

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI -5

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A./TA/ NO. 169/2009-2015
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M.R. Pathak Advocate

SECTION OFFICER (JUDL.)

Bd. 17.7.2015

17.7.2015

FORM NO. 4
(See Rule 42)
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH :
ORDERSHEET

1. ORIGINAL APPLICATION No : 169 / 2009

2. Transfer Application No : ----- / 2009 in O.A. No. -----

3. Misc. Petition No : ----- / 2009 in O.A. No. -----

4. Contempt Petition No : ----- / 2009 in O.A. No. -----

5. Review Application No : ----- / 2009 in O.A. No. -----

6. Execution Petition No : ----- / 2009 in O.A. No. -----

Applicant (S) : Shri Laihla Darlong
 Respondent (S) : Union of India & Ors.
 Advocate for the : Mr. Adil Ahmed
 {Applicant (S)} Mr. N. Ahmed
 Advocate for the : C.G.S.C
 {Respondent (S)} Govt Advocate, Tripura

Notes of the Registry	Date	Order of the Tribunal
<p>This application is in form is filed/C. F. for Rs. 50/- deposited vide IPO/BD No. <u>3954/40/3</u> Dated <u>20.7.09</u></p> <p><i>N. Sarmah</i> 28.8.09 Dy. Registrar 28/8/09</p>	01.09.2009	<p>Heard learned counsel for the parties.</p> <p>For the reasons recorded separately, this case stands disposed of.</p> <p><i>M.K. Chaturvedi</i> (M.K. Chaturvedi) Member (A)</p>
<p><u>28.8.09</u></p> <p>3 (Three) copies of application with envelope received for issue notice to the respondents No 2 to 3. Copy served.</p> <p><u>28/8/09</u></p>	/bb/	<p><i>M.R. Mohanty</i> (M.R. Mohanty) Vice-Chairman</p>

2

3/09/09

Copy of Judgement-
order dated 01/09/09
along with Notice
send to the D/section
for issuing to the
Applicant & Respls.
By Regd. post.

Free copies of both side
standing counsel by
hand.

3/09/09

D/No — 9987 to 9993

Dtd — 4-7-09

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

O.A No. 169 of 2009

DATE OF DECISION: 01.09.2009

Shri Laihlia Darlong

.....Applicant/s.

Mr.A.Ahmed

.....Advocate for the
Applicant/s.

- Versus -

U.O.I. & Ors

.....Respondent/s

Ms.U.Das, Addl.C.G.S.C. for Union of India

Mr.M.R. Das for State Govt. of Tripura

.....Advocate for the
Respondents

CORAM

**THE HON'BLE MR.MANORANJAN MOHANTY, VICE CHAIRMAN
THE HON'BLE MR.MADAN KUMAR CHATURVEDI, MEMBER (A)**

4. Whether Reporters of local newspapers may be allowed to see the Judgment? Yes/No
5. Whether to be referred to the Reporter or not? Yes/No
6. Whether their Lordships wish to see the fair copy of the Judgment? Yes/No

Judgment delivered by

~~Vice-Chairman/Member (A)~~

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 169 of 2009.

Date of Order: This, the 01st Day of September, 2009.

THE HON'BLE SHRI MANORANJAN MOHANTY, VICE CHAIRMAN
THE HON'BLE SHRI MADAN KUMAR CHATURVEDI, MEMBER (A)

Shri Laihlia Darlong
Son of late Thluka Darlong
Director, Directorate of Welfare
for Scheduled Tribes, Government of Tripura
Resident of Arundhutinagar, P.O: Arundhutinagar
Police Station: West Agartala
District: West Tripura
PIN: 799 003, Tripura.

... Applicant.

By Advocates: Mr.A.Ahmed & Mr.N.Ahmed.

- Versus -

1. The Union of India
represented by the Secretary
to the Government of India
Ministry of Personnel, Public Grievances
& Pensions, North Block
New Delhi- 110 001.
2. The State of Tripura
Represented by the Chief Secretary
Government of Tripura, Agartala
PIN:-799 001.
3. The Principal Secretary
Department of Finance
Government of Tripura
Agartala – 799 001.

... Respondents.

By Ms. U.Das, Addl. C.G.S.C. for Respondent No.1 &
Mr.M.R.Pathak, Advocate for State of Tripura for Respondent Nos. 2 & 3

ORAL ORDER
01.09.2009

MANORANJAN MOHANTY, (V.C.):-

Applicant, a member of Indian Administrative Service
belonging to Tripura segment of Manipur-Tripura Joint Cadre, stated to

have exercised his option under IAS(Pay) 2nd Amendment Rules, 2008 on 24.09.2008. It is stated that pay of the Applicant was, accordingly, revised on 22.10.2008. He exercised a revised/fresh option on 03.11.2008 and, on 17.02.2009, the State Govt. of Tripura sought a clarification from Ministry of Personnel, Public Grievances & Pensions of Govt. of India in the matter of entertaining fresh option on cancellation of previous one. On 07.05.2009, the Applicant requested the State Govt. (of Tripura) to act on his fresh option dated 03.11.2008 and, on 01.07.2009, the said State Govt. (of Tripura), again, sought clarification from the Govt. of India/Ministry of Personnel, Public Grievances & Pensions.

2. At the aforesaid stage, the Applicant has approached this Tribunal with the present Original Application filed (on 28.08.2009) under Section 19 of the Administrative Tribunals Act, 1985; wherein he has prayed as under:-

- “8.1 That the Hon’ble Tribunal may be pleased to direct the Respondents to cancel the 1st option submitted by the Applicant on 24.09.2008 as it has been withdrawn by the Applicant and also to accept the 2nd option i.e. revised pay scale of Rs.37,400-67,000/- (revised) of pay Band-4 and grade pay of Rs.8,700/- submitted by him on 03.11.2008.
- 8.2 To pass any other appropriate relief(s) to which the Applicant may be entitled and as may be deemed fit and proper by the Hon’ble Tribunal.
- 8.3 To pay the costs of the application.”

