in grade of Rs. 3050-4590; and

4. An Officer from any other Central Government office located in Guwahati — Member.

- (b) (i) possessing the qualification of Matriculation; and  
(ii) having minimum speed of 30 words per minute in typewriting in English or 25 words per minute in typewriting in Hindi.

typewriting in Hindi.				
1	2	3	4	5
3. Lower Division Clerk.	2* (2000) *Subject to variation dependent on work load.	General Central Service, Group 'C', Non-Gazetted, Ministerial.	Rs. 3050-75-3950-80-4590.	Not applicable.
6	7	8		
Between 18 to 25 years (relaxable for Government servants upto 40 years in accordance with the instructions or orders issued by the Central Government).		Not applicable.	1. Matriculation or equivalent. 2. Minimum speed of 30 words per minute in typewriting in English or 25 word <sup>s</sup> per minute in typewriting in Hindi.	
<p>Note 1 : The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India except for Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu and Kashmir State, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, the Union Territory of the Andaman and Nicobar Islands or the Union Territory of Lakshadweep.</p> <p>Note 2 : In case of recruitment made through Employment Exchange, the crucial date for determining the age limit shall be the last date up to which the Employment Exchanges are asked to submit the names.</p>				
9	10	11		
Not applicable	Two years	By direct recruitment. Note : In case any post falls vacant for more than one years on account of the incumbent proceeding on long leave, training, deputation etc., the post will be filled on deputation basis from Officers of Central/State Government holding analogous post on regular basis and possessing qualifications prescribed for direct recruits under column 8.		

12		13		14
Not applicable		Group 'C' Departmental Promotion Committee (for considering confirmation) consisting of : 1. Deputy Drugs Controller (India), Central Drugs Standard Control Organisation, East Zone/ Headquarter— Chairman. 2. Deputy Director, Regional Drugs Testing Laboratory, Guwahati— Member. 3. Assistant Drugs Controller (India), East Zone — Member.		Not applicable.
1	2	3	4	5
4. Attendant/Sample Opener	3* (2000) *Subject to variation dependent on workload.	General Central Service Group 'D' Non Gazetted non-Ministerial	Rs. 2650-65-3300-70-4000	Not applicable
	6	7		8
Between 18 to 25 years (Relaxable for Government servants upto 40 years in accordance with the instructions or orders issued by the Central Government). Note 1 :—The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India except for Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu and Kashmir State, Lahaul and Spiti District and Pangl Sub-Division of Chamba District of Himachal Pradesh, the Union Territory of the Andaman and Nicobar Islands or the Union Territory of Lakshadweep. Note 2 :—In case of recruitment made through Employment Exchange the crucial date for determining the age limit shall be the last date up to which the Employment Exchanges are asked to submit the names.		No		Essential :—Matriculation (10th class pass) or equivalent with Science as one of the subjects. Note :—Qualifications are relaxable at discretion of the competent authority in case of candidates otherwise well qualified. Desirable :—One year's experience as Attendant in a Laboratory.
9	10			11
Not applicable	Two years		By direct recruitment. Note :—Vacancies caused by the incumbent being away on deputation or training or study leave or under other circumstances for a duration of one year or more may be filled on deputation basis from officers of Central Government :— (a) (i) holding analogous posts on regular basis; or (ii) with two/four years regular service in the scale of Rs. 2610—3540/2550—3200 or equivalent; and (b) possessing the qualifications and experience prescribed for direct recruits under column 8.	



12  
Not applicable13  
Group 'D' Departmental Promotion Committee (for considering confirmation) consisting of :--

1. Deputy Director, Regional Drugs Testing Laboratory, Guwahati—Chairman
2. Assistant Drugs Controller (India) East Zone  
---Member
3. An Officer from any Central Government office located in Guwahati—Member

5. Peon

1\*  
(2000)  
\*Subject to  
variation  
dependent on  
workload

General Central Service  
Group 'D'  
Non-Gazetted  
Ministerial

Rs. 2550-55-2660-  
60-3200

Not applicable

Between 18 to 25 years

(Relaxable for Government servants upto 40 years in accordance with the instructions or orders issued by the Central Government).

Note 1 :—The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India except for Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu and Kashmir State, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, the Union Territory of the Andaman and Nicobar Islands or the Union Territory of Lakshadweep.

Note. 2 :—In case of recruitment made through Employment Exchange the crucial date for determining the age limit shall be the last date up to which the Employment Exchanges are asked to submit the names.

No

Middle standard pass from a recognised school.

9

10

11

Not applicable

Two years

By direct recruitment.

12	13	14		
Not applicable	Group 'D' Departmental Promotion Committee for considering confirmation consisting of :— 1. Deputy Director, Regional Drugs Testing Laboratory Guwahati—Chairman 2. Assistant Drugs Controller (India) East Zone—Member 3. An officer from any other Central Government office located in Guwahati—Member	Not applicable		
1	2	3	4	5
6. Safaiwala	1* (2000) *Subject to variation dependent on work load.	General Central Service Group 'D' Non-Gazetted Non-Ministerial	Rs. 2550-55-2660-60-3200	Not applicable
6	7	8		
Between 18 to 25 years (Relaxable for Government servants upto 40 years in accordance with the instructions or orders issued by the Central Government). Note 1 :—The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India except for Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu and Kashmir State, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, the Union Territory of the Andaman and Nicobar Islands or the Union Territory of Lakshadweep. Note. 2 :—In case of recruitment made through Employment Exchange the crucial date for determining the age limit shall be the last date up to which the Employment Exchanges are asked to submit the names.	No	The candidates should know how to read and write in any Indian Language.		
9	10	11		
Not applicable	Two years	By direct recruitment		
12	13	14		
Not applicable	Group 'D' Departmental Promotion Committee for considering confirmation consisting of :— 1. Deputy Director, Regional Drugs Testing Laboratory, Guwahati—Chairman 2. Assistant Drugs Controller (India) East Zone—Member 3. An Officer from any Central Government office located in Guwahati—Member	Not applicable		

[F. No. A.-12018/11/98-D(DMS &amp; PFA)]

F. K. PANDE, Under Secy.

ANNEXURE-VII

No.2.14012/3/94-DC/D(Pt.VIII).  
DIRECTORATE GENERAL OF HEALTH SERVICES  
(DRUGS SECTION)

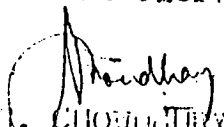
...

New Delhi, dated: 1/10/02

ORDER

Consequent upon taking over of the State Drug Testing Laboratory, Guwahati as Regional Drugs Testing Laboratory as a Subordinate office under Directorate General of Health Services Ministry of Health & F.W., it has been decided to absorb Group 'C' & 'D' staff against the posts given below w.e.f. the date of absorption as per order No.2.14012/3/94-DC & DMS & PFA Dated 20.8.2002.

Sl. No.	Post presently held	Post against which to be absorbed	N. of post.
I.	Assistant Chemist	Junior Scientific Asstt.	(4)
II.	Lower Division Assistant	Lower Division Clerk	(2)
III.	Watchman	Peon	(1)
IV.	Laboratory Bearer	Attendant/Sample Opener	(5)
V.	Cleaner	Attendant/Sample Opener	
VI.	Sweeper	Safaiwala	(1)
VII.	Upper Division Assistant	Upper Division Clerk	(1)

  
( J.L. CHOUHURY )  
DEPUTY SECRETARY.

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

*Attested  
M.D.S.  
A.W.*

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ANNEXURE-VIII

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

22/11/02

No.RDTL/Est/01/02/1645

Dated Guwahati the 22/11/02

OFFICE ORDER

In pursuance of Directorate General of Health Services (Drugs Section) Government of India Ministry of Health & F.W. Order No.Z.14012/3/94-DC/D (pt.VIII) dated 1.10.2002, the under noted Group "C" & Group "D" staff are absorbed as shown against each post.

<u>S.No</u>	<u>Name of the Incumbent</u>	<u>Pervious Post held and Scale of pay</u>	<u>Existing Basic pay in the previous post</u>	<u>Post against which to be absorbed</u>	<u>Scale of Pay as per GOI</u>
1. ✓	Mr.Dilip Kumar Sarkar	Asst. Chemist Rs.3400-8100/-	Rs.4120/-p.m.	Jr. Scientific Assistant	Rs.4500-7000
2. ✓	Mr.Amarjyoti Chamua	Asst. Chemist Rs.3490-8100/-	Rs.4120/-p.m.	Jr. Scientific Assistant	Rs.4500-7000
3. ✓	Mr.Arun Das	Asst. Chemist Rs.3490-8100/-	Rs.4120/-p.m.	Jr. Scientific Assistant	Rs.4500-7000
4. ✓	Mrs.Rinku Kalita	Asst. Chemist Rs.3490-8100/-	Rs.4120/-p.m.	Jr. Scientific Assistant	Rs.4500-7000
5.	Mr.Kushal Kalita	U.D.Asst Rs.3850-7350/-	Rs.7850/-p.m.	Upper Division Clerk	Rs.4000-6000
6.	Mr.Bipin kalita	L.D.Asst Rs.2890-5725/-	Rs.3310/-p.m.	Lower Division Clerk	Rs.3050-4590
7.	Mr.Bijan Bora	L.D.Asst Rs.2890-5725/-	Rs.3310/-p.m.	Lower Division Clerk	Rs.3050-4590
8.	Mr.Manoranjana Bayan	Cleaner Rs.2450-3670/-	Rs.3010/-p.m.	Attendant/Sample opener	Rs.2650-4000
9.	Mr.Umesh Ch.Barman	Watchman Rs.2450-3670/-	Rs.2890/-p.m.	Attendant/Sample opener	Rs.2650-4000
10.	Mr.Balraj Thakuria	Lab. Bearer Rs.2450-3670/-	Rs.2770/-p.m.	Attendant/Sample opener	Rs.2650-4000
11.	Mr.Jogesh Mahanta	Lab. Bearer Rs.2450-3670/-	Rs.2770/-p.m.	Peon	Rs.2550-3200
12.	Mr.Mukesh Balmiki	Sweeper	Rs.2450/-p.m.	Safaiwala	Rs.2550-3200

Attested  
for  
Drugs  
Section

-30-

MS

- (a) The pay will be fixed as per the existing Government Rules and order
- (b) Absorption of the staff has been made as per seniority in the State Government for this office
- (c) The above order will take effect from 01-10-2002 from the date of taken over by the Government of India.

Sd/- P.J.Gogoi  
Government Analyst  
Officer-In-charge RDTL

Memo No. RDTI/Esst/01/2002 / 166 - 74

Dated Guwahati the 22/11/02

Copy to:

1. The Director General of Health Services, Ministry of Health & F.W Government of India, Nirman Bhawan, New Delhi. 110 011.
2. The Drugs Controller General of India Directorate General of Health Services, Ministry of Health & F.W Government of India. Nirman Bhawan, New Delhi. 110 011
3. The Dy. Secretary to the Govt. of India Ministry of Health & F.W, Nirman Bhawan, New Delhi. 110 011
4. The Chief Pay & Accounts officer, Ministry of Health & F.W. Min of Health & F.W Nirman Bhawan, New Delhi. 110 011
5. The Pay & Accounts Officer Min of Health & F.W. 15/1 Chowrangee Square Calcutta-69
6. The ADG GMSD Guwahati .DGHS, Kalapahar
7. Section officer Drugs Section
8. Person concern
9. Personal file

P.J.Gogoi  
Government Analyst  
Officer-In-charge RDTL

-31-

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By Speed Post

Gram: CIPLAB

**ANNEXURE-IX**

आर.डी.टी.एल. गैलरी

गैलरी रजिस्ट्रार

GOVERNMENT OF INDIA

केन्द्रीय भारतीय दवा विभाग प्रयोगशाला  
CENTRAL INDIAN PHARMACOPOEIA LABORATORY

सेक्टर-23, राजनगर, गाजियाबाद-201002  
Sector-23, Raj Nagar, Ghaziabad-201002

गैलरी गैलरी नं. CIPL/1040/2002-03

दिनांक/Date: NOV. 01. 2003

To,

The Govt. Analyst O/C RDTL,  
Office of the Regional Drugs Testing Laboratory,  
Sixmile Panjabari,  
GUWAHATI-781037

Sub: Pay scale of Bench Chemists of RDTL, Guwahati-Reg.

Sir,

With reference to your 'FAX' letter No. RDTL/General/05/02 dated 31.10.2002 on the above mentioned subject, this is to inform you that the pay scale of Junior Scientific Assistants of this Laboratory has been upgraded from the pay scale of Rs. 4500-125-7000 to Rs. 5000-150-8000 vide DGHS Order No. A. 32022/2/98-D dated 5/8.5.2000 w.e.f. 01.01.96.

Yours faithfully,

*(Signature)*  
(DR. G.N. SINGH)  
DIRECTOR

*Submitted  
M. B. Singh  
11/11/02*

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ANNEXURE-X

GOVERNMENT OF INDIA  
OFFICE OF THE REGIONAL DRUGS TESTING LABORATORY  
SIXMILE, KHANAPARA, GUWAHATI-37.

No. RDTL/Pay-Est/16/02/156

dated Guwahati the November 15, 2002

From: The Government Analyst  
Office in Charge  
Regional Drugs Testing Laboratory  
Guwahati-37

To: The Drugs Controller General India  
Directorate General of Health Services  
Ministry of Health & F.W  
Nirman Bhawan, New Delhi-110 011

Sub: Pay scale for the post of Jr. Scientific Asstt. In RDTL Guwahati

Sir,

I have the honour to inform you that Directorate General Health services (Drugs Section) has created 4 (four) nos. of Jr. Scientific Asstt. posts for RDTL with the pay scale of Rs.4500/- to Rs.7000/- vide order No. Z.14012/3/91-D dated 11/4/1996 along with other posts for RDTL.

In this connection I am to inform you that during my discussion and enquiry with the Director CIPL Ghaziabad he informed us that the pay scales of Jr. Scientific Asstt. for CIPL Ghaziabad has been upgraded to Rs.5000-150-Rs.8000/- w.e.f. from 01/01/96 vide order no. A.32022/2/98-D dated 5/8.5.2000 (copy enclosed).

I therefore request you kindly look in to the matter and suggest accordingly whether it is applicable for RDTL Guwahati also.

Yours faithfully,

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

Memo No.: RDTL/Ano-pay/16/02/157

Dated Guwahati the November 15, 2002

Copy to:

Sri J.S. Choudhary I.R.S Deputy Secretary to the Govt. of India Ministry of Health & F.W for his kind information and necessary action.

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

Attested  
10/11/02  
A.W.

GOVT. OF INDIA  
OFFICE OF THE REGIONAL DRUGS TESTING LABORATORY  
KHANAPARA : GUWAHATI-22. 96

No.DTL/Convert/RDTL/14/95/ 7525 Dated the 9.17.98

From : The Govt. Analyst, Officer-in-charge,  
Regional Drugs Testing Laboratory,  
Khanapara, Guwahati-22.

To, The Dy. Director of Administration (D)  
Directorate General of Health Services,  
Drugs Control Section, Nirman Bhawan,  
New Delhi-110011.

Sub : Continuance of Temporary post in the Regional  
Drugs Testing Laboratory, Guwahati-22.

Ref : Govt. of India's letter No.Z-14012/3/91-DC  
Dt.3-4-98.

Sir, In inviting reference to your above cited letter No. I have the honour to state that, this has already been stated this office letter No.DTL/Convert/RDTL/14/95/1486 dt.5-6-98 that Govt. of India, Ministry of Health & F.W. deptt. has created 21 (twenty one) nos of post in different categories vide Govt. of India's letter No.Z-14012/3/91-DC (DMS-PFA) dt.11-4-96 for the Regional Drugs Testing Laboratory, Sixmiles, Khanapara, Ghy-22, to absorb the existing staff of the State Drugs Testing Laboratory, Guwahati-22 which was not yet meterilized.

It is not clear to us that as we have received a letter vide No.Z-14012/3/91-DC dt.3-4-98, where only 14 nos of posts were sanctioned for continuance, instead of 21 (twenty one) nos of posts originally sanctioned vide letter No.Z-14012/3/91-DC (DMS-PFA) dt.11-4-96.

In this connection I am to mention here that the post of Supdt. for the Regional Drugs Testing Laboratory, Ghy-22 was created in the scale of pay Rs.1640-2900/- (in old scale) which was revised in the scale of pay Rs.6500-10,500/- against the noted scale. But in your sanctioned letter instead of said scale, it was found as Rs.5500-9000/-. As proposed sanction of the all temporary post of Regional Drugs Testing Laboratory in every respect should be the commansurate with the pay scale of the original sanctioned and status to should be maintained.