3. Heard Mr.A.Ahmed, learned counsel appearing for the Applicant, Ms.U.Das, learned Addl. Standing counsel for Govt. of India and Mr.M.R.Pathak, learned counsel for the State Govt. of Tripura (to

whom copies of this Original Application have already been supplied) and perused the materials placed on record.

4. Since it is the positive case of the Applicant that the Govt. of India (in the Ministry of Pensions) has not yet clarified the point raised by the State Govt. (of Tripura); without entering into the merits of the matter; we hereby dispose of the case with direction to the Govt. of India (Respondent No.1) to clarify the matter to the State Govt. of Tripura at an early date; preferably by end of October, 2009 and, on receipt of clarification from the Govt. of India, the State Govt. (of Tripura) should act promptly, within one month thereafter, under intimation to the Applicant.

5. With the above observations and directions, this case stands disposed of.

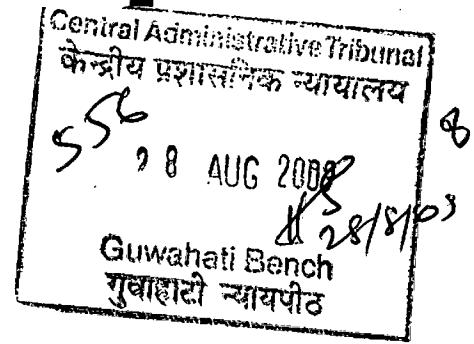
6. Send copies of this order to the Applicant and the Respondents (along with the copies of the O.A.) in the address given in the Original Application.

7. Free copies of this order be also supplied to the Advocates appearing for the parties.

Chaturvedi
(MADAN KUMAR CHATURVEDI)
ADMINISTRATIVE MEMBER

Manohar
01/09/2009
(MANORANJAN MOHANTY)
VICE CHAIRMAN

/BB/



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI.

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

ORIGINAL APPLICATION NO. 169 OF 2009

Shri Laihlia Darlong
-Applicant
-Versus-

The union of India & Others
-Respondents

SYNOPSIS

Applicant was appointed as General Manager, District Industries Centre on 12.08.1987 through Tripura Public Service Commission and posted at Kailasahar under North Tripura District and he joined in his post on 14.08.1987. Thereafter, he served in different posts of Industries Department, Government of Tripura. Lastly, on 06.11.1992 he was promoted to the post of Additional Director, Director of Industries & Commerce. Thereafter, he was appointed to the Indian Administrative Service (IAS in short) on 28.05.2001 to the Manipur-Tripura Joint Cadre. On 11.06.2001 he was posted as Additional District Magistrate and Collector, North Tripura, Kailasahar. On 11.08.2003 the Applicant was posted as Joint Secretary, General Administration (Rural Development), Government of Tripura. On 13.01.2005 he was granted Junior Administrative Grade Pay Scale of Rs.12,750-375-16,500/- (non-functional) w.e.f. 1st January 2005. On 25.04.2005 he was designated as Additional Secretary, General Administration (Administrative Reforms) Department, Government of Tripura. The Selection Grade IAS Pay Scale of Rs.15,100-400-18,300/- (pre-revised) w.e.f. January, 2008 granted to the Applicant on 28.01.2008. On 19.09.2008 notification of IAS (Pay) 2nd Amendment Rules, 2008 was published in Gazette of India. On 24.09.2008 the Applicant submitted his pay option under the IAS (Pay) 2nd Amendment Rules, 2008. On 27.09.2008 another notification of IAS (Pay) 2nd Amendment Rules, 2008 was published in Gazette of India Extra Ordinary. On 29.09.2008 the Director (Services), Government

Laihlia Darlong

99/11/09

Guwahati Bench
গুৱাহাটী বৰ্ষাচাৰ

of India, Ministry of Personnel, Pensions and Public Grievances, Department of Personnel and Training, New Delhi has intimated to all Chief Secretaries to the State Government and Union Territory that the IAS, IPS and IFS (pay) 2008 have been amended. On 21.10.2008 the Government of Tripura, Department of Finance, Agartala circulated the aforesaid letter to all concern. The Government of Tripura, Department of Finance, fixed the pay scale of the Applicant on 23.10.2008 at Rs.15,600-39,000/- (revised) of Pay Band-3 corresponding to the pay scale of Junior Administrative Grade pay scale of Rs.12,750-375-16,500/- (pre-revised). After going through the pay slip dated 22.10.2008 the Applicant found some miscalculation of his pay option, therefore, on 03.11.2008 the Applicant submitted fresh option before the Government of Tripura, Department of Finance, by requesting to revised his pay scale at Rs.37,400-67,000/- (revised) of Pay Band-4 with grade pay of Rs.8,700/- w.e.f. 01.01.2008 instead of 01.01.2006. On 17.02.2009 the Government of Tripura, Finance Department sought clarification from Government of India, Ministry of Personnel, Pensions & Public Grievances, Department of Personnel & Training whether the request for cancellation of option once exercised can be entertained. On 07.05.2009 the Applicant approaches before the Principal Secretary, Government of Tripura, Finance Department requesting him to consider his fresh option of his pay scale. Thereafter, on 01.07.2009 the Government of Tripura, Finance Department, referred the matter again to Ministry of Personnel, Pensions & Public Grievances, Department of Personnel & Training, government of India for seeking clarification about the procedure to be followed in the matter of cancellation of option once exercised. Till date no response or reply from the Ministry of Personnel, Pensions & Public Grievances, Department of Personnel & Training, government of India or from the Government of Tripura, Finance Department to the Applicant. Hence, this Original Application for seeking justice in this matter.

Laikhā Darlong

9 AUG 2009

Guwahati Bench
गुवाहाटी न्यायपीड়

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI.

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

ORIGINAL APPLICATION NO. 169 OF 2009

Shri Laihlia Darlong
-Applicant
-Versus-

The union of India & Others
-Respondents

LIST OF DATES

12.08.1987 Para:4.2 Annexure-1	Applicant was appointed as General Manager, District Industries Centre through Tripura Public Service Commission and posted at Kailasahar under North Tripura District.
14.08.1987 to 30.03.1989 Para:4.2	Applicant was working as a General Manager, District Industries Centre, Kailasahar under North Tripura District.
01.04.1989 Para:4.2	Applicant was posted as Principal Officer (Industries) at Agartala on deputation under the Tripura Tribal Areas Autonomous District Council.
01.12.1990 to 05.11.1992 Para:4.2	Applicant has served as Joint Director, Directorate of Industries & Commerce, Agartala on repatriation from Tripura Tribal Areas Autonomous District Council.
06.11.1992 Para:4.3 Annexure-2	Applicant was promoted to the post of Additional Director of Industries & Commerce.
28.05.2001 Para:4.4 Annexure-3	Applicant was appointed to the Indian Administrative Service on probation to the Manipur-Tripura Joint Cadre.
11.06.2001 Para:4.5 Annexure-4	Applicant was posted as Additional District Magistrate and Collector, North Tripura, Kailasahar.
11.08.2003 Para:4.6 Annexure-5	Applicant was posted as Joint Secretary, General Administration (Rural Development), Government of Tripura.

Laihlia Darlong

28 AUG 2009

Guwahati Bench
গুৱাহাটী ন্যায়পৌঠ

13.01.2005 Para:4.6 Annexure-6	Applicant was granted Junior Administrative Grade Pay Scale of Rs.12,750-375-16,500/- (non-functional) w.e.f. 1st January 2005.
25.04.2005 Para:4.6 Annexure-7	Applicant was designated as Additional Secretary, General Administration (Administrative Reforms) Department, Government of Tripura.
28.01.2008 Para:4.7 Annexure-8	Applicant was granted Selection Grade IAS Pay Scale of Rs.15,100-400-18,300/- (pre-revised) w.e.f. January, 2008.
19.09.2008 Para:4.9 Annexure-11	Notification of IAS (Pay) 2nd Amendment Rules, 2008 was published in Gazette of India Extra Ordinary.
24.09.2008 Para:4.9 Annexure-12	Applicant submitted his pay option under the IAS (Pay) 2nd Amendment Rules, 2008.
27.09.2008 Para:4.8	Notification of IAS (Pay) 2nd Amendment Rules, 2008 was published in Gazette of India Extra Ordinary.
29.09.2008 Para:4.8 Annexure-9	The Director (Services), Government of India, Ministry of Personnel, Pensions and Public Grievances, Department of Personnel and Training, New Delhi has intimated to all Chief Secretaries to the State Government and Union Territory that the IAS, IPS and IFS (pay) 2008 have been amended.
21.10.2008 Para:4.8 Annexure-10	The Government of Tripura, Department of Finance, Agartala circulated the aforesaid letter to all concern.
22.10.2008 Para.4.10 Annexure-13	The Government of Tripura, Department of Finance, fixed the pay scale of the Applicant at Rs.15,600-39,000/- (revised) of Pay Band-3 corresponding to the pay scale of Junior Administrative Grade pay scale of Rs.12,750-375-16,500/- (pre-revised).
03.11.2008 Para:4.12 Annexure-14	Applicant submitted fresh option before the Government of Tripura, Department of Finance, by requesting to revised his pay scale at Rs.37,400-67,000/- (revised) of Pay Band-4 with grade pay of Rs.8,700/- w.e.f. 01.01.2008 instead of 01.01.2006.
17.02.2009 Para:4.13 Annexure-16	The Government of Tripura, Finance Department sought clarification from Government of India, Ministry of Personnel, Pensions & Public Grievances, Department of Personnel & Training whether the request for cancellation of option once exercised can be entertained.

Saihha Darlong

28 AUG 2009

Guwahati Bench
गुवाहाटी न्यायपीठ

07.05.2009 Para:4.14 Annexure-17	Applicant approach before the Principal Secretary, Government of Tripura, Finance Department, requesting him to consider his fresh option of his pay scale.
01.07.2009 Para:4.15 Annexure-18	The Government of Tripura, Finance Department, referred the matter again to Ministry of Personnel, Pensions & Public Grievances, Department of Personnel & Training, government of India for seeking clarification about the procedure to be followed in the matter of cancellation of option once exercised.

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११.१२.२०१०

Guwahati Bench
गुवाहाटी न्यायालय

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI.