Further the scale of pay for Jr. Scientific Asstt. was Rs.1400-2300/- in the original sanctioned letter (in old scale) which will be Rs.5000-8000/- as revised scale and this has been already implementatda in Central Drugs Laboratory, Calcutta, but it was given only Rs.4500-7000/- instead of Rs.5000-8000/-, which need necessary correction.

Contd..2.

*Handwritten signature/initials*



-34-

(68) 139

-2-

More over this has been already mentioned in the earlier letter we have three L.D.C. post and the incumbent permanently working in the State Drugs Testing Laboratory to absorb their services, the nos of post of L.D.C. should be 3 (three) instead of two, as mentioned in your sanction letter.

I would therefore request you kindly to make necessary arrangement for convey the sanction of the continuance of the above noted posts commensurate the pay scale given in the original sanctioned so that incumbent absorb against the post will not suffer for the said anomalies of the scale in near future.

This may be treated an urgent and do the needful at an earliest.

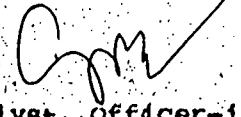
Yours faithfully

Govt. Analyst, Officer-in-charge,  
Regional Drugs Testing Laboratory  
Khanapara : Guwahati-22.

Memo No. DTL/Convert/RTL/14/95/7526-28 Dt. 3-7-98

Copy forwarded for information and necessary action:-

1. The Drugs Controller General (India) Directorate General of Health Services, Nirman Bhawan, New Delhi-110011.
2. The Commissioner, to the Govt. of Assam, Health and F.W. Dept t. Dispur, Guwahati-6.
3. The Director of Health Services, Assam, Hengrabari, Ghy-6.

  
Govt. Analyst, Officer-in-charge,  
Regional Drugs Testing Laboratory,  
Khanapara : Guwahati-22.

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ANNEXURE - XII (Series)

To,

Drugs Controller General,  
Director General Of Health Service,  
Ministry Of Health & F.W. ,  
Nirman Bhavan,  
New Delhi. - 110011.

(Through G.A. ; I/C R.D.T.L.)

Dated, the 27 th March, 2006.

Subject:: Pay annomalies of J.S.A. In R.D.T.L.

SIR,

With due respect, I would like to draw your kind attention towards the following few lines;

That SIR, I Mrs. Rinku Kalita, joined as Asstt. Chemist in the State Drugs Testing Laboratory under the Directorate of Health Service, Assam in the year 1995. Fortunately the laboratory was handed over to the Ministry of Health and Family Welfare, Director General of Health Service, Govt. of India for setting up Regional Drugs Testing Laboratory to serve the entire North eastern State, in the year 2002 vide letter no. Z - 14012/3/94 - DC/DMS & PFA dtd. 20-8-2002. Consequently GOI was agreed to absorb the exsisting staff of S.D.T.L. to the R.D.T.L. into the equivalent post with necessary pay protection vide letter no. Z. 14012/3/94 - DC/D (Pt.VIII) D.G.H.S. (DRUGS SECTION) dated 1/10/2002. As a result I was absorbed in the rank of Junior Scientific Assistant with the pay scale of 4500 - 7000.

Secondly, I would like to inform you that, each and every employee in the position of J.S.A. of all other National Drugs Testing Laboratory, under the Ministry of Health and F.W. GOI, is drawing pay in the scale of 5000 - 8000, whereas in my case it is 4500 - 7000. I had discuss several time with the head of my institution Mr. P.J.Gogoi regarding this annomalies since 2002 and he tried his best from his side till date to solve my case. He himself take initiative and make telephonic discussion with the Director of all other central laboratories. He also send a fax on 31/10/2002 under the caption "Pay scale of Bench Chemists of RDTL Guwahati" to Dr.S.K.Talwar, Director in charge of C.I.P.L., Ghaziabad to confirm about the pay scale of J.S.A's of that organisation. The return fax dated Nov. 01. 2003 from Dr. G.N. Singh clearly indicate that the pay scale of Junior Scientific Assistant has been upgraded from Rs. 4500 - 125 - 7000 to Rs. 5000 - 150 - 8000 vide DGHS order no.A.32022/2/98-D dated 5/8.5.2000 w.e.f. 01.01.96.(Xerox copy enclosed). But till now there is no any positive response from Government side in this regard.

So, I request you kindly to look after my case and make needful action at an early date after doing all the necessary at your end.

Thanking you, SIR,

Faithfully your's

*Rinku Kalita*

(Mrs. Rinku Kalita)  
J.S.A.

Regional Drugs Testing Laboratory.

*Attested  
Rinku Kalita*

Copy to :::

- 1) Section Officer (Drugs), Director General Of Health Service, MOHFW, GOI.
- 2) Deputy Director (Admn.) ; Drugs section; Director General Of Health Service, MOHFW, GOI.

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ANNEXURE-XII (Series)

To,

Drugs Controller General,  
Director General Of Health Service,  
Ministry Of Health & F.W. ,  
Nirman Bhavan,  
New Delhi. - 110011.

(Through G.A. ; I/C R.D.T.L.)

Dated, the 28<sup>th</sup> June. 2006.

Subject: Pay anomalies of J.S.A. In R.D.T.L.

SIR,

With due respect, I would like to draw your kind attention towards the fact that, I Shri Amarjyoti Chamuah, J.S.A. of Regional Drugs Testing Laboratory under the Ministry of Health and Family Welfare, Director General of Health Service, Govt. of India, have a grievance for the above captioned subject and because of that a written details was send to you through G.A. ; I/C R.D.T.L. Dated 27th March 2006. But although already three month is over from the date of my written request, till now there is no any positive response from Government side in this regard.

So, I request you once again kindly to look after my case and make needful action at an early date after doing all the necessary at your end plz.

Thanking you, SIR,

Faithfully your's  
*Amarjyoti Chamuah*  
(Amarjyoti Chamuah)  
J.S.A.

Regional Drugs Testing Laboratory.

Copy to :::

1) Section Officer (Drugs), Director General Of Health Service, MOHFW, GOI.

2) Deputy Director (Admn.) ; Drugs section; Director General Of Health Service, MOHFW, GOI.

*Attended  
Marta  
Adh*

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ANNEXURE-XII (Series) 142

To,

Smt. Rita Teatota,  
Joint Secretary, Govt. Of India,  
Ministry Of Health & F.W.,  
Nirman Bhavan,  
New Delhi. - 110011.

(Through G.A. ; I/C R.D.T.L.)

Dated, the 13 th August, 2006.

Subject:: Pay anomalies of J.S.A. In R.D.T.L.

MADAM,

With due respect, I would like to draw your kind attention towards the following few lines;

That MADAM, we the four Junior Scientific Assistant, namely Shri Arun Kumar Das, Shri Amarjyoti Chamuah, Shri Dilip Kumar Sarkar and Smt. Rinku Kalita, joined as Asstt. Chemist in the State Drugs Testing Laboratory under the Directorate of Health Service, Assam in the year 1995. Fortunately the laboratory was handed over to the Ministry of Health and Family Welfare, Director General of Health Service, Govt. of India for setting up Regional Drugs Testing Laboratory to serve the entire North eastern State, including Sikkim in the year 2002 vide letter no. Z - 14012/3/94 - DC/DMS & PFA dtd. 20 -8-2002. Consequently G O I was agreed to absorb the exsisting staff of S.D.T.L to the R.D.T.L. into the equivalent post with necessary pay protection vide letter no.Z. 14012/3/94 - DC/D (Pt.VIII) D.G.H.S. (DRUGS SECTION) dated 1/10/2002. As a result we were absorbed in the rank of Junior Scientific Assistant with the pay scale of 4500 - 7000.

Secondly, we would like to inform you that, each and every employee in the position of J. S. A. of all other National Drugs Testing Laboratory, under the Ministry of Health and F. W. G O I, is drawing pay in the scale of 5000 - 8000, whereas in our case it is 4500 - 7000. We had discussed several time with the head of our Institution Mr. P. J. Gogoi regarding this anomalies since 2002 and he tried his best from his side till date to solve our case. He himself take initiative and make telephonic discussion with the Director of all other central laboratories. He also send a fax on 31/10/2002 under the caption "Pay scale of Bench Chemists of RDTL Guwahati" to Dr.S. K. Talwar, Director in charge of C.I.P.L., Ghaziabad to confirm about the pay scale of J.S.A's of that organisation. The return fax dated Nov. 01. 2003 from Dr. G.N. Singh, Director, C.I.P.L., clearly indicate that the pay scale of Junior Scientific Assistant has been upgraded from Rs. 4500 - 125 - 7000 to Rs. 5000 - 150 - 8000 vide DGHS order no.A.32022/2/98-D dated 5/8.5.2000 w.e.f. 01.01.96. (Xerox copy enclosed). But till date there is no any response from Government side in this regard despite of written grievance posted to The Drugs Controller General, MOHFW, through Govt. Analyst, I/C R.D.T.L. dated 27 th March 2006 followed by a reminder dated 28 th June 2006.

So, we request you kindly to look after our case and make needful action at an early date after doing all the necessary at your end.

Thanking you, MADAM,

Faithfully your's

1) Arun Kumar Das.

2) Amarjyoti Chamuah

3) Dilip Kumar Sarkar.

4) Rinku Kalita.

J.S.A.

Regional Drugs Testing Laboratory.

Attested  
Rita Teatota  
A.S.

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ANNEXURE - XIII

No.A.32022/2/2002-D  
Directorate General of Health Services  
Drugs Section

Nirman Bhawan, New Delhi.

Dated. 04/04/07

To

The Govt. Analyst,  
I/c. RDTL, G.O.L.,  
Six-Mile, Guwahati-37.

Subject: Up-gradation of Pay Scale of Jr. Scientific Asstt. - reg.

Sir,

I am directed to refer to your letter No.RDTL/Estt./Pay/16/06-07/1213, dated 8.3.07 on the subject mentioned above and to say that the proposal regarding up-gradation of Pay Scale of Jr. Scientific Asstt. ~~at~~ RDTL, Guwahati from Rs.4500-7000 to Rs.5000-8000 at par with the post of J.S.A. at CIPL, Ghaziabad and other Laboratories has been examined in consultation with the M/o. Finance, Deptt. Of Expenditure. It has however, not been found feasible to agree to the instant proposal. Therefore, it is requested that this may be informed to all concerned J.S.A.'s at RDTL, Guwahati.

Shy?  
Yours faithfully,

*Lucas L. Kamsuan*

(Lucas L. Kamsuan)  
Dy. Director Admn. (D)

Attested  
10/04/07  
KMS

Pay scales under Mr. Jany  
Permitting

File in Court on... 11/11/08...

Court Officer.

1

Filed by -  
The Respondent  
M. Jyoti Gogoi  
Govt. Analyst  
Regional Drug Testing Laboratory, Guwahati  
11/11/08  
Govt. Analyst  
Office in Charge  
Regional Drug Testing Laboratory, Guwahati

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
GUWAHATI BENCH

In the matter of :

O.A. No.131/07

Sri Arun Kumar Das & ors.

.....Applicants

-Vs-

Union of India & ors.

.....Respondents

-And-

In the matter of :

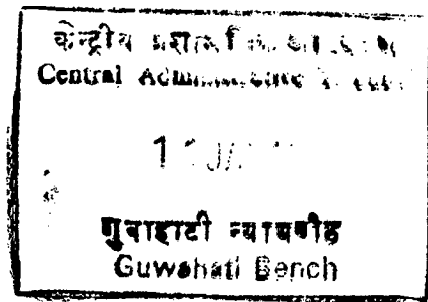
Written Statement on behalf of  
Respondent No.4.

(Written Statement on behalf of Respondent No.4)

I Sri (Dr) Partha Jyoti Gogoi, son of  
Sri Ganesh ch. Gogoi, presently working as  
Government Analyst I/C, Regional Drug Testing  
Laboratory, Government of India, Guwahati,  
Assam do hereby solemnly affirm and state as  
follows :

1. That I am the Government Analyst I/C,  
Regional Drug Testing Laboratory, Government of  
India, Guwahati. The copy of the aforesaid  
application has been served upon me as I have  
been impleaded as party Respondent No.4. I  
have gone through the same and being the

Reviewed  
on 11/10/08  
M. Jyoti Gogoi



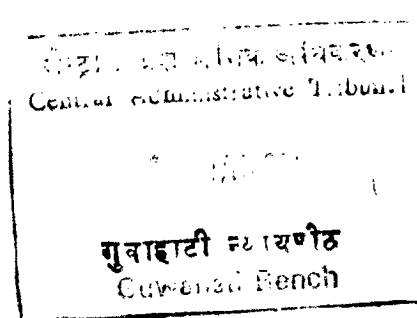
145  
Govt. Analyst  
Office No. 181037  
Guwahati

Government Analyst I/C. I have understood the contents thereof. I do not admit any of the averments except which are specifically admitted hereinafter and the same are deemed as denied.

2. That all the applicants are at present working as Junior Scientific Assistant (JSA) under Group-C, non-Gazetted, non-Ministerial post in the Regional Drug Testing Laboratory, Government of India, Sixth Mile, Guwahati-37.

3. That initially the applicants were served as Assistant Chemist in the year 1995 on temporary basis in the State Drug Testing Laboratory, Guwahati under the Directorate of Health Services, Government of Assam. Their services were time to time extended and thereafter their services were regularized w.e.f. the date of their appointment.

4. That as per proposal of the Government of India to set up a Regional Drug Testing Laboratory in Assam and it was decided to take over the State Drug Testing Laboratory, Guwahati by the Government of India and accordingly, vide order dated 20.8.2002 the said Drug Testing Laboratory, was taken over by the Government of India, Ministry of Health and Family Welfare. In pursuance of the said Government of India's order dated 20.8.2002, the Government of Assam vide notification dated 7.9.2002 handed over the State Drug Testing Laboratory, Guwahati along with existing staffs, machineries and equipments to



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Govt. Analyst  
Central Administrative Tribunal  
Guwahati Bench  
Regional Office  
Guwahati, Assam. 781037

the Government of India with all assets and liabilities w.e.f. 1.10.2002. The applicants thereafter came to the Regional Drug testing Laboratory, Guwahati under the Ministry of Health and Family Welfare, Government of India.

5. That, thereafter the Government of India, Ministry of Health and Family Welfare Department vide notification dated 2.9.2002 notified the Recruitment Rules for various categories of staff of Regional Drug Testing Laboratory, Guwahati.

6. That there is no Assistant Chemist post in the Drug Testing Laboratory. The Junior Scientific Assistant post is the first entry in the service.

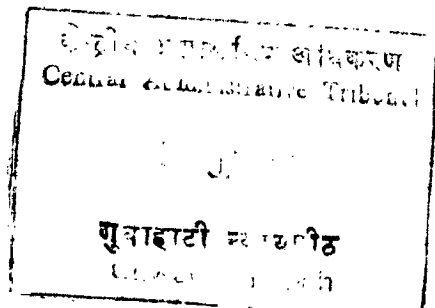
7. That the applicant applied for their up gradation of the pay scale from Rs.4500-7000 to Rs.5000-8000. The matter was consulted with the Ministry of Finance and expenditure. However, the proposal for up gradation has not been acceded to.

#### Reply to the facts of the case :

4.1 That with regard to the statements made in paragraph 4.1 of the application the answering respondent has admitted the statements made therein.

4.2 That with regard to the statements made in paragraph 4.2 of the application the humble





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Govt. Analyst  
Central Administrative Tribunal  
Guwahati Bench  
Region

answering respondent has nothing to make comment on it.

4.3 That with regard to the statements made in paragraph 4.3 to 4.6 the humble answering respondents admitted statements made therein.

4.4 That with regard to the statements made in paragraph 4.7 of the application the humble answering respondent begs to state that it is stated that there is no Assistant Chemist post in the Drug Testing Laboratories. The Junior Scientific Assistant is the first entry in this stream. The next higher post is Senior Scientific Assistant.

4.8 That with regard to the statements made in paragraph 4.8 to 4.9 the respondents begs to state that the so far the Drug Laboratories are concerned there are no such post of Assistant Chemist. As per recommendation of the 5<sup>th</sup> C.P.C. the pay scale of Junior Scientific Assistant is Rs.5000-8000. The matter related to the up gradation of the pay scale of Junior Scientific Assistant is Rs.4500-8000 is in fact referred to the higher authority to the Drugs Controller of General of India.

4.9 That with regard to the statements made in paragraph 4.10 to 4.11 of the application the humble answering respondent begs to state that the applicants applied for their up gradation of pay scale of Junior Scientific Assistant which in

fact was referred to the Drugs Controller General of India. Accordingly, the matter was examined with Ministry of Finance and Expenditure. However, the proposal for up gradation of pay scale was not acceded to.

4.10 That with regard to the statement made in paragraph 4.12 to 4.14 the humble answering respondents has nothing to make comment on it. He however, does not admit any statements which are contrary to records.