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

ORIGINAL APPLICATION NO. 169 OF 2009

Shri Laihla Darlong
-Applicant
-Versus-

The union of India & Others
-Respondents

I N D E X

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2	Verification		15
3	Copy of the notification No.DI/ESTT/2(10)/79-II/25509-18 dated 12th August 1987.	1	16
4	Copy of the notification No.F.DI/ESTT/1(78)/86/14544-51 dated 06th November 1992.	2	17
5	Copy of the notification No.14015/20/2000-AIS (I) dated 28th May 2001.	3	18
6	Copy of the notification No.F.2(8)-GA(P&T)/2000 dated 11th June 2001.	4	19
7	Copy of the notification No.F.2(3)-GA(P&T)/94 dated 11.08.2003.	5	20 to 22
8	Copy of the notification No.F.10(2)GA(P&T)/76 dated Agartala the 13th January, 2005.	6	23
9	Copy of the notification No.F.2(6)-GA(P&T)/98 dated 25.04.2005.	7	24
10	Copy of the PAY ETC. REGULATION SLIP (PROVISIONAL) No.F.9(1)(154)-FIN(E)/01 dated 28th January, 2008.	8	25 to 26
11	Copy of the letter No.F.14021/5/2008-AIS-II dated 29.09.2008.	9	27 to 46
12	Copy of the Memorandum No.F.9(1)(172)-CCS(RP)/FIN(E)/08/639 dated Agartala, the 21st October 2008.	10	47
13	Copy of the notification vide GSR. No.665(E) dated 19.09.2008.	11	48 to 82

Laihla Darlong

28 AUG 2009

Guwahati Bench
गुवाहाटी न्यायपीठ

14	Copy of the pay option form dated 24.09.2008.	12	83 to 84
15	Copy of the pay regulation slip vide No.F.9(1)(154)-FIN(E)/01 dated 22.10.2008.	13	85
16	Copy of the letter No.F.2-391/TW/GL/2008 dated 03.11.2008 alongwith form of option.	14	86 to 87
17	Copy of the certificate issued by the Drawing and Disbursement officer, Tribal Welfare Directorate, Government of Tripura.	15	88
18	Copy of the letter No.F.9(1)(154)-Fin(E)/01 dated 17.02.2009.	16	89
19	Copy of the letter No.F.2-391/TW/GL/08 dated 07.05.2009.	17	90
20	Copy of the letter No.F.9(1)(154)-Fin(E)/01 dated 01.07.2009.	18	91

Date: 28.08.2009

Filed By:

Munaddis Ahmad
Advocate

Sukha Debong

FILED BY

Shri Laihlia Darlong
Son of late Thluka Darlong
Applicant
through
Nandini Shiva
Advocate
28/8/05

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI.

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

ORIGINAL APPLICATION NO. 169 OF 2009.

BETWEEN

Shri Laihlia Darlong
Son of late Thluka Darlong
Director, Directorate of Welfare
for Scheduled Tribes,
Government of Tripura,
Resident of Arundhutinagar,
Post Office:-Arundhutinagar,
Police Station:-West Agartala,
District-West Tripura,
PIN-799003, Tripura.

Applicant

-AND-

- 1] The Union of India, represented by the Secretary to the Government of India, Ministry of Personnel, Public Grievances & Pensions, North Block, New Delhi, PIN-110001.
- 2] The State of Tripura, represented by the Chief Secretary, Government of Tripura, Agartala, PIN-799001.
- 3] The Principal Secretary, Department of Finance, Government of Tripura, Agartala, PIN-799001.

Respondents

DETAILS OF THE APPLICATION

- 1] PARTICULARS OF THE ORDER AGAINST WHICH THE APPLICATION IS MADE:

This application is made for seeking a direction from this Hon'ble Tribunal to the Respondents to give the Applicant appropriate pay scale of Rs.37,400-67,000/- (revised) of Pay Band-4 with grade pay of Rs.8,700/- as notified under Indian Administrative Service, 2nd Amendment (Pay) Rules, 2008.

Laihlia Darlong

-2-

2] JURISDICTION OF THE TRIBUNAL:

Gujahati Banch
गुजाहाटी बंच

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

3] LIMITATION:

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

4] FACTS OF THE CASE:

Facts of the case in brief are given below:

4.1] That your Applicant is a citizen of India by birth and permanent resident of Arundhutinagar, Post Office-Arundhutinagar, Police Station-West Agartala, District-West Tripura, Pin-799006, in the state of Tripura. As such he is entitled to all the rights and privileges guaranteed under the Constitution of India and the laws framed there under from time to time. He belongs to Scheduled Tribes Community of Tripura.

4.2] That your Applicant was appointed as General Manager, District Industries Centre vide notification No.DI/ESTT/2(10)/79-II/25509-18 dated 12th August 1987 on the recommendation of Tripura Public Service Commission. He was posted as District Industries Centre, Kailasahar under North Tripura District. He joined on 14.08.1987 as General Manager, District Industries Centre under the Department of Industries which was subsequently re-named as Department of Industries & Commerce. He was posted at Kailasahar till 30.03.1989. After serving at Kailasahar he was posted as Principal Officer (Industries) at Agartala on deputation under the Tripura Tribal Areas Autonomous District Council

Laikha Danlong

w.e.f. 01.04.1989. Thereafter, he was posted as Joint Director, Directorate of Industries & Commerce, Agartala w.e.f. 01.12.1990 to 05.11.1992 on repatriation from the Tripura Tribal Areas Autonomous District Council.

Copy of the notification No.DI/ESTT/2(10)/79-II/25509-18 dated 12th August 1987 is annexed herewith and marked as ANNEXURE-1.

4.3] That your Applicant begs to state that he was promoted to the post of Additional Director of Industries & Commerce vide notification No.F.DI/ESTT/1(78)/86/14544-51 dated 06th November 1992.

Copy of the notification No.F.DI/ESTT/1(78)/86/14544-51 dated 06th November 1992 is annexed herewith and marked as ANNEXURE-2.

4.4] That your Applicant begs to state that he was appointed to the Indian Administrative Service (IAS in short) on probation to the Manipur-Tripura Joint Cadre vide notification No.14015/20/2000-AIS (I) dated 28th May 2001 and the allotment year was 1996.

Copy of the notification No.14015/20/2000-AIS (I) dated 28th May 2001 is annexed herewith and marked as ANNEXURE-3.

4.5] That your Applicant begs to state that he was posted as Additional District Magistrate & Collector, North Tripura, Kailasahar (IAS Cadre Post) vide notification No.F.2(8)-GA(P&T)/2000 dated 11th June 2001.

Copy of the notification No.F.2(8)-GA(P&T)/2000 dated 11th June 2001 is annexed herewith and marked as ANNEXURE-4.

Central Administrative Tribunal
কেন্দ্ৰীয় প্ৰশাসনিক ন্যায়ালয়

Lakshmi Devi

Gauhati Branch
গুৱাহাটী ন্যায়ালয়

4.6] That your Applicants begs to state that he was posted as Joint Secretary, General Administration, (Rural Development), Government of Tripura vide notification No.F.2(3)-GA(P&T)/94 dated 11.08.2003. The Applicant was granted Junior Administrative Grade pay scale of Rs.12,750-375-16,500/- (non-functional) w.e.f. 1st January 2005 vide notification No.F.10(2)GA(P&T)/76 dated Agartala the 13th January, 2005. In the said notification Applicant name appeared in Sl. No.3 along with 2(two) other IAS Officers. Thereafter, he was designated as Additional Secretary, General Administration (Administrative Reforms), Department, Government of Tripura vide notification No.F.2(6)-GA(P&T)/98 dated 25.04.2005. Presently he is posted as the Director, Directorate of Welfare for Scheduled Tribes, Government of Tripura and also ex-officio Additional Secretary to the Government of Tripura, Department of Welfare for Scheduled Tribes Tribal Welfare. In addition to the aforesaid charges he is also holding the post of Director, Tribal Research & Cultural Institute, Government of Tripura and Managing Director, Tripura Scheduled Tribes Cooperative Development Cooperation Limited.

Copy of the notification No.F.2(3)-GA(P&T)/94 dated 11.08.2003 is annexed herewith and marked as ANNEXURE-5.

Copy of the notification No.F.10(2)GA(P&T)/76 dated Agartala the 13th January, 2005 is annexed herewith and marked as ANNEXURE-6.

Copy of the notification No.F.2(6)-GA(P&T)/98 dated 25.04.2005 is annexed herewith and marked as ANNEXURE-7.

4.7] That the Government of Tripura, Finance Department vide their PAY ETC. REGULATION SLIP (PROVISIONAL) No.F.9(1)(154)-FIN(E)/01 dated 28th January, 2008 granted

Sanjibha Darlong

the Applicant the Selection Grade Pay Scale at Rs.15,100-400-18,300/- (pre-revised) with effect from January, 2008.

Copy of the PAY ETC. REGULATION SLIP (PROVISIONAL) No.F.9(1)(154)-FIN(E)/01 dated 28th January, 2008 annexed herewith and marked as ANNEXURE-8.

4.8] That the Director (Services), Government of India, Ministry of Personnel, Pensions and Public Grievances, Department of Personnel and Training, New Delhi vide letter No.F.14021/5/2008-AIS-II dated 29.09.2008 addressed to all Chief Secretaries to the State Government and Union Territory has intimated that the IAS, IPS and IFS (pay) 2008 have been amended by notification published in the Gazette of India, Extra ordinary vide G.S.R. No.665 (E) dated 19.09.2008, G.S.R. No.692 (E) and S.S.R. No.691 (E) dated 27.09.2008 respectively. In terms of Rule 4 of Indian Administrative Service (Pay) 2nd Amendment Rules, 2008 and the similar rule in respect of the IPS and the IFS, the members of All India Services are required to exercise their option for drawal of their pay in the revised pay structure. The aforesaid copy of the letter was circulated by the Government of Tripura, Department of Finance vide Memorandum No.F.9(1)(172)-CCS(RP)/FIN(E)/08/639 dated Agartala, the 21st October 2008.

Copy of the letter No.F.14021/5/2008-AIS-II dated 29.09.2008 is annexed herewith and marked as ANNEXURE-9.

Copy of the Memorandum No.F.9(1)(172)-CCS(RP)/FIN(E)/08/639 dated Agartala, the 21st October 2008 is annexed herewith and marked as ANNEXURE-10.

Laikha Darlong

4.9] It is to be stated that Applicant after going through the Notification of Amendment of pay structure of IAS, IPS and IFS published in the Gazette of India, Extraordinary vide GSR. No.665 (E) dated 19.09.2008 immediately submitted his option on 24.09.2008 for fixation of his pay as per revised pay structure giving effect from 1st January 2006 under Indian Administrative Service (Pay), 2nd Amendment Rules 2008. In the said option dated 24.09.2008 his existing pay scale was shown as Rs.15,100-400-18,300/- (pre-revised) w.e.f. 01.01.2008. It is worth to mention here that he has submitted his option on 24.09.2008 without going through the details of the IAS (Pay) 2nd Amendment Rules 2008 which was circulated vide Memorandum No.F.9(1) (172)- CCS(RP)/FIN(E)/08/639 dated Agartala, the 21st October 2008 (ANNEXURE 10 of the instant O.A.).

Copy of the notification vide GSR. No.665 (E) dated 19.09.2008 is annexed herewith and marked as ANNEXURE-11.

Copy of the pay option form dated 24.09.2008 submitted by the Applicant is annexed herewith and marked as ANNEXURE-12.

4.10] That on the basis of the option exercised by the Applicant the Under Secretary, Government of Tripura, Department of Finance (Esstt. Branch) had issued pay etc. regulation slip (provisional) vide No.F.9(1) (154)-FIN(E)/01 dated 22.10.2008 and the Applicant pay scale has been fixed in the pay scale of Rs.15,600-39,000/- (revised) of Pay Band-3, which is corresponding to the pay scale of Jr. Administrative Grade in the pay scale of Rs.12,750-375-16,500/- (pre-revised).