**VERIFICATION**

I, Sri Dr. Partha Jyoti Gogoi, son of  
Sri Ganesh Ch. Gogoi, presently working  
as Government Analyst I/C Regional Drug Testing  
Laboratory, Government of India, Guwahati,  
Assam, aged about 42 years do hereby verify that  
the statements made in paragraphs 1, 5 and 6  
are true to my knowledge; those made in the  
paragraphs 2-7 and 4.1-4.10 are being matters  
of records of the case derived therefrom which I  
believe to be true and the rests are my humble  
submissions before this Hon'ble Tribunal.

I have not suppressed any material facts.

And I sign this verification on this 11<sup>th</sup>  
Day of January 2008 at Guwahati.

Signature

(Partha Jyoti Gogoi)  
Govt. Analyst  
Officer-in-charge  
Regional Drugs Testing Laboratory, G.O.I  
Sixmile, Guwahati - 781037

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH: GUWAHATI

In the matter of :-

O.A.No. 131/2007.

Sri Arun Das and Ors.

-Versus-

Union of India and Others.

... Respondents.

-And-

In the matter of:-

Additional rejoinder submitted by the applicants against the written statement submitted by the respondents.

The applicants most humbly and respectfully beg to state as under:-

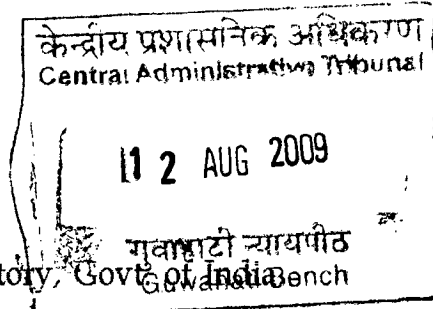
1. That your applicants has approached this Hon'ble Tribunal claiming higher revised scale of pay Rs. 5000-8000/- w.e.f 01.01.1996 in the cadre of Jr. Scientific Assistant, since the said pay scale of Rs. 5000-8000/- has been extended to the other similarly situated employees working under the same ministry and department of health and family Welfare, New Delhi. It is pertinent to mention here that the applicants in their original application made a specific statements that the jr. Scientific Asstt. Working at Central Indian Pharmacopia Laboratory (in short CIPL), Gaziabad also been extended the scale of Rs. 5000-8000/- w.e.f 01.01.1996. But the said contention of the applicants had been denied in the written statement and further contended that the recruitment qualification of the Jr. Scientific Asstt. has been prescribed as post graduate degree without enclosing a copy of the recruitment rule for the cadre of Jr. Scientific Asstt. of Central Indian Pharmacopia Laboratory (in short CIPL), Gaziabad. The applicant specifically denied the aforesaid statements of the respondents made in their affidavits and further beg to say that it would be evident from the

Received for  
Mrs. M. Das  
Winshim Vashim  
(Advocate)  
12/08/09.

Arun Kumar Das

by the applicant  
U. Datta, advocate  
on 12.08.09

केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal  
12 AUG 2009  
गुवाहाटी न्यायपीठ  
Guwahati Bench

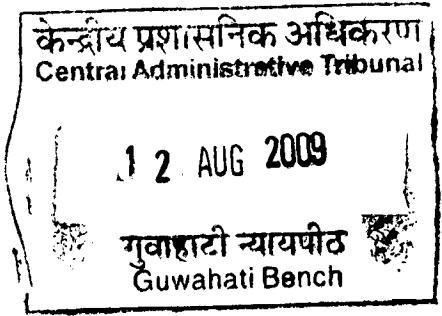


copy of advertisement issued by central Drugs laboratory, Govt. of India, Kolkata under the Ministry of Health and Family Welfare that the post of Jr. Scientific Assistant carries the pay of Rs. 5000-8000/- having the recruitment qualification i.e degree in science with chemistry as one of the subject. As such, the present applicants who are similarly situated having similar recruitment qualification cannot be denied the higher revised scale of Rs. 5000-8000/- w.e.f 01.01.1996.

A copy of the advertisement published in employment news dtd. 27-31 October, 2008 is enclosed as Annexure- A for perusal of the Hon'ble Tribunal.

2. That it is stated that the present applicants have been discriminated in the matter of allotment of scale of pay and making an attempt to confuse and mislead the Ld. Tribunal in order to deny the legitimate claim of the applicants for grant of higher revised scale of Rs. 5000-8000/- w.e.f 01.01.1996.
3. That it is stated that the further contention of the respondents that the job of Jr. Scientific Asstt. of Govt. medical store Depot is different then the Regional Drug Testing Laboratory, Guwahati is specifically denied and further beg to say that the nature of job and duties and responsibilities of Jr. Scientific Asstt. of regional drug testing laboratory, Guwahati are similar with the Junior Scientific Asstt. of Govt. medical store depot under the same ministry of Health and Family Welfare.
4. That in the facts and circumstances stated above, the applicants most humbly submits that they are entitled to the relief prayed for, and the O.A deserves to be allowed with costs.

Atun Kumar Das.



VERIFICATION

I, Shri Arun Kumar Das, S/O Shri Prabhat Chandra Das, aged about 45 years, presently working as Junior Scientific Assistant in the Regional Drug Testing Laboratory, Six mile, Khanapara, Guwahati-37 do hereby verify that the statements made in Paragraph 1 to 4 are true to my knowledge and legal advise and I have not suppressed any material fact.

And I sign this verification on this the 27<sup>th</sup> day of July, 2009.

Arun Kumar Das.

Government of India  
Ministry of Home Affairs  
**Director General  
Border Security Force**  
New Delhi-110 003

**APPOINTMENT OF OFFICERS IN  
BSF AS PUBLIC RELATIONS  
OFFICER ON DEPUTATION BASIS**

Applications are invited for one post of Public Relations Officer in the Border Security Force at Kohala in the pay scale of Rs. 10,000-15,200/- on deputation basis (including short term contract) from officers of the Central/State Governments/Union Territories/ Public Sector Undertakings/Autonomous/Semi government/Statutory organizations and Armed Force personnel by deputation/re-employment.

**DEPUTATION**

(a) (i) holding analogous posts on regular basis; or  
(ii) with five years regular service in posts in the scale of Rs. 8000-13500/- or equivalent;  
(iii) with eight years regular service in posts in the scale of Rs. 8500-10500/- or equivalent AND

(b) Possessing the following educational qualifications and experience:  
(iii) A Degree of a recognized University or equivalent; and  
(iv) Five years experience in a News Agency, News paper or Publicity organization.

**For Armed Forces Personnel  
(Deputation/Re-employment)**

The Armed Force personnel of the rank of Captain or equivalent who are due to retire or to be transferred to reserve with a period of one year and have the qualifications and experience prescribed for deputationists shall also be considered. If selected, such officers will be given deputation terms up to the date on which they are due for release from the Armed Forces; thereafter they may be continued on re-employment basis. In case such eligible officers have retired or have been transferred to reserve before the actual selection to the post is made, their appointment will be on re-employment basis (Re-employment upto the age of superannuation with reference to civil posts).

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

2. Applications from the eligible candidates should be forwarded through their department along with the personal data in the prescribed proforma as at Annexure-II (duty filled in all columns neatly and correctly), complete CR dossiers up to 2008 and a certificate of integrity and vigilance clearance in respect of the officer. Applications of suitable candidate may be sent to Deputy Inspector General (Pers), Border Security Force, Block No. 10, 6<sup>th</sup> Floor, CGO Complex, Lodhi Road, New Delhi-03 within sixty days from the date of publication in the Employment News.

3. The officers selected as Public Relations Officer will be governed as per the terms and conditions contained in Govt. of India, Ministry of Personnel, Public Grievances & Pension (Dept. of Personnel & Training) letter No. 2/28/01-Estt (Pay.II) dated 6<sup>th</sup> Jan 1994 as amended from time to time. The officers who volunteer and are sponsored for the post will not be permitted to withdraw their names later.

4. Incomplete applications and not received through proper channel along with requisite documents will not be entertained at any cost.

(S.B. GILLERIA)

COMMANDANT (PERS)

PROFORMA FOR BIO-DATA

(If space is not sufficient against any



**Union Public Service Commission**

No. A-35016/1/2008-Admn. II  
Dholpur House, Shahjahan Road  
New Delhi-110009

**Subject: Filling up of one vacancy of Assistant Supervisor (Confidential) (Or. C), Non-Gazetted in the scale of pay of Rs. 4000-100-6000 in the office of UPSC on deputation basis from officers under the Central Govt.**

It is proposed to fill up one vacancy of Assistant Supervisor (Confidential) in the scale of pay of Rs. 4000-100-6000 in the office of Union Public Service Commission on deputation basis.

**Eligibility Conditions:-**

**Officers of the Central Government:-**

(a) (i) holding analogous post on regular basis; or  
(ii) with five years' regular service in posts in the scale of pay of Rs. 3200-4900/- or equivalent; or  
(iii) with eight years' regular service in posts in the scale of pay of Rs. 3050-4500/- or equivalent; AND

(b) possessing the following qualifications:-

(i) Matriculation from a recognized institution/board or equivalent;  
(ii) 3 years' experience of confidential work in a Central Govt. Department/ handling confidential papers of strong room operations relating to conduct of examinations in an examining body or institution of repute.

**2. Nature of Duties:-**

i) Duties related to Strong Room for keeping all the sensitive materials of examination conducted by the Commission.

ii) To assist higher officers at the time of packaging/bagging of sensitive materials for various examinations and arrange for timely dispatch to the Centre custodians throughout the country.

iii) To receive all confidential post examination sensitive materials addressed to the concerned officers and the sections in Confidential branch.

iv) To maintain proper record of packaging/bagging of the examination related sensitive materials.

v) To supervise and exercise functional control over all the staff working under the official at Strong Room.

vi) Indenting of stationeries related to sensitive examination materials on annual basis for packing, bagging and dispatch.

vii) Destruction of obsolete booklets/answer sheets. Other general and miscellaneous work entrusted by the superior officers.

**3. Regulation of Pay:-**

The pay of the selected candidates will be regulated under the provisions contained in the Deptt. of Personnel & Training O. M. No. 2/29/91-Estt. (Pay II) dated 05.01.1994 as amended from time to time.

4. **Period of deputation:** Period of deputation including period of deputation in another ex-cadre post held immediately preceding this appointment in the same or some other organization/department of the Central Government shall ordinarily not exceed three years.

5. **Age Limit:** The maximum age limit for appointment by deputation shall not be exceeding 56 years as on the closing date of receipt of applications.

6. **Application along with Bio-data:** (ii duplicate) in the prescribed proforma (Annexure-I) of the eligible candidates whose services can be spared immediately on selection, together with the certificate from the Forwarding Authority (in proforma Annexure-II) along with the following documents:-

(i) Integrity certificate

(ii) List of major/minor penalties imposed if any, on the official during the last 10 years; (If no penalties has been imposed a 'nil' certificate should be enclosed).

(iii) Vigilance clearance certificate.

(iv) Attested photocopies of the ACRs for the last five years (attested on each page by an officer not below the rank of an Under Secretary to the Govt. of India).

may be forwarded to Shri Dinesh Kumar, Under Secretary (Admn.) Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi-110009 within 60 days of publication of this advertisement in the Employment News/Pratibha Samachar. Applications not forwarded through proper channel or those received without the requisite certificates and necessary documents will not be entertained.

7. The candidates who apply for the post will not be allowed to withdraw their candidature subsequently.

**ANNEXURE-4  
PROFORMA OF APPLICATION FOR THE POST OF ASSISTANT  
SUPERVISOR (CONFIDENTIAL) ON DEPUTATION BASIS IN THE OFFICE  
OF UPSC**

**BIO-DATA PROFORMA**

1. Name and Address in Block Letters

2. Date of Birth (in Christian Era)

3. Date of retirement under Central Govt. rules

4. Educational qualifications

5. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

6. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

7. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

8. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

9. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

10. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

11. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

12. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

13. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

14. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

15. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

16. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

17. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

18. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

19. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

20. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

21. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

22. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

23. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

24. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

25. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

26. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

27. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

28. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

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32. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

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34. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

35. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

36. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

37. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

38. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

39. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

40. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

41. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

42. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

43. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

44. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

45. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

46. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

47. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

48. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

49. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

50. Whether educational and other qualifications required for the post are satisfied; (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same)

Qualifications/Experience required

Qualifications/Experience possessed by the officer

Essential (1)

(2)

(3)

6. Please state clearly whether in the light of entries made by you above, you meet the requirements of the post

7. Details of Employment, in chronological order, (starting from entry in Central Government service) Enclose a separate sheet, duly authenticated by your signature, if the space below is insufficient

Office/Instt/ Orgn.

Post held

From

To

Scale of pay & basic pay

Nature of duties

8. Nature of present employment, i.e. ad-hoc or temporary or permanent

9. In case the present employment is held on deputation/contract please state:-

(a) The date of initial appointment

(b) Period of appointment on deputation/contract

(c) Name of parent office/organization to which you belong

10. Are you in revised scale of pay? If yes, give the date from which the revision took place and also indicate the pre-revised scale.

11. Total emoluments per month now drawn

12. Additional information, if any, which you would like to mention in support of your suitability for the post. Enclose a separate sheet if the space is insufficient

13. Whether belongs to SC/ST

14. Remarks

Signature of the candidate

Date

Full office address and contact number:

Counter signed

(Employer) Full office address and contact number

ANNEXURE I

CERTIFICATE TO BE FURNISHED BY THE EMPLOYER/HEAD OF

OFFICE/FORWARDING AUTHORITY

Certified that the particulars furnished by Shri/Smt. ANIL KUMAR are correct and he/she possesses educational qualifications and experience mentioned in the vacancy circular.

Also certified that:

(i) There is no vigilance case pending/contemplated against him/her.

(ii) His/her complete CR dossier/ACRs for the last 5 years duly attested on each page by an officer not below the rank of an Under Secretary to the Govt. of India are enclosed.

(iii) His/her integrity is beyond doubt.

(iv) No major/minor penalties have been imposed on him/her during the last 10 years.

(v) List of major/minor penalties imposed during the last 10 years is enclosed.

Place: NEW DELHI

Date: 27/09/2008

Signature

Name and Designation

Office Seal

List of enclosure:

Strike out which is not applicable.

daup 53104/11/0027/0809

EN 26/29

**Office of the Director**

**Central Drugs Laboratory**

Government of India

Ministry of Health & Family Welfare

3, Kyd Street, Calcutta-700016

Central Drugs Laboratory is the National Statutory Laboratory of Govt. of India for quality control of drugs under Drugs & Cosmetics Act, 1940. Applications are invited from the Indian Nationals for filling up the vacancies of General Central Service Group 'C' Non-Gazetted, Non-Ministerial posts as per details given below:-

Sl.No.	Details of posts	Condition relating to the post of Jr. Scientific Asst.	Condition relating to the post of Sr. Laboratory Asst.
1.	No. of vacancy	2 (two) reserved for OBC	4 (four) unreserved-2 reserved for SC-1 reserved for OBC-1
2.	Scale of pay	Rs. 3000-130-8000/- (Pay scale under revision in 6th C.P.C.)	Rs. 4000-100-6000/- (Pay scale under revision in 6th C.P.C.)
3.	Age limit	18-28 years for OBC reserved candidates	18-25 years for unreserved candidates 18-30 yrs. for SC candidates 18-28 years for OBC candidates
4.	Qualification	A degree in Science with Chemistry as one of the subjects (Preferably with Hon. in Chemistry or post graduate experience in Science)	Matriculation or equivalent with science and experience in laboratory work for five yrs. or intermediate in Science with 3 years' experience or Graduate in Science
5.	Period of probation	2 (two) years	2 (two) years

**GENERAL INSTRUCTIONS**

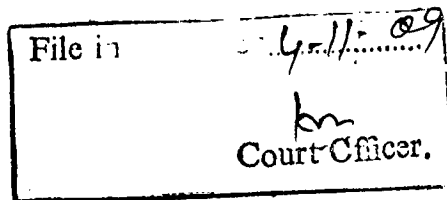
- The application on a plain A4 size paper giving full Bio-data along with attested copies of essential certificates with 2 (two copies) passport size photograph to be submitted to the office of the undersigned within 30 days from the date of publication of this advertisement.
- Cover to be addressed to the "Director, Central Drugs Laboratory, 3, Kyd Street, Calcutta-700016." Recruitment to the post of Jr. Sci. Asst./Lab. Asst. (Strike out which is not applicable) to be superscribed on the top of the envelope.
- The short-listed candidates will be invited for interview. No TADA will be admissible.