Farukha Darlong

Guwahati Bench
गुवाहाटी न्यायपीठ

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Copy of the pay regulation slip vide No.F.9(1) (154)-FIN(E)/01 dated 22.10.2008 is annexed herewith and marked as ANNEXURE-13.

4.11] That on receipt of the pay regulation slip dated 23.10.2008, the Applicant after going through it and recalculation was done by him, he found that he would be getting lesser pay as per pay slip issued by the Finance Department, Government of Tripura. In actual, the Applicant ought to get the pay scale of Rs.37,000-67,000/- (revised) of pay Band-4 with grade pay of Rs.8,700/- which is corresponding to the pay scale of Rs.15,100-400-18,300/- (pre-revised). The Applicant has been drawing the Selection Grade pay scale of IAS Rs.15,100-400-18,300/- (pre-revised) w.e.f. 01.01.08 (at ANNEXURE 8 of the instant O.A.).

4.12] That the Applicant on 03.11.2008 submitted another option vide its letter No.F.2-391/TW/GL/2008 dated 03.11.2008 to the Under Secretary, Government of Tripura, Department of Finance (Esstt. Branch) requesting him for fixation of his pay in the revised pay scale of Rs.37,400-67000/- (revised) of Pay Band-4 with grade pay of Rs.8,700/- w.e.f. 01.01.2008 instead of 01.01.2006 which he has submitted on 24.09.2008. In the said new option letter he has also stated that earlier option submitted by him on 24.09.2008 giving effect from 01.01.2006 may be treated as withdrawn and cancelled. He has also informed him that he has not drawn the revised pay structure including arrears till date. As a proof he has annexed the certificate issued by the Drawing and Disbursement officer (DDO in short), Tribal Welfare Directorate, Government of Tripura.

Copy of the letter No.F.2-391/TW/GL/2008 dated 03.11.2008 alongwith form of option is annexed herewith and marked as ANNEXURE-14.

Leikhia Darlong

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Guwahati Bench গুৱাহাটী ন্যায়পীঠ

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Copy of the certificate issued by the Drawing and Disbursement officer, Tribal Welfare Directorate, Government of Tripura is annexed herewith and marked as ANNEXURE-15.

4.13] That after more than three and half months of submission of fresh option vide letter dated 03.11.2008 by the Applicant, the Under Secretary to the Government of Tripura, Finance Department (Esstt. Branch) referred the matter to the Desk Officer, Government of India, Ministry of Personnel, Pensions & Public Grievances, Department of Personnel & Training vide its letter No.F.9(1)(154)-Fin(E)/01 dated 17.02.2009. In the aforesaid letter the clarification was sought from Ministry of Personnel, Pensions & Public Grievances, Department of Personnel & Training, Government of India that whether the request for cancellation of option once exercised can be entertained. It is worth to mention here that the Under Secretary, Finance Department in his letter dated 17.02.2009 addressed to Ministry has wrongly mentioned/quoted the date of effect of revised pay scale submitted by Applicant as 31.10.2008 instead of 01.01.2008.

Copy of the letter No.F.9(1)(154)-Fin(E)/01
dated 17.02.2009 is annexed herewith and
marked as ANNEXURE-16.

4.14] That after getting no response from the Ministry of Personnel, Pensions & Public Grievances, Department of Personnel & Training, Government of India, the Applicant has to approach before the Principal Secretary, Government of Tripura, Finance Department vide its letter No.F.2-391/TW/GL/08 dated 07.05.2009 requesting him to consider his fresh option exercised by the Applicant w.e.f. 01.01.2008 as there is no such provision exists in the Indian

Laithia Darby

70 AUG 2009

Guwahati Bench
गुवाहाटी न्यायपाल

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Administrative Service (Pay) 2nd Amendment Rules, 2008 that option exercised shall be final.

Copy of the letter No.F.2-391/TW/GL/08 dated 07.05.2009 is annexed herewith and marked as ANNEXURE-17.

4.15] That the Under Secretary, Government of Tripura, Finance Department vide its letter No.F.9(1)(154)-Fin(E)/01 dated 01.07.2009 has again referred the matter to the Desk Officer, Ministry of Personnel, Pensions & Public Grievances, Department of Personnel & Training, Government of India for seeking clarification about the procedure to be followed in the matter as to whether the request for cancellation of option exercised once can be entertained.

Copy of the letter No.F.9(1)(154)-Fin(E)/01 dated 01.07.2009 is annexed herewith and marked as ANNEXURE-18.

4.16] That till date neither the Finance Department, Government of Tripura nor the Ministry of Personnel, Pensions & Public Grievances, Department of Personnel & Training, Government of India has clarified about the matter. As such finding no other alternative the Applicant is compelled to approach this Hon'ble Tribunal for seeking justice into this matter.