(P.K. Guha)

Central Drugs Laboratory

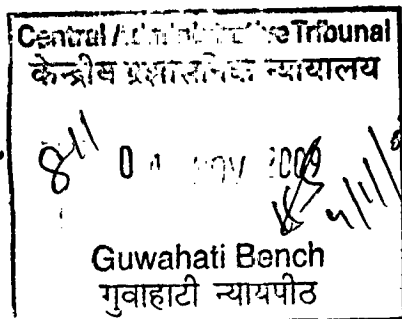
EN 26/22

Attested  
Anita  
Soh



Filed by:  
The Respondent no.  
1 to 3.  
Through  
Manjinder Das  
Sr. C.A.T. 154  
4/11/09

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
GUWAHATI BENCH



**IN THE MATTER OF:**

Amended O.A. no.131/07

Sri Arun Kr. Das & ors.

...Applicants

-Vs-

Union of India and ors

...Respondents.

**-AND-**

**IN THE MATTER OF:**

Additional Statement on behalf of  
Respondent nos. 1 to 3.

**(ADDITIONAL STATEMENT ON BEHALF OF RESPONDENT Nos. 1 TO 3)**

I, Sri SURINDER SINGH, s/o Late Late Prem Singh  
aged about 49 years, presently working as the Drugs Controller General of  
India, Directorate General of Health Services, Ministry of Health & Family  
Welfare, Government of India, Nirman Bhawan, New Delhi-110011 do hereby  
solemnly affirm and state as follows:

1. That I am working as Drugs Controller General of India,  
Directorate General of Health Services, Ministry of Health & Family Welfare and  
have been impleaded as Respondent no.3 in the aforesaid amended O.A. The  
copies of aforesaid application have been served upon me. I have gone through  
the same and have understood the contents thereof. I have been authorized to  
file this additional statement on behalf of the Respondent nos. 1 and 2.

2. I do not admit any of the averments except which are specifically  
admitted hereinafter and the same are deemed as denied.

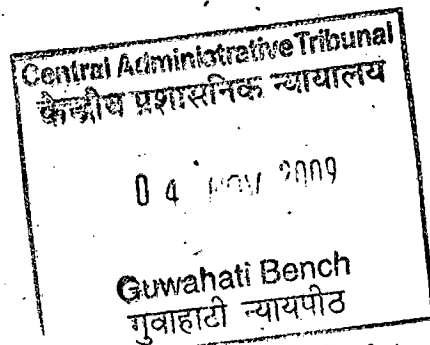
3. **REPLY TO FACTS OF THE CASE:**

3.1 That with regard to the statements made in paragraphs 4.1 and  
4.2 of the O.A., the humble answering respondents begs to offer no comments.

3.2 That with regard to the statements made in paragraphs 4.3 to 4.6  
of the application, the humble answering respondent has nothing to make  
comment on it as being matters of records. He, however, does not admit any of  
the statements which are contrary to records.

Received  
Dutta  
03/11/09





**3.3** That with regards to the statements made in paragraph 4.7 of the application, the humble answering respondent begs to state that the order dated 20.08.02 only mentioned that the employees of the State Drugs Testing Laboratory, Six Mile, Panjabari, Guwahati will be absorbed against equivalent posts for which recruitment rules exists. It is further stated that the order dated 20.08.02 only states that the employees being absorbed in the equivalent posts and not necessarily in the same pay scale and the applicants were absorbed in the Directorate General of Health Services (DGHS), at their own volition.

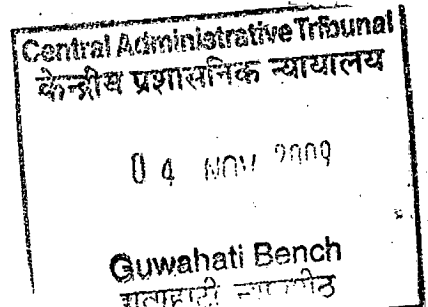
It is further stated that the applicants, at time of being absorbed in the DGHS from the State Drugs Testing Laboratory, were aware of this fact that they will be provided a pay scale of 4500-7000 and hence, they cannot agitate on this issue as they had voluntarily chosen to place themselves in this pay scale and post. Moreover, it is quite surprising to note that the applicants had joined this service in the year 2002 and after a delay of 5 years that is in the year 2007, they felt aggrieved. It is most respectfully stated that the nature of job and responsibility of those with whom the applicants are seeking parity are entirely different and hence, the applicants cannot be placed in the same pedestal. It is denied that the respondents are acting in an unfair and arbitrary manner and are violating the provisions of Articles 14 and 16 of the Constitution of India.

It is most respectfully stated that allowing the demands of the applicant will result in putting the unequal with equals, which will be violative of the provisions of the Constitution.

**3.4** That with regards to the statements made in paragraphs 4.8 to 4.10 of the application, the humble answering respondent begs to state that the nature of job and responsibility of those with whom the applicants are seeking parity are entirely different and hence, the applicants cannot be placed on the same pedestal.

**3.5** That with regards to the statements made in paragraphs 4.11 to 4.13 of the application, the humble answering respondent beg to deny that the order dated 04.04.07 is arbitrary and mechanical. It is stated that the respondents have gone in detail on this issue and even consulted with the Ministry of Finance, Department of Expenditure. However, it has not been found feasible to agree to the instant proposal.

Further, the matter for upgradation of pay scale of Junior Scientific Assistant was again referred to the Ministry of Finance, Department of Expenditure. The matter has been examined by the Ministry of Finance and following observation was made by it:



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I. Vth CPC had recommended scales of Rs. 4000-6000/Rs. 4500-7000/Rs. 5000-8000/Rs.5500-9000 for posts carrying minimum DR qualifications of graduate degree. The post is already in the pay scale of Rs. 4500-7000.

II. Posts in Central Indian Pharmacopoeia Laboratory, Ghaziabad were upgraded as the view was taken that these upgradations were broadly recommended by Vth CPC.

III. As per Recruitment Rules, for the post of Junior Scientific Assistant (JSA) in Regional Drugs Testing Laboratory (RDTL), the essential educational qualification for the post is Degree with Chemistry as one of the subjects. However, the post of JSA in Central Indian Pharmacopoeia Laboratory (CIPL) has post graduate degree as essential qualification. Since the essential qualification for the post of JSA in RDTL is lower than that of post of JSA in CIPL, the pay scale at par with the post in CIPL cannot be extended to the post in RDTL.

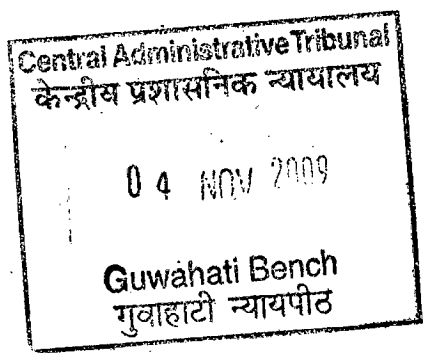
In view of the above, the proposal regarding the upgradation of payscale of JSA at RDTL has been ~~regarded~~

Copy of the order in terms of observations dated 27.06.08 is annexed herewith and marked as **Annexure 1**.

**3.6** That with regards to the statements made in paragraphs 4.13A to 4.13C of the application, the humble answering respondents beg to state that under the Central Indian Pharmacopoeia Laboratory, Ghaziabad (Class III and IV posts) Recruitment Rules, 1986, the essential qualification for the post of JSA is a post graduate degree. On the other hand, the essential educational qualification as per the Regional Drugs Testing Laboratory, Guwahati (Group C and D posts) Recruitment Rules, 2000 is that of a degree with chemistry as one of the subject. Hence, the applicants cannot equate themselves with that of JSA working in CIPL.

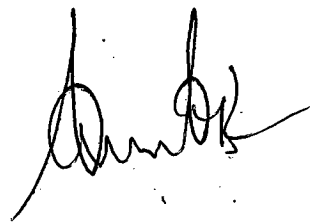
It is further stated that the JSAs working in Medical Store Depot (MSD) have entirely different nature of job and hence, the applicants cannot equate themselves with the JSAs working in the MSD who have the primary role of drug testing.

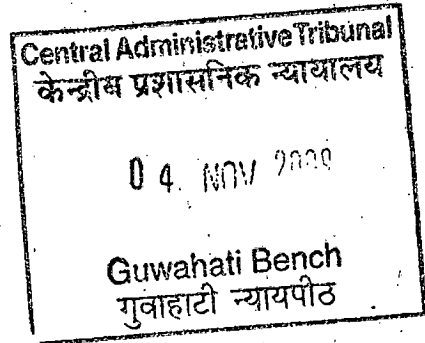
Copy of the CIPL, Ghaziabad (Class III and IV posts) Recruitment Rules, 1986 and RDTL, Guwahati (Group C and D posts) Recruitment Rules, 2000 are annexed herewith and marked as **Annexure - 2 and 3** respectively.



**3.7** That the humble answering respondents beg to submit that it is not feasible to give the applicants the pay scale which they are not entitled for and thus, putting them on a higher pedestal than their colleagues. The nature of job performed by the applicants is different with the nature of job being performed by those with whom the applicants are seeking parity.

**3.8** That the humble answering respondents beg to submit that the present application is a blatant misuse of this Hon'ble Tribunal and deserves to be dismissed.





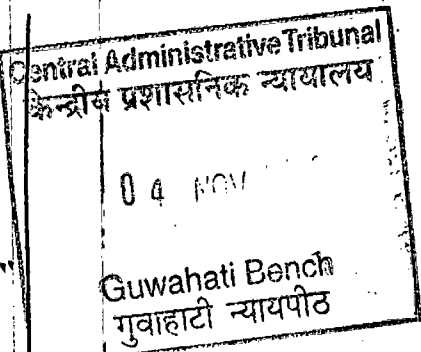
**VERIFICATION**

I, Sri. SURINDER Singh/o Lt. Col. PREM SINGH  
aged about 49 years, presently working as the Drugs Controller General of  
India, Directorate General of Health Services, Ministry of Health & Family  
Welfare, Government of India, Nirman Bhawan, New Delhi-110011 do hereby  
verify that the statements made in paragraphs 3.1, 3.2, 3.4 and 3.7  
are true to my knowledge and belief, those made in paragraphs  
3.3, 3.5 and 3.6 being matters of records of the case are true  
to my information derived therefrom which I believe to be true and the rests are  
my humble submission before the Hon'ble Tribunal. I have not suppressed any  
material fact before the Hon'ble Tribunal.

And I sign this verification on the 4th day of November, 2009 at  
Guwahati.

SIGNATURE

डा. सुरिन्द्र सिंह  
Dr. SURINDER SINGH  
औषधि नियंत्रक (भारत) / Drugs Controller (India)  
स्वास्थ्य सेवा महानिदेशालय  
Dir. General of Health Services  
FDA Bhawan, Kotla Road,  
New Delhi-110002



-6-  
Ministry of Finance  
Department of Expenditure  
E.III B Branch.  
\*\*\*\*

No A 32 027/2/2000-D

ANNEXURE - 1

159

Ministry of Health & Family Welfare may please refer to their notes on pre pages regarding upgradation of the pay scale of the post of Junior Scientific Assistant in the Regional Drugs Testing Laboratory(RDTL), Guwahati from Rs. 4500-7000 to Rs. 5000-8000 w.e.f 1.1.96 at par with the post of Junior Scientific Assistant of Central Indian Pharmacopoeia Laboratory(CIPL), Ghaziabad.

2. The matter has been examined in this Department and the following observations are made:-

- Vth CPC had recommended scales of Rs. 4000-6000/Rs.4500-7000/Rs.5000-8000/Rs.5500-9000 for posts carrying minimum DR qualifications of Graduate Degree(para 43.15 of the report). The post is already in the pay scale of Rs. 4500-7000.
- Posts in CIPL were upgraded as the view was taken that these upgradations were broadly recommended by Vth CPC.
- As per the RRs for the post of JSA in RDTL, the essential educational qualification for the post is Degree with Chemistry as one of the subject. However, the post of JSA in CIPL have Post Graduate Degree as essential qualification. Since, the essential qualification for the post of JSA in RDTL is lower than that of the post of JSA in CIPL, the pay scale at par with the post in CIPL cannot be extended to the post in RDTL.

3. In view of the above, the proposal is regretted. The Administrative Ministry may defend the case properly and bring the above indicated facts to the notice of the court.

4. This issues with the approval of JS(Per).

*Manoj Sahay*  
(Manoj Sahay)  
Deputy Secretary to the Govt. of India

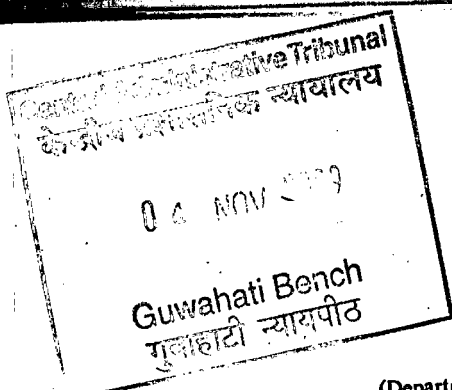
FA(Health)

Ministry of Finance(Exp.) UO No. 6/104/99-1C dated 27.6.2008

*Certified Copy.*

*G. B.*  
Government Analyst  
Regional Drugs Testing Laboratory, DGHS  
Ministry of Health & F.W. Govt. of India  
Guwahati - 781 037

Received/brought  
by hand: *[Signature]*  
27/6  
So/ *[Signature]*  
27/6  
SW



# ANNEXURE-2

(Department of Health)  
New Delhi, the 18th June, 1985

**G.S.R. 642.**— In exercise of the powers conferred by the proviso to article 309 of the Constitution and in supersession of the post of Junior Scientific Assistants, except as respects things done or omitted to be done before such supersession, the President hereby makes the following rules regulating the method of recruitment to the post of Junior Scientific Assistants in the Central Indian Pharmacopoeia Laboratory Ghaziabad, in the Directorate General of Health Services, namely:—

1. Short title and commencement.— (1) These rules may be called the Central Indian Pharmacopoeia Laboratory, Ghaziabad (Junior Scientific Assistants) Recruitment Rules, 1985.
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. Application.— These rules shall apply to the posts specified in column 1 of the Schedule annexed to these rules.
3. Number, classification and scale of pay.— The number of the said posts, their classification and the scale of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.
4. Method of recruitment, age limit and other qualifications.— The method of recruitment, age limit, qualifications and other matter relating to the said posts shall be as specified in columns 5 to 14 of the Schedule aforesaid.
5. Disqualification.— No person,—  
(a) who has entered into or contracted a marriage with a person having a spouse living, or  
(b) who, having a spouse living, has entered into or contracted a marriage with any person,  
shall be eligible for appointment to any of the said posts :

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

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

7. Saving.— Nothing in these rules shall affect reservation, relaxation or age limit and other concessions required to be provided for candidates belonging to the Scheduled Castes, the Scheduled Tribes and other special categories in accordance with the orders issued by the Central Government from time to time in this regard.

## SCHEDULE

Name of post	No. of posts	Classification	Scale of pay	Whether selection post or Non-selection post	Whether benefits of added years admissible under rule 30 of the CCS (Pension) Rules, 1972	Age limit for direct recruitment	Education and other qualifications required for direct recruits
1	2	3	4	5	6	7	8
1. Junior Scientific Assistant (Pharmacology)	*1 *Subject to variations dependent on work load.	General Central Service Group 'C' Non-Gazetted, Non-Ministerial.	Rs. 425-15-500-EB-15-560-20-700.	Selection	No	Not exceeding 30 years. (Relaxable for Government Servants upto 35 years in accordance with the instructions or orders issued by the Central Government.) Note: The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (Other than those in the Andaman and Nicobar Islands and Lakshdweep).	Essential : Master's degree in Pharmacology/Physiology or Veterinary Science/Pharmacy, of a recognised University or equivalent.

04 NOV 2000

Guwahati Bench  
गुवाहाटी न्यायपीठ

Whether age and educational qualifications prescribed for the direct recruitment will apply in the case of promotees	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer, and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputation/transfer grade from which promotion/deputation/transfer to be made	If departmental promotion committee existed what is its composition	Circumstances in which UPSC is to be consulted when making recruitment
--	-----------------------------	--	---	---	--

9	10	11	12	13	14
Age : No. Qualifications : No.	2 years	50 per cent by direct recruitment and 50 per cent by promotion, failing which by direct recruitment.	Promotion from Senior Laboratory Assistant with 3 years' regular service in the grade, and Laboratory Assistant with 8 years regular service in the grade, possessing a degree in science.	Group 'C' Departmental Promotion Committee Composition of Departmental Promotion Committee : 1. Director, Central India Pharmacopoeia Laboratory, Ghaziabad— Chairman 2. Deputy Drugs Controller (India), North Zone— Member 3. Deputy Director Administration, Directorate General of Health Services— Member 4. Senior Group 'A' Officer of the Laboratory to be nominated by the Director— Member.	Not applicable

1	2	3	4	5	6	7	8
2. Junior Scientific Assistant (Pharmacognosy)	*1 General Central Service Group 'C' Non-Gazetted, Non-load. Ministerial.	Rs. 425-15-500-EB-15-560-20-700.	Selection	No	Not exceeding 30 years. (Relaxable for Government servants upto 35 years in accordance with the instructions or orders issued by the Central Government.) Note: The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (Other than those in the Andaman and Nicobar Islands and the Lakshadweep).	Essential: Master's degree in Pharmacy/Botany of a recognised University or equivalent.	

9	10	11	12	13	14
Age : No. Qualifications : No	2 years	50 per cent by Direct recruitment and 50 per cent by Promotion, failing which by direct recruitment.	Promotion from Senior Laboratory Assistant with 3 years regular service in the grade and Laboratory Assistants with 8 years regular service in the grade, possessing a degree in Science.	Group 'C' Departmental Promotion Committee : Composition of Departmental Promotion Committee :— 1. Director, Central Indian Pharmacopoeia Laboratory— Chairman	Not applicable

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2. Deputy Drugs Controller (India), North Zone- Member
3. Deputy Director Administration, Directorate General of Health Services- Member
4. Senior Group 'A' Officer of the Laboratory to be nominated by the Director- Member.

1	2	3	4	5	6	7	8
Junior Scientific Assistant (Chemistry)	*10 *Subject to variation dependent on work-load.	General Central Service Group 'C' Non-Gazetted Non-Ministerial.	Rs. 425-15-500-EB-15-560-20-700.	Selection	No	Not exceeding 30 years. (Relaxable for Government servants upto 35 years in accordance with the instructions or order issued by the Central Government.) Note: The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (Other than those the Andaman and Nicobar Islands and Lakshadweep.)	Essential: Master's degree in Chemistry/Pharmacy/Pharmaceutical Chemistry/Bio-Chemistry from a recognised University or equivalent.
Junior Scientific Assistant (Microbiology)	*3 *Subject to variation dependent on work-load.	General Central Service Group 'C' Non-Gazetted Non-Ministerial.	Rs. 425-15-500-EB-15-560-20-700.	Selection	No	Not exceeding 30 years. (Relaxable for Government servants upto 35 years in accordance with the instructions or orders issued by the Central Government.) Note: The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (Other than those in the Andaman and Nicobar Islands and Lakshadweep.)	Essential: Master's degree in Microbiology or in Pharmacy/Botany/Bio-Chemistry of a recognised University or equivalent.
9	10	11	12	13	14		
No. of Notifications: No	2 years	50 per cent by direct recruitment and 50 per cent by promotion, failing which by direct recruitment.	Promotion from Senior Laboratory Assistant with 3 years' regular service in the grade and Laboratory Assistants with 8 years' regular service in the grade possessing a degree in science.	Group 'C' Departmental Promotion Committee: Composition of Departmental Promotion Committee:— 1. Director, Central Indian Pharmacopoeia Laboratory—Chairman	Not applicable		



10 11 12 13 14

Age : No  
Qualifications : No

2 years

50 per cent by direct recruitment and 50 per cent by promotion, failing which by direct recruitment.

Promotion from Senior Laboratory Assistant with 3 years' regular service in the grade and Laboratory Assistant with 8 years' regular service in the grade, possessing a degree in Science.

2. Deputy Drugs Controller (India), North Zone—Member.
3. Deputy Director Administration, Directorate General of Health Services—Members
4. Senior Group 'A' Officer of the Laboratory to be nominated by the Director—Member

Group 'C' Departmental Promotion Committee : Composition of the Departmental Promotion Committee :—

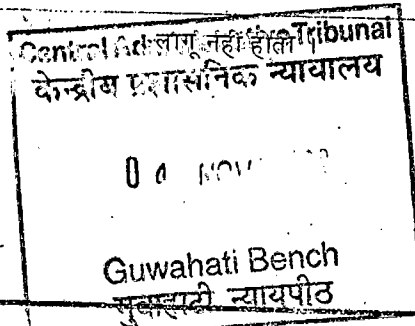
1. Director, Central Pharmacopoeia Laboratory, Ghaziabad—Chairman
2. Deputy Drugs Controller (India), North Zone—Member
3. Deputy Director Administration, Directorate General of Health Services—Member
4. Senior Group 'A' Officer of the Laboratory to be nominated by the Director—Member

Not applicable

[No. A-12018/1/84-D(DMS&PFA)]  
Smt. A. KISHORE, Under Secy.

पुष्टि के संबंध में विचार करने के लिए समूह 'घ' विभागीय प्रोन्नति समिति, जिसमें निम्नलिखित होंगे :—

1. उप निदेशक, प्रादेशिक औषधि परीक्षण प्रयोगशाला, गुवाहाटी —अध्यक्ष
2. सहायक औषधि नियंत्रक (भारत) पूर्वी जोन —सदस्य
3. गुवाहाटी में स्थित किसी केन्द्रीय सरकार के कार्यालय से अधिकारी —सदस्य



[फा. सं. ए-12018/11/98-डी]

एफ. के. पाण्डे, अवर सचिव

New Delhi, the 8th December, 2000

G.S.R. 513.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to Group 'C' and Group 'D' posts in Regional Drugs Testing Laboratory, Guwahati, namely :—

1. Short title and commencement.—(1) These rules may be called the Regional Drugs Testing Laboratory, Guwahati (Group 'C' and Group 'D' posts) Recruitment Rules, 2000.

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

2. Application.—These rules shall apply to the posts specified in column 1 of the Schedule annexed to these rules.

3. Number of posts, classification and scale of pay.—The number of the said posts, their classification and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

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

5. Initial constitution.—The persons holding on regular basis, on the date of commencement of these rules, the posts specified in column 2 of the Table below, shall be redesignated as the posts specified in the corresponding entries in column 3 thereof and shall be deemed to have been appointed at the initial constitution to the said posts.

S. No.	Post presently held	Post to be appointed to
1	2	3

(I) Assistant Chemist	Junior Scientific Assistant.
(II) Lower Division Assistant	Lower Division Clerk

## SCHEDULE

Name of post	Number of posts	Classification	Scale of pay	Whether selection by merit or selection-cum-seniority or non-selection post
1	2	3	4	5
1. Junior Scientific Assistant	4* (2000) *Subject to variation dependent on workload.	General Central Service, Group 'C'; Non-Gazetted; Non-Ministerial	Rs. 4500-125-7000	Not applicable

1	2	3
(III) Watchman		Peon
(IV) Laboratory Bearer		Attendant/Sample Opener
(V) Cleaner		Attendant/Sample Opener
(VI) Sweeper		Safaiwala

6. Disqualifications.—No person,—

(a) Who has entered into or contracted a marriage with a person having a spouse living; or

(b) Who having a spouse living, has entered into or contracted a marriage with any other persons,

shall be eligible for appointment to the said posts :

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

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

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

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Age limit for direct recruits

Guwahati Bench  
गुवाहाटी न्यायपीठ

Whether benefit of added years of service admissible under Rule 30 of the Central Civil Pension Rules, 1972.

Educational and other qualifications required for direct recruits

6	7	8
<p>Between 18 to 25 years (relaxable for Government servants upto 40 years in accordance with the instructions or orders issued by the Central Government).</p> <p>Note 1 : The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India except for Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu and Kashmir State, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, the Union Territory of the Andaman and Nicobar Islands or the Union Territory of Lakshadweep.</p> <p>Note 2 : In case of recruitment made through Employment Exchange, the crucial date for determining the age limit shall be the last date upto which the Employment Exchanges are asked to submit the names.</p>	No.	<p>Essential Qualification : Degree with Chemistry as one of the subjects.</p> <p>Desirable Qualification : Master's Degree in Science with knowledge of Drugs Analysis.</p>

9	10	11
<p>Whether age and Educational Qualification prescribed for direct recruits will apply in the case of promotees</p>	<p>Period of probation, if any</p>	<p>Method of recruitment, whether by direct recruitment or by promotion or by deputation or absorption and percentage of the posts to be filled by various methods</p>
Not applicable	Two years	<p>By direct recruitment.</p> <p>Note : Vacancies caused by the incumbent being away on deputation or Training or Study leave or under other circumstances for a duration of one year or more may be filled on deputation basis from officers of Central Government :</p> <p>(a) (i) holding analogous posts on regular basis; or (ii) with five years regular service in the scale of Rs. 4000—6000 or equivalent; and</p> <p>(b) possessing the qualifications prescribed for direct recruits under column 8.</p>

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Guwahati Bench

Departmental Promotion Committee exists, what is its composition

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

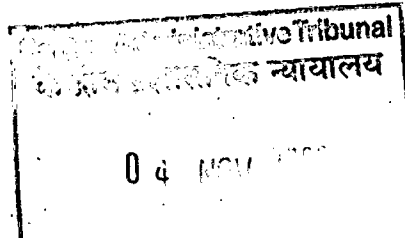
In case of recruitment by promotion or deputation or absorption, grade from which promotion or deputation or absorption to be made

12	13	14	to be consulted in making recruitment	(b)
Not applicable	Group 'C' Departmental Promotion Committee (for considering confirmation) :—		Not applicable	
	1. Deputy Drugs Controller (INDIA), Central Drugs Standard Control Organisation, East Zone/ Headquarter— Chairman.			
	2. Deputy Director, Regional Drugs Testing Laboratory, Guwahati — Member.			
	3. Assistant Drugs Controller (INDIA), East Zone —Member.			
	4. An Officer from any other Central Government Office located in Guwahati — Member.			
1	2	3	4	5
2. Upper Division Clerk	1* (2000) *Subject to variation dependent on workload.	General Central Service, Group 'C', Non-Gazetted, Ministerial.	Rs. 4000-100-6000	Selection-cum-seniority.
6	7	8		
Not applicable.	No	Not applicable		
9	10	11		
Not applicable.	Not applicable.	By promotion failing which by deputation.		
12	13	14		
Promotion : Lower Division Clerk with eight years regular service in the grade. Deputation : Officers of the Central Government : a) (i) holding analogous posts on regular basis; or	Group 'C' Departmental Promotion Committee : 1. Deputy Drugs Controller (India), Central Drugs Standard Control Organisation, East Zone/ Headquarter — Chairman. 2. Deputy Director, Regional Drugs Testing Laboratory, Guwahati — Member. 3. Assistant Drugs Controller (India), East Zone —Member		Not applicable	

Central Administrative Tribunal  
केन्द्रीय प्रशासनिक न्यायालय  
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- (ii) with 8 years regular service in grade of Rs. 3050—4590; and
- (b) (i) possessing the qualification of Matriculation; and
- (ii) having minimum speed of 30 words per minute in typewriting in English or 25 words per minute in typewriting in Hindi.
4. An Officer from any other Central Government office located in Guwahati — Member.

25 words per minute in typewriting in Hindi.				
1	2	3	4	5
3. Lower Division Clerk.	2* (2000) *Subject to variation dependent on work load.	General Central Service, Group 'C', Non-Gazetted, Ministerial.	Rs. 3050-75-3950-80-4590.	Not applicable.
6	7	8		
Between 18 to 25 years (relaxable for Government servants upto 40 years in accordance with the instructions or orders issued by the Central Government).	Not applicable.	1. Matriculation or equivalent. 2. Minimum speed of 30 words per minute in typewriting in English or 25 words per minute in typewriting in Hindi.		
<p>Note 1 : The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India except for Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu and Kashmir State, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, the Union Territory of the Andaman and Nicobar Islands or the Union Territory of Lakshadweep.</p> <p>Note 2 : In case of recruitment made through Employment Exchange, the crucial date for determining the age limit shall be the last date up to which the Employment Exchanges are asked to submit the names.</p>				
9	10	11		
Not applicable	Two years	By direct recruitment. Note : In case any post falls vacant for more than one years on account of the incumbent proceeding on long leave, training, deputation etc., the post will be filled on deputation basis from Officers of Central/State Government holding analogous posts on regular basis and possessing qualifications prescribed for direct recruits under column 8.		



Not applicable

Group 'C' Departmental Promotion Committee (for considering confirmation) consisting of:

Not applicable.

Not ap

1. Deputy Drugs Controller (India), Central Drugs Standard Control Organisation, East Zone/ Headquarter— Chairman.
2. Deputy Director, Regional Drugs Testing Laboratory, Guwahati— Member.
3. Assistant Drugs Controller (India), East Zone — Member.

1	2	3	4	5
4. Attendant/Sample Opener	3* (2000) *Subject to variation dependent on workload.	General Central Service Group 'D' Non Gazetted non-Ministerial	Rs. 2650-65-3300-70-4000	Not applicable
6	7	8		
Between 18 to 25 years (Relaxable for Government servants upto 40 years in accordance with the instructions or orders issued by the Central Government). Note 1:—The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India except for Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu and Kashmir State, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, the Union Territory of the Andaman and Nicobar Islands or the Union Territory of Lakshadweep. Note 2 :—In case of recruitment made through Employment Exchange the crucial date for determining the age limit shall be the last date up to which the Employment Exchanges are asked to submit the names.	No	Essential :—Matriculation (10th class pass) or equivalent with Science as one of the subjects. Note :—Qualifications are relaxable at discretion of the competent authority in case of candidates otherwise well qualified. Desirable :—One year's experience as Attendant in a Laboratory.		
9	10	11		
Not applicable	Two years	By direct recruitment. Note :—Vacancies caused by the incumbent being away on deputation or training or study leave or under other circumstances for a duration of one year or more may be filled on deputation basis from officers of Central Government :— (a) (i) holding analogous posts on regular basis; or (ii) with two/four years regular service in the scale of Rs. 2610—3540/2550—3200 or equivalent; and (b) possessing the qualifications and experience prescribed for direct recruits under column 8.		

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Not applicable	Group 'D' Departmental Promotion Committee for considering confirmation consisting of :—	Not applicable		
	1. Deputy Director, Regional Drugs Testing Laboratory Guwahati—Chairman			
	2. Assistant Drugs Controller (India) East Zone—Member			
	3. An officer from any other Central Government office located in Guwahati—Member			
1	2	3	4	5
6. Safaiwala	1* (2000) *Subject to variation dependent on work load.	General Central Service Group 'D' Non-Gazetted Non-Ministerial	Rs. 2550-55-2660-60-3200	Not applicable
6	7	8		
Between 18 to 25 years (Relaxable for Government servants upto 40 years in accordance with the instructions or orders issued by the Central Government). Note 1 :—The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India except for Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu and Kashmir State, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, the Union Territory of the Andaman and Nicobar Islands or the Union Territory of Lakshadweep. Note 2 :—In case of recruitment made through Employment Exchange the crucial date for determining the age limit shall be the last date up to which the Employment Exchanges are asked to submit the names.	No	The candidates should know how to read and write in any Indian Language.		
9	10	11		
Not applicable	Two years	By direct recruitment		
12	13	14		
Not applicable	Group 'D' Departmental Promotion Committee for considering confirmation consisting of :—	Not applicable		
	1. Deputy Director, Regional Drugs Testing Laboratory, Guwahati—Chairman			
	2. Assistant Drugs Controller (India) East Zone—Member			
	3. An Officer from any Central Government office located in Guwahati—Member			

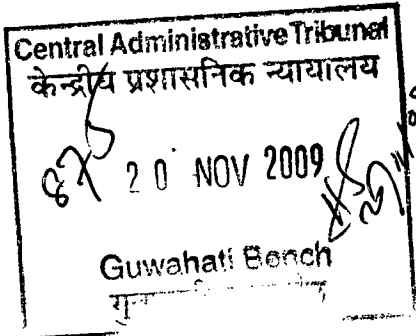
[F. No. A.-12018/11/98-D(DMS & PFA)]

F. K. PANDE, Under Secy.

File in Court on 18/11/09  
Court Officer.

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Filed by the applicant  
through u.s. Bhatta, Advocate  
on 16/11/09

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
GUWAHATI BENCH: GUWAHATI



In the matter of: -

O.A. No. 131/2007

Shri Arun Kumar Das and Others.

.... Applicants.

-Versus-

Union of India and Others.

.... Respondents.

-And-

In the matter of: -

Reply to the additional statement  
submitted by the respondent No. 1 to 3.