4.17] That your Applicant begs to state that as per the Gazette Notification dated 19.09.2008 (at ANNEXURE 11 of the instant O.A.), nothing has been mentioned about that option once exercised shall be final. The rule 6 (4) of the CCS (RP) Rules 2008 is not applicable to the members of All India Services. For officers of All India Services, a separate set of rules have been framed/amendment with the concurrence of Ministry of Finance, Ministry of Law, Government of India under which pay of members of All India

Leikhá Darby

9 AUG 2009

Guwahati Bench
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Services have been regulated. As per provisions of the said rules, option once exercised shall be final was not included in the pay rules at the time of implementation of 5th Central Pay Commission Report w.e.f. 01.01.1996. The same has not been included in the amended rules which was effective from 01.01.2006. Since the pay of the members of All India Services have been revised on the basis of Indian Administrative Service (Pay), 2nd Amendment Rules, 2008 the provisions contained in Indian Administrative Service (Pay) 2nd Amendment Rules, 2008 only can be enforced. While in the Indian Administrative Service (pay) 2nd Amendment Rules, 2008 or similar rules for IPS/IFS, there is no such provision like the option for pay fixation in the revised pay scale in the revised pay structure is final and therefore, the Government of Tripura and the Government of India, Ministry of Personnel, Pensions & Public Grievances, Department of Personnel & Training cannot deny the prayer of the Applicant for consideration of his fresh option submitted by him w.e.f. 01.01.2008. Moreover, he has not drawn the pay as per the revised pay structure till date though the pay slip was issued by the Finance Department, Government of Tripura in the month of October 2008. For last ten months, the Applicant is waiting for positive reply from the Finance Department, Government of Tripura or Ministry of Personnel, Pensions & Public Grievances, Department of Personnel & Training, Government of India, but both of them have not taken the matter seriously for the reason best known to them. The Applicant has already enjoying the pay scale of Selection Grade of All India Services at the pay scale of Rs.15,100-400-18,300/- (pre-revised) w.e.f. 01.01.2008, therefore, the corresponding pay scale after revision is Rs.37,400-67,000/- (revised) of Pay Band-4 with grade pay of Rs.8,700/-.

4.18] That your Applicant submits that he is suffering from frustration as the Respondents have not given him any reply

Leikha Denborg

9.9.2009

Guwahati Bench
गुवाहाटी न्यायपीठ

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to his grievances. He is also running from pillar to post for seeking redressal of his grievances.

4.19] That your Applicant submits that the action of the Respondents is illegal, whimsical, mala-fide and colourable exercise of power, and thus is not sustainable in the eyes of law.

4.20] That your Applicant demanded justice and the same has been denied to him.

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

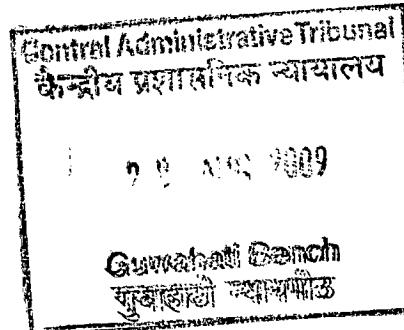
5. GROUNDS FOR RELIEF WITH LEGAL PROVISION:

5.1] For that due to the above reasons narrated in details the action of the Respondents is prima-facie, illegal, mala-fide, arbitrary and without jurisdiction. Hence, the denial of the legitimate financial benefits in the pay scale of the Applicant is not sustainable in the eye of law as well as the facts of the case.

5.2] For that on receipt of the pay regulation slip dated 23.10.2008, the Applicant immediately submitted his fresh option stating that earlier option submitted by him on 24.09.2008 giving effect from 01.01.2006 may be treated as withdrawn and cancelled and fresh correct option may be given into effect from 01.01.2008. However, the Respondents have denied to give effect to the fresh correct option submitted by the Applicant. Hence, the action of the Respondents is illegal, mala-fide and without jurisdiction.

5.3] For that in the Indian Administrative Service (Pay) 2nd Amendment Rules 2008 or similar Rules for IPS/IFS there is no such provision like the option for pay fixation in the revise pay structure is final. Therefore, the Respondents can not deny the legitimate claim of the Applicant.

Farukh Darby



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5.4] For that till date the Applicant has not drawn any pay or Arrear Pay as per the revise amended Indian Administrative Service (Pay) 2nd Amendment Rules, 2008. As such the Respondents can not nullify the legitimate claim of the Applicant as per his fresh option submitted by him on 03.11.2008.

5.5] For that 10 (Ten) months has already been passed in exercise of fresh correct option by the Applicant, but the Ministry of Personnel, Pensions & Public Grievances, Department of Personnel & Training, Government of India or the Finance Department of the Government of Tripura has not taken any necessary action to implement the fresh correct option dated 03.11.2008 by the Applicant.

5.6] For that the Applicant has already drawing the pay scale of Selection Grade of IAS, therefore, he is entitled for the pay scale of Rs.37,400-67,000/- (revised) of pay Band-4 with the grade of pay of Rs.8,700/- which is corresponding to the pay scale of Rs.15,100-400-18,300/- (pre-revised).

5.7] For that the action of the Respondents is *prima facie*, whimsical, *mala-fide*, illegal and with a motive behind and also is in violation of the principles of natural justice.

5.8] For that the action of the Respondents is violative of the fundamental rights guaranteed under the Article 14, 16 and 21 of the Constitution of India.

5.9] For that the Respondents being a model employer cannot be allowed to adopt a differentiate approach towards the Applicant by not considering his legitimate right.

5.10] For that the action of the Respondents is not maintainable under the eyes of law as well as fact.

Sanjha Darlong

29 NOV 2009

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5.11] For that in any view of the matter, the action of the Respondents is not sustainable in the eye of law.

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

6] DETAILS OF REMEDIES EXHAUSTED:

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

7] MATTERS NOT PREVIOUSLY FILED OR PENDING BEFORE ANY OTHER COURT:

That the Applicant further declare that he has not filed any application, Writ Petition or suit in respect of the subject matter of the instant application before any other court, authority, nor any such application, Writ Petition or suit is pending before any of them.

8] RELIEF PRAYED FOR:

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

8.1] That the Hon'ble Tribunal may be pleased to direct the Respondents to cancelled the 1st

Lakshmi Devi

option submitted by the Applicant on 24.09.2008 as it has been withdrawn by the Applicant and also to accept the 2nd option i.e. revised pay scale of Rs.37,4000-67,000/- (revised) of pay Band-4 and grade pay of Rs.8,700/- submitted by him on 03.11.2008.