The above named applicants most respectfully beg to state as under: -

1. That in reply to the para 3.3 of the additional statement the applicants beg to state that they have approached this Hon'ble Tribunal praying for a direction upon the respondents to "modify/amend the column IV of the Schedule of the Regional Drug Testing Laboratory, Guwahati (Group 'C' and 'D' posts) Recruitment Rules, 2000 (Annexure VI to the amended O.A) by deleting the scale of pay of Rs. 4,500-125-7,000 and incorporating the scale of Rs. 5000-150-8,000/-". Be it stated that applicants were absorbed in the Regional Drug Testing Laboratory, Guwahati as Junior Scientific Assistants in the scale of pay of Rs. 4,500-7000, however, having come to learn that Junior Scientific Assistants working in other Drugs Testing Laboratories under the same Ministry of Health and Family Welfare and having same recruitment qualification, same duties and responsibilities are drawing scale of Rs. 5000-150-8,000/-, applicants had approached the authorities for upgradation of their scale of pay to Rs. 5,000-8,000/-. It is relevant to mention here that the Jr. Scientific Asstt. working in Central Drug Testing Laboratory, Medical Store Organisation, Central Drugs

Received  
on behalf  
of Mrs. H. Das,  
Dr. C. C. S. C.,  
CS Hazarika  
16.11.09  
Advocate

22/11/09 Mr Sankar



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Guwahati Bench  
গুৱাহাটী বেন্চ

Testing Laboratory, Chennai, Central Drugs Laboratories, Bombay, Central Drug Laboratory, Kolkata under the Ministry of Health and Family Welfare, Govt. of India are drawing scale of pay of Rs. 5,000-8,000/- having same recruitment qualifications and same duties and responsibilities like the present applicants. As such non-extension of scale of pay of Rs. 5,000-8,000/- to the present applicants is discriminatory and attracts violation of Article 14 of the Constitution of India. It is further stated that applicants working under the same Ministry and having same recruitment qualification, duties and responsibilities like their counterparts Jr. Scientific Asstt. working in the above mentioned Laboratories drawing lesser scale of pay in each and every month giving rise to recurring cause of action, therefore delay cannot be a factor in defeating their legitimate claims.

2. That the applicants categorically deny the statements made in paragraph 3.4 of the additional statement and further beg to state that the Regional Drug Testing Laboratory, Guwahati, Medical Store Organisation, Central Drugs Testing Laboratory, Chennai, Central Drugs Laboratories, Bombay, Central Drug Laboratory, Kolkata are under the same Ministry of Health and Family Welfare, Govt. of India. As such, the Jr. Scientific Asstt. working under the same Ministry having same recruitment qualification, duties and responsibilities are entitled to the same scale of pay i.e. Rs. 5,000-8,000/- whereas the respondents have arbitrarily extended scale of pay of Rs. 4,500-7,000/- to the present applicants. It is further stated that the respondents have failed to distinguish the nature of job and responsibilities of the applicants with the JSA's working in the above mentioned Laboratories. It is further stated that parity of pay scales are permitted when the employees are working under the same Ministry, their recruitment qualification, duty and responsibility are same. In the instant case applicants are seeking parity with the scale of pay of Jr. Scientific Assistants working under the same Ministry having same recruitment qualification and duties and responsibilities. It is evident from the Central Drug Testing Laboratory, Chennai (Junior Scientific Assistant) Recruitment Rules, 2001 that the Jr. Scientific Asstt. having same recruitment qualification like the present applicants i.e. Degree in Chemistry have been granted scale of pay of Rs. 5,000-150-8,000/-. Similarly, Central Drugs Laboratory, Bombay (Group 'C'

Diship Mr. SARKAR

and 'D' posts) Recruitment Rules, 1992 provides Rs. 1,400-2300 (revised Rs. 5000-150-8000) to the JSA having same recruitment qualification like the present applicants. In this connection applicants like to mention one advertisement published in Employment News (27 Sep'-30' Oct) 2008 for filling up of post of Jr. Scientific Assistant in Central Drug Laboratories against the scale of pay of Rs. 5000-8000/- having qualification of a degree in Science with Chemistry as one subject. Therefore it is evident that the Ministry of Health and Family Welfare arbitrarily denying the scale of pay of Rs. 5000-8000/- to the present applicants which attracts violation of Article 14 of the Constitution of India. Therefore the Hon'ble Court be pleased to direct the respondent to provide scale of pay of Rs. 5000-8000/- to the present applicants with arrear monetary benefits.

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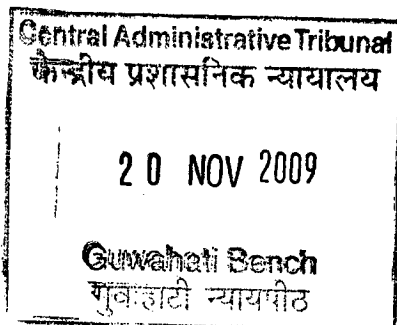
Copy of the extract from Central Drugs Laboratory, Bombay (Group 'C' and 'D' posts) Recruitment Rules, 1992, Central Drug Testing Laboratory, Chennai (Junior Scientific Assistant) Recruitment Rules, 2001, advertisement published in Employment News (27 Sep'-30' Oct) 2008 are enclosed herewith and marked as Annexure- XVI, XVII and XVIII respectively.

3. That the applicants categorically deny the statements made in para 3.5 of the additional statement and further beg to state that the Ministry of Finance while issued the impugned letter dated 27.06.2008 has lost sight of the CCS (Revised Pay) Rules, 1997 wherein Jr. Scientific Assistants working under the Ministry of Health and Family Welfare have been granted scale of pay of Rs. 5000-150-8000/-. It is stated that Vth CPC in para 43.15 had recommended as follows:-

"43.15 Direct entry grade for graduates, etc.- Presently, incumbents of a large number of posts requiring qualifications of ordinary Graduation or a three year Diploma course in engineering, fine art, etc. are in different scales i.e. Rs. 1,200-2,040, Rs. 1,400-2,300, Rs. 1400-2,600, Rs. 1,600-2,660 and Rs. 1,640-2,900. In order to bring about improvement, it is proposed to induct entrants to the posts

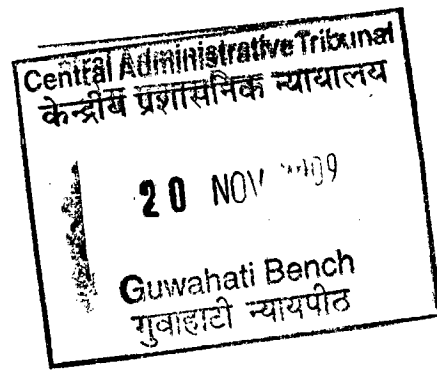
Shrip K. Sankar

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4. That with regard to the statements made in paragraph 3.6 of the additional statement, the applicants beg to state that the respondents very tactfully compared the recruitment qualification of the JSA working in CIPL, Gaziabad with that of the present applicant whereas the respondents are silent regarding educational qualification and scale of pay granted to the JSAs working in other Drug Testing Laboratories like Drugs Testing Laboratory, Chennai, Central Drugs Laboratories, Bombay, Central Drug Laboratory, Kolkata etc. who are under the same Ministry and having the same educational qualification like the present applicants have been granted scale of pay of Rs. 5,000-8,000/-. It is further stated that none of the Junior Scientific Asstts. working in any of the Drug Testing Laboratories under the Ministry of Health and Family Welfares have been provided with the scale of pay of Rs. 4,500-7000/- as provided to the present applicants. As such the present applicants are also entitled to the scale of pay of Rs. 5,000-8,000/- and the scale of pay of Rs. 4,500-7000/- granted to the JSA of RDTL, Guwahati is arbitrary and illegal.
5. That the applicants categorically deny the statement made in para 3.7 of the additional written statement and further beg to state that they are entitled to pay scale of Rs. 5,000-8,000/- instead of Rs. Rs. 4,500-125-7,000 for the reasons as discussed in preceeding paragraphs. Moreover, it is categorically submitted that the applicants are working the same duties and responsibilities as their counterparts are doing in other Drug Testing Laboratories under the Ministry of Health and Family Welfare. As such the Hon'ble Tribunal be pleased to direct the respondents to modify/amend the column IV of the Schedule of the Regional Drug Testing Laboratory, Guwahati (Group 'C' and 'D' posts) Recruitment Rules, 2000 (Annexure VI to the amended O.A) by deleting the scale of pay of Rs. 4,500-125-7,000 and incorporating the scale of Rs. 5000-150-8,000/-.

22/11/09 Dr. Sankar



**VERIFICATION**

I, Shri Dilpi Kumar Sarkar, aged about 45 years, presently working as Junior Scientific Assistant in the Regional Drug Testing Laboratory, Six mile, Khanapara, Guwahati-37, applicant No. 3 in the instant application, duly authorized by the others to verify the statements made in the reply to the additional statement, do hereby verify that the statements made in Paragraph 1 to 7 are true to my knowledge and I have not suppressed any material fact.

And I sign this verification on this the 14/11 day of November 2009.

*Dilpi Kumar Sarkar*

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Central Administrative Tribunal  
कायदा प्रशासनिक न्यायालय

20 NOV 2009

Gandhari Branch

सोधी भर्ती द्वारा

12

नागू नहीं होता

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14

नागू नहीं होता

पुष्टि के संबंध में विचार करने के लिए समूह "घ" विभागीय प्रोन्नति समिति, जिसमें निम्नलिखित होंगे :

1. निदेशक, केन्द्रीय औषधि प्रयोगशाला, मुम्बई—सदस्य
2. उप औषधि नियंत्रक (सार्वजनिक), केन्द्रीय औषधि मानक नियंत्रण संगठन, पश्चिमी जोन, मुम्बई—सदस्य
3. ज्येष्ठ वैज्ञानिक अधिकारी-I, केन्द्रीय औषधि प्रयोगशाला, मुम्बई—सदस्य

[नं. ए-12010/1/91-सी एम एन एच वी एन ए]

भार. एत. नागूर, मगर तबिय

New Delhi, the 30th September, 1993

4. Disqualification:—No person,

- (a) who has entered into or contracted a marriage with a person having a spouse living; or
- (b) who having a spouse living, has entered into or contracted a marriage with any person;

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

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

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

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

G.S.R. 510.—In exercise of the powers, conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to certain Group 'C' and Group 'D' posts in the Central Drugs Laboratory, Bombay, under the Directorate General of Health Services, namely :—

1. Short title and commencement:—(1) These rules may be called the Central Drugs Laboratory, Bombay (Group 'C' and Group 'D' posts) Recruitment Rules, 1992.

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

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

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

### SCHEDULE

Name of post	Number of posts	Classification	Scale of pay	Whether selection post or non-selection post
1	2	3	4	5
1. Junior Scientific Assistant/ Assistant Sample Warden.	15* (1992) *Subject to variation dependent on Work-load	General Central Service, Group 'C', Non-Gazetted, Non-Ministerial.	Rs. 1400-2300	Selection

Attested  
Dulla  
Adv

Whether benefit of added years of service admissible under rule 30 of the Central Civil Services (Pension) Rules, 1972

Age limit for direct recruits

Educational and other qualifications required for direct recruits

Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees

6

7

8

9

No

Not exceeding 30 (thirty) years (Relaxable for Central Government servants upto 45 years in accordance with the instructions or orders issued by the Central Government).  
Note: 1. Crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India and not the closing date prescribed for these in (Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladhak Division of Jammu & Kashmir, Lahaul and Spiti district and Pangi sub-division of Chamba district of Himachal Pradesh, the Andaman and Nicobar Islands or Lakshadweep).  
Note: 2. In case of recruitment made through Employment Exchange the crucial date for determining the age limit shall be the last date upto which the Employment Exchanges are asked to submit the names.

Essential:

Master's Degree in Pharmacology/Physiology/Veterinary Science/Pharmacy/Botany/Chemistry/Pharma Chemistry/Biochemistry/Microbiology of a recognised university or equivalent.

Age-No

Educational Qualifications; No, but must possess a degree in Science. ✓

Central Administrative Tribunal  
 केन्द्रीय प्रशासनिक न्यायालय

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Guwahati Bench  
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Period of probation if any

Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer and percentage of the vacancies to be filled by various methods

In case of recruitment by promotion/deputation/transfer grades from which promotion/deputation/transfer to be made

10

11

12

2 years

By promotion/transfer on deputation (including short term contract) failing which by direct recruitment.

Promotion/Transfer on deputation (including short term contract):

1. Officers under the Central/State Governments/Semi-Government/Statutory/Autonomous Research Organisations/..... institution
  - (a) (i) holding analogous posts ; or
  - (ii) with 3 years service in posts in the pay scale of Rs. 1320-2040.
- (b) Possessing the educational qualifications or experience prescribed for direct recruitment under Cc

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15

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Central Administrative Tribunal  
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20 NOV 2009

Guwahati Bench  
गुवाहाटी न्यायपीठ

## Promotion :

The Departmental Senior Laboratory Assistants with 3 years regular service in the grade will also be considered and in case they are selected for appointment to the post, the same shall be deemed to have been filled by promotion.

## Note:

- (1) The Departmental officials in the feeder category who are in direct line of promotion shall not be eligible for consideration for appointment on deputation/contract.
- (2) The period of deputation including period of deputation in another ex-cadre post, held immediately preceding this appointment, in the same or some other organisation/department of the Central Government, shall ordinarily not exceed 3 years.

If a Departmental Promotional Committee exists what is its composition

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

13

14

Group 'C' D.P.C. for considering confirmation consisting of :  
1. Director, Central Drugs Laboratory, Bombay—Chairman  
2. Deputy Drugs Controller (India), Central Drugs Standard Control Organisation, Bombay—Member.  
Senior Scientific Officer-I, Central Drugs Laboratory—Member

Not applicable.

1	2	3	4	5
2. Animal House Technician	1* (1992) *Subject to variation dependent on work-load.	General Central Service, Group 'C', Non-Gazetted, Non-Ministerial	Rs. 1400-2300	Not applicable

6

7

8

9

No

18 to 25 years  
(Relaxable for Government servants upto 35 years in accordance with the instructions and orders issued by the Central Government.  
Note : The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (and not the closing date prescribed for those in Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu and Kashmir State, Lahaul and Spiti district and Pangi Sub-division of Chamba district of Himachal Pradesh, the Andaman, and Nicobar Island or Lakshadweep)

Bachelor in Pharmacy/Pharmacology/B.Sc.(Biology)/ Bachelor of Science (Veterinary), B.Sc (Microbiology) of a recognised University or equivalent.

Not applicable

कनि  
मिनिक  
कनि  
कनि



यदि विभागीय प्रोन्नति समिति है, तो उसकी संरचना

भली करने में किन परिस्थितियों में संप लोक सेवा आयोग से परामर्श किया जाएगा।

13

14

समूह "ग" विभागीय प्रोन्नति समिति जिसमें निम्नलिखित होंगे:

लागू नहीं होता

1. निदेशक, केन्द्रीय औषधि प्रशिक्षण प्रयोगशाला, चेन्नई — अध्यक्ष
2. सहायक निदेशक (भेषज विज्ञान), केन्द्रीय औषधि प्रशिक्षण प्रयोगशाला, चेन्नई (जीवाणु विज्ञान) — सदस्य
3. सहायक निदेशक (जीवाणु विज्ञान) केन्द्रीय औषधि प्रशिक्षण प्रयोगशाला, चेन्नई — सदस्य
4. सहायक औषधि नियंत्रक (भारत), केन्द्रीय औषधि मानक नियंत्रण संगठन, पत्तन कार्यालय, चेन्नई — सदस्य

Central Administrative Tribunal  
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20 NOV 2009

Guwahati Bench  
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### NOTIFICATION

New Delhi, the 16th April, 2001

G.S.R. 241.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to the post of Junior Scientific Assistant, Central Drugs Testing Laboratory, Chennai under the Directorate General of Health Services namely:—

1. Short title and commencement.—(1) These rules may be called the Central Drugs Testing Laboratory, Chennai (Junior Scientific Assistant), Recruitment Rules, 2001.

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

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

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

### SCHEDULE

Name of post	Number of posts	Classification	Scale of pay
1	2	3	4
Junior Scientific Assistant	7* (2001) *Subject to variation dependent on workload.	General Central Service Group 'C' Non-Gazetted, Non-Ministerial	Rs. 5000-150-8000
Whether selection by merit or selection cum-seniority or non-selection-post	Age limit for Direct Recruits	Whether benefit of added years of service admissible under rule 30 of the Central Civil Service (Pension) Rules 1972	
5	6	7	
Not applicable	Up to 30 years. (Relaxable for Government servants up to 5 years in accordance with the instruc-	Not applicable	

Accepted  
Date  
Adv

[फ. सं. ए. 12018/2/98-डी.]

एफ. के. पांडे, अव. सचिव

### 4. Disqualification.—No person—

- (a) who has entered into or contracted a marriage with a person having a spouse living; or
- (b) who, having a spouse living, has entered into or contracted a marriage with any other person;

shall be eligible for appointment to the said post:

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

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

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

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**Central Administrative Tribunal**  
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20 NOV

Gurukul Prakashan

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tions or orders issued by the Central Government).  
**Note :—** The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India and not the closing date prescribed for those in Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu and Kashmir State, Lahaul and Spiti District, and Pangt Sub-Division of Chamba District of Himachal Pradesh, Andaman and Nicobar Islands or Lakshadweep).

Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees	Period of probation if any	Method of recruitment, whether by direct recruitment or by promotion or by deputation or absorption and percentage of the vacancies to be filled by various methods
8	9	10	11
Essential : A Degree in Chemistry or Pharmacy or Microbiology or Biochemistry or Pharmaceutical Chemistry or equivalent recognized by a University.	Not applicable	Two years	100% by direct recruitment. <b>Note :</b> Vacancies caused by the incumbent being away on deputation, or long illness or study leave or under other circumstances for a duration of one year or more may be filled on deputation from Officers of Central Government or State Government. (a) (i) holding analogous posts on regular basis; or (ii) with five years regular service in posts in the scale of Rs. 4500-7000; and (b) Possessing the qualification and experience prescribed for direct recruits under Column 8.

In case of recruitment by promotion/deputation/absorption grades from which promotion/deputation/absorption to be made	If a Departmental Promotion Committee exists what is its composition	Circumstances in which Union Public Service Commission is to be consulted in making recruitment.
12	13	14
Not applicable	Group 'C' Departmental Promotion Committee consisting of the following :— 1. Director, Central Drugs Testing Laboratory, Chennai—Chairman 2. Assistant Director (Pharmacology) Central Drugs Testing Laboratory, Chennai—Member 3. Assistant Director (Bacteriology) Central Drugs Testing Laboratory, Chennai—Member. 4. Assistant Drugs Controller (India) Central Drugs Standard Control Organisation, Port Office, Chennai—Member.	Not applicable

[P. No. A. 12018/2/98-D]  
 F K PANDE, Under Secy.

20 NOV 2009

Guwahati Bench  
गुवाहाटी न्यायपीठ

-12-

12. In case of recruitment by Promotion/Deputation/Absorption Grades from which Promotion/Deputation/Absorption to be made

Promotion : Junior Scientific Assistant in the scale of pay of Rs. 5000-8000 with six years' regular service in the grade and possessing a degree in Bacteriology or Micro-biology or Pharmacy or Physiology or Chemistry or Pharmaceutical Chemistry of a Recognised University or Equivalent.

Note : Where Juniors who have completed their qualifying/Eligibility service are being considered for promotion, their seniors would also be considered provided they are not short of the requisite qualifying/eligibility service by more than half of such qualifying/Eligibility service or two years, whichever is less, and have successfully completed their probation period for promotion to the next higher grade along with their Juniors who have already completed such qualifying/eligibility service.

Deputation including Short Term Contract : Officers of the Central/State Governments/UTs/Public Sector Undertaking/Autonomous/Statutory Bodies and Central/State Research Organisation.

- (a) (i) Holding analogous posts on Regular basis in the Parent Cadre/Department; or
- (ii) With Six years' service in the grade rendered after appointment thereto on regular basis in the scale of Pay of Rs. 5000-8000 or Equivalent in the parent cadre/Department; and

(b) Possessing the Following Educational Qualifications and Experience :—

- (i) Master's Degree in Bacteriology or Microbiology or Biochemistry or Chemistry or Physiology or Pharmacy of a Recognised University or Equivalent;
- (ii) One Year's Experience in Research or Analytical Work.

(II) The Departmental Officers in the Feeder Category who are in the direct line will not be eligible for consideration for appointment on deputation.

Similarly deputationist shall not be eligible for consideration for appointment by promotion.

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

Group 'B' Departmental Promotion Committee (for Considering Promotion/confirmation) :—

1. Drugs Controller (India) —Chairman
2. Director, Central Drugs Testing Laboratory, Chennai —Member
3. Deputy Director Administration (Drugs) —Member
4. Deputy Drugs Controller (India) —Member

Consultation with Union Public Service Commission, necessary while appointing an Officer on deputation (In Short Term Contract)

13. Departmental Promotion Committee Exists, what is its composition

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

[F No. A-12018/3/2000-D]  
NTIA KEJREWAL, Under Secy.

11 NOV 2009

Guwahati Bench  
गुवाहाटी न्यायपीठ

## NOTIFICATION

New Delhi, the 5th March, 2004

G.S.R. 94.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to the post of Senior Scientific Assistant in the Central Drugs Testing Laboratory, Chennai, namely:—

1. **Short title and commencement.**—(1) These rules may be called the Central Drugs Testing Laboratory, Chennai, Senior Scientific Assistant, Recruitment Rules, 2004.

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

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

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

4. **Disqualification.**—No person,—

(a) who has entered into or contracted a marriage with a person having a spouse living; or

(b) who having a spouse living, has entered into or contracted a marriage with any other person,

shall be eligible for appointment to the said post.

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

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

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

## SCHEDULE

1. Name of post	Senior Scientific Assistant
2. Number of post	03* (2003)
3. Classification	*Subject to variation dependent on workload. General Central Service, Group 'B', Non-Gazetted, Non-Ministerial.
4. Scale of pay	Rs. 6500-200-10500
5. Whether selection by merit or selection cum Seniority or Non-Selection Post	Not Applicable
6. Age limit for direct recruits	Not applicable
7. Whether benefit of added years of service admissible under Rule 30 of the Central Civil Service (Pension) Rules, 1972	Not applicable
8. Educational and other qualification required for direct recruitment	Not applicable
9. Whether age and Education Qualification Prescribed for Direct Recruits will apply in the case of promotees	Not applicable
10. Period of probation, if any	Two years
11. Method of Recruitment whether by Direct Recruitment. Or by Promotion or by Deputation/Absorption and percentage of the posts to be filled by various methods	Promotion failing which by Deputation including short-term contract.



# Union Public Service Commission

H.O. A-3501N/2008 Admin II  
Dholpur House, Shahjahan Road  
New Delhi-110009

Subject: Filling up of one vacancy of Assistant Supervisor (Confidential) (SC/ST) in the scale of pay of Rs. 4000-100-6000 in the office of UPSC on deputation basis from officers under the Central Govt.

It is proposed to fill up one vacancy of Assistant Supervisor (Confidential) in a scale of pay of Rs. 4000-100-6000, in the office of Union Public Service Commission on deputation basis.

Eligibility Conditions:-  
Officers of the Central Government:-  
(a) (i) holding analogous post on regular basis; or  
(ii) with five years' regular service in posts in the scale of pay of Rs. 3200-4800 or equivalent; or  
(iii) with eight years' regular service in posts in the scale of pay of Rs. 3050-4800 or equivalent; And

(b) possessing the following qualifications:-  
(i) Matriculation from a recognized institution/board or equivalent;  
(ii) 3 years' experience of confidential work in a Central Govt. Department handling confidential papers or strong room operations relating to conduct of examinations in an examining body or institution of repute.

2. Nature of Duties:-  
(i) Duties related to Strong Room for keeping all the sensitive materials of examination conducted by the Commission.

(ii) To assist higher officers at the time of packaging/bagging of sensitive materials for various examinations and arrange for timely dispatch to the Centre custodians throughout the country.

(iii) To receive all confidential post examination sensitive materials addressed to the concerned officers and the sections in Confidential branch.

(iv) To maintain proper record of packaging/bagging of the examination related sensitive materials.

(v) To supervise and exercise functional control over all the staff working under the office at Dholpur House.

(vi) Issuance of statements related to sensitive examination materials on annual basis for packing, bagging and dispatch.

(vii) Destruction of obsolete booklets/answer sheets. Other general and miscellaneous work entrusted by the superior officers.

3. Regulation of Pay:-  
The pay of the selected candidates will be regulated under the provisions contained in the Pay of Personnel & Training O.M. No. 229/01-Ext. (Pay II) dated 05.01.1994 as amended from time to time.

4. Period of deputation:- Period of deputation including period of deputation in another ex-officio post held immediately preceding this appointment in the same or some other organization/department of the Central Government shall ordinarily not exceed three years.

5. Age Limit:- The maximum age limit for appointment by deputation shall not be exceeding 50 years as on the closing date of receipt of applications.

6. Application along with Bio-data (in duplicate) in the prescribed proforma (Annexure-II) of the eligible candidates whose services can be spared immediately on selection, together with the certificate from the Forwarding Authority (in proforma Annexure-I) along with the following documents:-

(i) Integrity certificate  
(ii) List of major/minor penalties imposed if any, on the officer during the last 10 years; (If no penalties have been imposed a nil certificate should be enclosed).

(iii) Vigilance clearance certificate.  
(iv) Attested photocopies of the ACNs for the last five years (attested on each page by an officer not below the rank of an Under Secretary to the Govt. of India).

may be forwarded to Shri Dinesh Kumar, Under Secretary (Admin), Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi-110009 within 60 days of publication of this advertisement in the Employment News/Today's Samachar. Applications not forwarded through proper channel or those received without the requisite certificates and necessary documents will not be entertained.

8. The candidates who apply for the post will not be allowed to withdraw their candidature subsequently.

ANNEXURE 4  
PROFORMA OF APPLICATION FOR THE POST OF ASSISTANT SUPERVISOR (CONFIDENTIAL) ON DEPUTATION BASIS IN THE OFFICE OF UPSC.

1. BIO-DATA PROFORMA  
(1) Name and Address in Block Letters  
(2) Date of Birth (in Christian Era)  
(3) Date of retirement (in Central Govt. rules)  
(4) Educational qualifications  
(5) Whether educational and other qualifications required for the post are satisfied. (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same).

2. Applications from the eligible candidates should be forwarded through their department along with the personal data in the prescribed proforma as at Annexure II (duly filled in all columns neatly and correctly), complete CR dossiers up to 2008 and a certificate of integrity and vigilance clearance in respect of the officer.

3. Applications of eligible candidate may be sent to Deputy Inspector General (Pers), Border Security Force, Block 10, 6<sup>th</sup> Floor, CGO Complex, Lodhi Road, New Delhi-03 within sixty days from the date of publication in the Employment News.

4. The officers selected as Public Relations Officer will be governed as per the terms and conditions contained in Govt. of India, Ministry of Personnel Public Grievances & Pension (Dept. of Personnel & Training) letter No. 2/2001-Ext (Pay II) dated 6<sup>th</sup> Jan 1994 as amended from time to time. The officers who volunteer and are appointed for the post will not be permitted to withdraw their names.

5. Incomplete applications and those received through proper channel along with requisite documents will not be entertained at any cost.

(S.N. GULFANIA)  
COMMANDANT (PERS)  
PERSONNEL OFFICE  
New Delhi-110009

6. The officers selected as Public Relations Officer will be governed as per the terms and conditions contained in Govt. of India, Ministry of Personnel Public Grievances & Pension (Dept. of Personnel & Training) letter No. 2/2001-Ext (Pay II) dated 6<sup>th</sup> Jan 1994 as amended from time to time. The officers who volunteer and are appointed for the post will not be permitted to withdraw their names.

7. Incomplete applications and those received through proper channel along with requisite documents will not be entertained at any cost.

(S.N. GULFANIA)  
COMMANDANT (PERS)  
PERSONNEL OFFICE  
New Delhi-110009

8. The officers selected as Public Relations Officer will be governed as per the terms and conditions contained in Govt. of India, Ministry of Personnel Public Grievances & Pension (Dept. of Personnel & Training) letter No. 2/2001-Ext (Pay II) dated 6<sup>th</sup> Jan 1994 as amended from time to time. The officers who volunteer and are appointed for the post will not be permitted to withdraw their names.

9. Incomplete applications and those received through proper channel along with requisite documents will not be entertained at any cost.

(S.N. GULFANIA)  
COMMANDANT (PERS)  
PERSONNEL OFFICE  
New Delhi-110009

10. The officers selected as Public Relations Officer will be governed as per the terms and conditions contained in Govt. of India, Ministry of Personnel Public Grievances & Pension (Dept. of Personnel & Training) letter No. 2/2001-Ext (Pay II) dated 6<sup>th</sup> Jan 1994 as amended from time to time. The officers who volunteer and are appointed for the post will not be permitted to withdraw their names.

11. Incomplete applications and those received through proper channel along with requisite documents will not be entertained at any cost.

(S.N. GULFANIA)  
COMMANDANT (PERS)  
PERSONNEL OFFICE  
New Delhi-110009

12. The officers selected as Public Relations Officer will be governed as per the terms and conditions contained in Govt. of India, Ministry of Personnel Public Grievances & Pension (Dept. of Personnel & Training) letter No. 2/2001-Ext (Pay II) dated 6<sup>th</sup> Jan 1994 as amended from time to time. The officers who volunteer and are appointed for the post will not be permitted to withdraw their names.

13. Incomplete applications and those received through proper channel along with requisite documents will not be entertained at any cost.

Qualifications/Experience required Essential (1) (2) (3)

4. Please state clearly whether in the light of entries made by you in the list of the requirements of the post:-  
7. Details of Employment, in chronological order (starting from your first Government service). Enclose a separate sheet only if necessary by you signifying if the space is not sufficient.

8. Nature of present employment, i.e. ad hoc or temporary or permanent  
9. In case the present employment is held on regular basis, please state (a) The date of initial appointment (b) Period of appointment on deputation basis (c) Name of parent organization to which you belong

10. Are you in revised scale of pay? If yes, give the date from which the revision took place and also indicate the present scale  
11. Total emoluments per month now drawn  
12. Additional information, if any, which you wish to give in connection with your suitability for the post. Enclose a separate sheet if the space is insufficient  
13. Whether belongs to SC/ST  
14. Remarks

Date: \_\_\_\_\_ Signature of the candidate  
Counter signed: \_\_\_\_\_ Full office address and contact number:  
(Employer) (Full office address and contact number)

CERTIFICATE TO BE FURNISHED BY THE EMPLOYER/HEAD OF OFFICE/FORWARDING AUTHORITY

Certified that the particulars furnished by the candidate are correct and true and he/she possesses educational qualifications and experience mentioned in the vacancy circular.

Also certified that:  
(i) There is no vigilance case pending/contemplated against him/her  
(ii) He/she has complete CR Dossiers/ACNs for the last 5 years duly attested on each page by an officer not below the rank of an Under Secretary to the Govt. of India are enclosed  
(iii) He/she integrity is beyond doubt  
(iv) No major/minor penalties have been imposed on him/her during the last 10 years  
(v) List of major/minor penalties imposed during the last 10 years is enclosed

Place: \_\_\_\_\_ Date: \_\_\_\_\_ Signature  
Name and Designation  
Office seal

List of enclosure:-  
1. Bio-data (in duplicate)  
2. CR Dossiers/ACNs for the last 5 years  
3. Integrity certificate  
4. Vigilance clearance certificate  
5. Attested photocopies of the ACNs for the last five years (attested on each page by an officer not below the rank of an Under Secretary to the Govt. of India)

6. The candidates who apply for the post will not be allowed to withdraw their candidature subsequently.

ANNEXURE 4  
PROFORMA OF APPLICATION FOR THE POST OF ASSISTANT SUPERVISOR (CONFIDENTIAL) ON DEPUTATION BASIS IN THE OFFICE OF UPSC.

1. BIO-DATA PROFORMA  
(1) Name and Address in Block Letters  
(2) Date of Birth (in Christian Era)  
(3) Date of retirement (in Central Govt. rules)  
(4) Educational qualifications  
(5) Whether educational and other qualifications required for the post are satisfied. (If any qualification has been treated as equivalent to the one prescribed in the rules, state the authority for the same).

2. Applications from the eligible candidates should be forwarded through their department along with the personal data in the prescribed proforma as at Annexure II (duly filled in all columns neatly and correctly), complete CR dossiers up to 2008 and a certificate of integrity and vigilance clearance in respect of the officer.

3. Applications of eligible candidate may be sent to Deputy Inspector General (Pers), Border Security Force, Block 10, 6<sup>th</sup> Floor, CGO Complex, Lodhi Road, New Delhi-03 within sixty days from the date of publication in the Employment News.

4. The officers selected as Public Relations Officer will be governed as per the terms and conditions contained in Govt. of India, Ministry of Personnel Public Grievances & Pension (Dept. of Personnel & Training) letter No. 2/2001-Ext (Pay II) dated 6<sup>th</sup> Jan 1994 as amended from time to time. The officers who volunteer and are appointed for the post will not be permitted to withdraw their names.

5. Incomplete applications and those received through proper channel along with requisite documents will not be entertained at any cost.

(S.N. GULFANIA)  
COMMANDANT (PERS)  
PERSONNEL OFFICE  
New Delhi-110009

6. The officers selected as Public Relations Officer will be governed as per the terms and conditions contained in Govt. of India, Ministry of Personnel Public Grievances & Pension (Dept. of Personnel & Training) letter No. 2/2001-Ext (Pay II) dated 6<sup>th</sup> Jan 1994 as amended from time to time. The officers who volunteer and are appointed for the post will not be permitted to withdraw their names.

7. Incomplete applications and those received through proper channel along with requisite documents will not be entertained at any cost.

(S.N. GULFANIA)  
COMMANDANT (PERS)  
PERSONNEL OFFICE  
New Delhi-110009

8. The officers selected as Public Relations Officer will be governed as per the terms and conditions contained in Govt. of India, Ministry of Personnel Public Grievances & Pension (Dept. of Personnel & Training) letter No. 2/2001-Ext (Pay II) dated 6<sup>th</sup> Jan 1994 as amended from time to time. The officers who volunteer and are appointed for the post will not be permitted to withdraw their names.

9. Incomplete applications and those received through proper channel along with requisite documents will not be entertained at any cost.

(S.N. GULFANIA)  
COMMANDANT (PERS)  
PERSONNEL OFFICE  
New Delhi-110009

10. The officers selected as Public Relations Officer will be governed as per the terms and conditions contained in Govt. of India, Ministry of Personnel Public Grievances & Pension (Dept. of Personnel & Training) letter No. 2/2001-Ext (Pay II) dated 6<sup>th</sup> Jan 1994 as amended from time to time. The officers who volunteer and are appointed for the post will not be permitted to withdraw their names.

11. Incomplete applications and those received through proper channel along with requisite documents will not be entertained at any cost.

(S.N. GULFANIA)  
COMMANDANT (PERS)  
PERSONNEL OFFICE  
New Delhi-110009

12. The officers selected as Public Relations Officer will be governed as per the terms and conditions contained in Govt. of India, Ministry of Personnel Public Grievances & Pension (Dept. of Personnel & Training) letter No. 2/2001-Ext (Pay II) dated 6<sup>th</sup> Jan 1994 as amended from time to time. The officers who volunteer and are appointed for the post will not be permitted to withdraw their names.

13. Incomplete applications and those received through proper channel along with requisite documents will not be entertained at any cost.

(S.N. GULFANIA)  
COMMANDANT (PERS)  
PERSONNEL OFFICE  
New Delhi-110009

14. The officers selected as Public Relations Officer will be governed as per the terms and conditions contained in Govt. of India, Ministry of Personnel Public Grievances & Pension (Dept. of Personnel & Training) letter No. 2/2001-Ext (Pay II) dated 6<sup>th</sup> Jan 1994 as amended from time to time. The officers who volunteer and are appointed for the post will not be permitted to withdraw their names.

15. Incomplete applications and those received through proper channel along with requisite documents will not be entertained at any cost.

(S.N. GULFANIA)  
COMMANDANT (PERS)  
PERSONNEL OFFICE  
New Delhi-110009

16. The officers selected as Public Relations Officer will be governed as per the terms and conditions contained in Govt. of India, Ministry of Personnel Public Grievances & Pension (Dept. of Personnel & Training) letter No. 2/2001-Ext (Pay II) dated 6<sup>th</sup> Jan 1994 as amended from time to time. The officers who volunteer and are appointed for the post will not be permitted to withdraw their names.

17. Incomplete applications and those received through proper channel along with requisite documents will not be entertained at any cost.

(S.N. GULFANIA)  
COMMANDANT (PERS)  
PERSONNEL OFFICE  
New Delhi-110009

18. The officers selected as Public Relations Officer will be governed as per the terms and conditions contained in Govt. of India, Ministry of Personnel Public Grievances & Pension (Dept. of Personnel & Training) letter No. 2/2001-Ext (Pay II) dated 6<sup>th</sup> Jan 1994 as amended from time to time. The officers who volunteer and are appointed for the post will not be permitted to withdraw their names.

19. Incomplete applications and those received through proper channel along with requisite documents will not be entertained at any cost.

(S.N. GULFANIA)  
COMMANDANT (PERS)  
PERSONNEL OFFICE  
New Delhi-110009

20. The officers selected as Public Relations Officer will be governed as per the terms and conditions contained in Govt. of India, Ministry of Personnel Public Grievances & Pension (Dept. of Personnel & Training) letter No. 2/2001-Ext (Pay II) dated 6<sup>th</sup> Jan 1994 as amended from time to time. The officers who volunteer and are appointed for the post will not be permitted to withdraw their names.

21. Incomplete applications and those received through proper channel along with requisite documents will not be entertained at any cost.

Central Administrative Tribunal

केन्द्रीय प्रशासनिक न्यायालय

NOV 2009

Guwahati Bench

Guwahati Bench

## Office of the Director Central Drugs Laboratory

Government of India

Ministry of Health &amp; Family Welfare

2, Kyt Street, Calcutta-700018

Central Drugs Laboratory is the National Reference Laboratory of Govt. of India for quality control of drugs under Drugs & Cosmetics Act, 1940. Applications are invited from the Indian Nationals for filling up the vacancies of General Central Service Group 'C' Non-Gazetted, Non-Administrative posts as per details given below:-

Sl No	Details of posts	Conversion relating to the post of Jr. Scientific Asst.	Conversion relating to the post of Jr. Laboratory Asst.
1.	No. of vacancy	2 (two) reserved for OBC	4 (four) unreserved 2 reserved for SC-1 reserved for OBC-1
2.	Scale of pay	Rs. 5000-150-8000/- (Pay scale under revision in 6th C.P.C.)	Rs. 4000-100-6000/- (Pay scale under revision in 6th C.P.C.)
3.	Age limit	18-28 years for OBC reserved candidates	18-25 years for unreserved candidates 18-30 yrs. for SC candidates 18-28 years for OBC candidates
4.	Qualification	(a) A degree in Science with Chemistry as one of the subject (Preferably with Honors in Chemistry) or post graduate experience in Chemistry. (b) Desirable M.Sc. with knowledge of drug analysis.	Matriculation or equivalent with science and experience in laboratory work for five yrs. or Intermediate in Science with 3 years experience or Graduate in Science.
5.	Period of probation	2 (two) years	2 (two) years

### GENERAL INSTRUCTIONS

- The application on a plain A4 size paper giving full Bio-data along with attested copies of essential certificates with 2 (two copies) passport size photograph to be submitted in the office of the undersigned within 30 days from the date of publication of the advertisement.
- Cover to be addressed to the "Director, Central Drugs Laboratory, 2, Kyt Street, Calcutta-700018." Recruitment to the post of Jr. Sol. Asst./Jr. Lab. Asst. (Strike out which is not applicable) to be superscribed on the top of the envelope.
- The short listed candidates will be invited for interview. No VADA will be admissible. (P.K. Dasgupta) Director Central Drugs Laboratory 28/10/2009

Noted  
with  
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20 NOV 2009

ANNEXURE - XIX

in the scale of Rs. 1,400-2,600. On the other hand, the blue collar workers in subordinate offices moved from the skilled category of Rs. 950-1,500 to highly skilled II (Rs. 1,200-1,800), then to highly skilled I (Rs. 1,320-2,040) and then to Mastercraftsman (Rs. 1,400-2,300).

43.8 In order to alleviate this sense of grievance, we have, as a first measure, decided to merge the grades of Highly skilled I and II into one scale of Rs. 1,320-2,040.

43.9 We have also tried to improve the promotion prospects of artisans in defence establishments by suggesting a more favourable inter-grade ratio for them. An inter-grade ratio has also been recommended for technical supervisors, with the same objective in mind.

43.10 A general improvement of the pay scales of technical supervisors has also been suggested on the basis of their entry qualification of diploma in different disciplines of engineering. All of them would thus be upgraded from Rs. 1,400-2,300 to Rs. 1,600-2,660 in present terms.

#### IMPROVEMENTS PROPOSED AT CERTAIN LEVELS

43.11 Group 'D' scales.—In the proposed revised scales of pay, certain improvements have been effected at some levels. Earlier, the difference in pay between the minima of the three Group 'D' scales was at the rate of Rs. 25 each. In the revised scales, on the analogy of the pre-revised minima, the differences between these Group 'D' scales should have been at the rate of Rs. 80 or so. However, the difference contemplated in the proposed revised pay is Rs. 110 and Rs. 100 respectively.

43.12 Four grade structure.—In the pre-revised pay scales, there were only two grades for Group 'D' staff, i.e., Rs. 750-940 and Rs. 775-1,150. But in the contemplated Assured Career Progression Scheme, Group 'D' staff have been given a four-grade structure viz., Rs. 2,440-3,200, Rs. 2,550-3,540, Rs. 2,650-4,000 and Rs. 2,750-4,400. We have also dropped the pejorative designations of "khalasi" and "unskilled worker" and are instead mentioning the artisan in the scale of pay of Rs. 750-940 by the more graceful appellation of "Shramik".

43.13 Increased span.—In the proposed scales, the span of all the Group 'D' scales has been increased. In the four scales mentioned above, the span has been increased by 4 years, 3 years, 4 years and 10 years respectively. This has been consciously done to reduce the stagnation presently being faced by Group 'D' staff. The contemplated ACP Scheme coupled with the increase in the span of Group 'D' scales will certainly help in reducing the stagnation amongst Group 'D' employees.

43.14 Matric entry posts.—Pay scales of posts requiring recruitment qualifications of Matriculation, I.T.I certificate, etc., have been rationalized and they are proposed to be placed as far as possible in the scale of Rs. 950-1,500 which is being replaced by the scale of Rs. 3,050-4,590.

Guwahati Bench

गुवाहाटी बेंच

43.15 Direct entry grade for graduates, etc.—Presently, incumbents of a large number of posts requiring qualifications of ordinary Graduation or a three year Diploma course in engineering, fine art, etc., are in different scales, i.e., Rs. 1,200-2,040, Rs. 1,400-2,300, Rs. 1,400-2,600, Rs. 1,600-2,660 and Rs. 1,640-2,900. In order to bring about improvement, it is proposed to induct entrants to the posts requiring graduation, three year diploma course, etc., as minimum entry qualification in the scale of Rs. 1,400-2,300, Rs. 1,600-2,660 and Rs. 1,640-2,900. Most of the Junior Engineers, Junior Scientific Assistants, Technical Assistants, Investigators, etc., who are presently distributed in these different scales will be benefited by this measure of rationalization. However, there may still be some exceptional cases where this improvement has not been effected. This has been due to various factors like job content, skill requirements, *inter se* horizontal and vertical relativities, etc.

43.16 Direct entry grade for Engineering graduates, postgraduates, etc.—The scales of Rs. 2,000-3,200 and Rs. 2,000-3,500 are proposed to be merged into Rs. 2,000-3,500. This scale has been identified as direct entry grade for degree holders in Engineering and law, Postgraduates in any other subjects, Chartered Accountants, Cost and Works Accountants, etc. However, there may still be cases where posts requiring any of the above qualifications have still been continued in scales like Rs. 1,600-2,660 or Rs. 1,640-2,900. This is due to the fact that apart from recruitment qualifications, other factors like job content, skill requirements, *inter se* horizontal and vertical relativities, etc., have also been taken into consideration in the determination of pay scales for various posts. In certain cases, upgradation to the scale of Rs. 2,000-3,500 would result in a quantum jump over 2 or 3 intermediate scales, which has been generally avoided, keeping in view the need for not unduly disturbing existing relativities.

43.17 Pay at Group 'A' entry level.—In the wake of the recent spurt in the pay packages of private and public sector executives, the entry into Central Government at Group 'A' level has become least attractive for bright young people. With a view to reversing this trend and to attract the best talent into Government, the pay scale at the starting stage of Group 'A' services has been hiked up. In the normal course, the starting pay at Junior Time Scale would have been around Rs. 7,000. Instead, it has been raised to Rs. 24,000.

#### INCREMENT

43.18 Increment in per cent terms.—The increment in the proposed revised scale ranges between 1.64% to 3.44% with reference to the minimum of the scales and from 1.42% to 3.32% with reference to the mean of the scales. The increment of Rs. 40 at the lowest point of Rs. 2,440-40-3,200 works out to 1.64% of the minimum of the scale at Rs. 2,440 and 1.42% of the mean of the same scale at Rs. 2,820. The increment of Rs. 275 in the scale of Rs. 8,000-275-13,500 works out to 3.44% of the minimum of the scale at Rs. 8,000.

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Guwahati Bench  
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(Extract)

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ANNEXURE XX

Sl. No.	Posts	Present Scale (Rs.)	Revised Scale (Rs.)	Paragraph No. of Report
(1)	(2)	(3)	(4)	(5)
10.	Jr. Fishery Scientist	2,000-60-2,300-75-3,200-100-3,500	7,500-250-12,000	68.22
<b>XIV. MINISTRY OF HEALTH &amp; FAMILY WELFARE</b>				
<i>Nutrition and Iodine Deficiency Cell</i>				
1.	Technical Assistant/Junior Investigator	1,400-40-1,800-50-2,300	5,000-150-8,000	69.11
<i>Prevention of Food Adulteration Division</i>				
2.	Technical Asst./Food Inspector	1,400-40-1,800-50-2,300	5,000-150-8,000	69.14
<i>All India Institute of Hygiene and Public Health, Kolkata</i>				
3.	Rural Medical Officer of Health	2,000-60-2,300-75-3,200	8,000-275-13,500	69.22
4.	Field Instructor (Medical)	2,000-60-2,300-75-3,200	8,000-275-13,500	69.22
5.	Assistant Medical Officer (VD)	2,000-60-2,300-75-3,200	8,000-275-13,500	69.22
6.	Asstt. Bacteriologist	2,000-60-2,300-75-3,200	8,000-275-13,500	69.22
7.	Research Asstt. (Medical)	2,000-60-2,300-75-3,200	8,000-275-13,500	69.22
8.	Lady Medical Officer	2,000-60-2,300-75-3,200	8,000-275-13,500	69.22
9.	Medical Officer	2,000-60-2,300-75-3,200	8,000-275-13,500	69.22
10.	Non-Medi. Demonstrators	1,640-60-2,600-75-2,900	6,500-200-10,500	69.23
11.	Tutor Dietitian	2,000-60-2,300-EB-75-3,200-100-3,500	8,000-275-13,500	69.24
<i>Central Research Institute, Kasauli</i>				
12.	Veterinary Asstt. Surgeon	2,000-60-2,300-EB-75-3,200-100-3,500	8,000-275-13,500	69.29
13.	Technical Supervisor	1,400-40-1,800-50-2,300	5,000-150-8,000	69.31
14.	Technical Supervisor (Electrical)	1,400-40-1,800-50-2,300	5,000-150-8,000	69.31
15.	Asstt. Tech. Officer	1,640-60-2,600-EB-75-2,900	5,500-175-9,000@	69.31
16.	Laboratory Technician	1,200-30-1,560-40-2,040	6,500-200-10,500@	69.31
<i>National Tuberculosis Institute</i>				
17.	Veterinarian	2,000-60-2,300-EB-75-3,200-100-3,500	8,000-275-13,500	69.36
18.	Field Investigator (Epidemiology Division)	1,350-30-1,440-40-1,800-50-2,200	5,000-150-8,000	69.37
19.	Investigator/Team Leader	1,400-40-1,800-50-2,300	5,500-175-9,000	69.37
20.	Senior Investigator	1,640-60-2,600-75-2,900	6,500-200-10,500	69.37
<i>Rajkumari Amrit Kaur College of Nursing</i>				
21.	Senior Tutor	2,000-60-2,300-75-3,200	7,500-250-12,000	69.44
22.	Physical Training Instructor	1,400-40-1,600-50-2,300-60-2,600	5,500-175-9,000	69.44
23.	Assistant Home Sister	1,400-40-1,800-50-2,300	5,000-150-8,000	69.45
24.	Home Sister	1,400-40-1,800-50-2,300	5,500-175-9,000	69.45
<i>Central Drug Laboratories</i>				
25.	Jr. Scientific Officer/Associate Pharmacist/Technical Officer	2,000-60-2,300-EB-75-3,200-100-3,500	7,500-250-12,000	69.54
26.	Research Assistant/Sr. Scientific Assistant	1,640-60-2,600-75-2,900	6,500-200-10,500	69.55
<i>Medical Stores Organization</i>				
27.	Jr. Scientific Asstt.	1,400-40-1,800-50-2,300	5,000-150-8,000	69.56
28.	Jr. Scientific Asstt.	1,400-40-1,800-50-2,300	5,000-150-8,000	69.63
29.	Assistant Chemist	1,320-30-1,560-40-2,040	5,500-175-9,000	69.63

@ Modified vide G.I., M.F., Notification No. 50/197-IC, dated the 5th March, 2002, published as G.S.R. 286 (13) in the Gazette of India, dated the 17th April, 2002

Attended  
10/11/09  
for