8.2] To pass any other appropriate relief (s) to which the Applicant may be entitled and as may be deem fit and proper by the Hon'ble Tribunal.

8.3] To pay the costs of the application.

9. INTERIM ORDER PRAYED FOR:

Pending the final disposal of the Original Application the Applicants humbly prays before Your Lordship's for issuance of an interim order by directing the Respondents to give him appropriate revised pay scale of Rs.37,400-67,000/- pay Band-4 with grade pay of Rs.8,700/- till disposal of this Original application.

10] Application is filed through Advocate:

11] PARTICULARS OF I.P.O.:

I.P.O. No.	:- 39 G 414013
Date of Issue	:- 20.07.2009
Issued from	:- Guwahati GPO
Payable at	:- Guwahati

12] LIST OF ENCLOSURES :

As stated above.

Verification

Leibha Sarlong

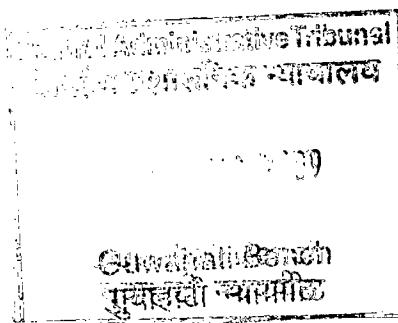
VERIFICATION

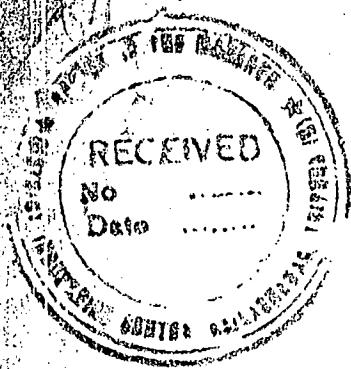
I, Shri Laihlia Darlong, aged about 47 years, son of Late Thluka Darlong, working as Director, Directorate of Welfare for Scheduled Tribes, Government of Tripura, Police Station-West Agartala, District-West Tripura, Pin-799006, Tripura do hereby solemnly verify that the statements made in paragraphs 4.2.1(Partly), 4.11.1.12(Partly), 4.13(Partly) ^{4.14, 4.16, 4.17} are true to my knowledge, those made in paragraph 4.2.2(Partly), 4.3 to 4.10, 4.12(Partly), 4.13(Partly) ^{4.15} are being matters of records are true to my information derived there from which I believe to be true and those made in paragraph 5 are true to my legal advice and rests are my humble submissions before this Hon'ble Tribunal. I have not suppressed any material facts.

And I sign this verification on this the ^{21st}

August 2009.

Laihlia Darlong
DECLARANT





NO. DI/ESTT/2(10)/79-II/25509-18
GOVERNMENT OF TRIPURA
DEPARTMENT OF INDUSTRIES

68

Dated, Agartala, the 12th August, 1987.

NOTIFICATION

On the recommendation of the Tripura Public Service Commission the Governor is pleased to appoint Shri Laihla Darlong in the post of General Manager, District Industries Centre in the scale of pay of Rs.1200-60-1380-65-1900-100-2100/- plus other allowances as admissible in Tripura with his posting in the District Industries Centre at Kailashahar, North Tripura, with effect from the date he assumes the charge of the post in his place of posting at Kailashahar and until further orders. His pay in the post of General Manager, District Industries Centre will be fixed as per normal rules. He will be on probation for a period of 2 (two) years.

The appointment is subject to terms and conditions as laid down in this Department Memorandum No. DI/ESTT/2(10)/79-II/22921-24 dated 14-7-1987.

By order of the Governor,

(A.K. Mangotra)
Secretary to the
Government of Tripura.

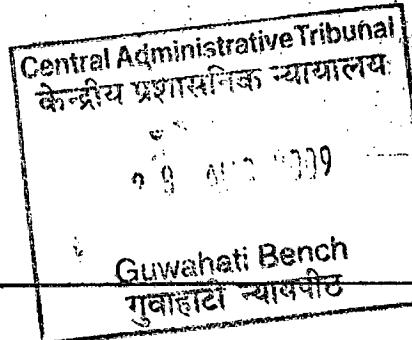
Copy to :-

1. Shri Laihla Darlong, C/O. Shri Lalrema Darlong, Headmaster of St. Paul School, Mishon Compound, P.O. Arundhutinagar, Agartala.
2. The General Manager, District Industries Centre, North Tripura.
3. The Director of Printing & Stationeries, Govt. of Tripura, Agartala, alongwith a spare copy for publication in the next issue of Tripura Gazette.
4. The Manager (Credit), District Industries Centre, North Tripura, Kailashahar.
5. The Manager (KVI/RAP), District Industries Centre, Dharmanagar, North Tripura.
6. The Sr. Deputy Accountant General (A&E), Tripura, Agartala.
7. The Secretary, Tripura Public Service Commission, Agartala.
8. The Treasury Officer, Kailashahar, North Tripura.
9. The Accounts Officer (Industries), Agartala.
10. Personal file.

(A.K. Mangotra)
Secretary to the
Government of Tripura.

ATTESTED

W
ADVOCATE



No. F.DI/ESTT/1(78)/86/ 14544-51.
Government of Tripura
Department of Industries

Dated, Agartala, the 6th November, '92.

NOTIFICATION

The Governor is pleased to appoint, Shri L. Darlong, General Manager in the post of Addl. Director of Industries in the scale of pay of Rs. 3600-130-4900-150-5800/- plus other allowances as admissible on ad hoc basis with effect from the date of his taking over charge of the post in his existing place of posting till the post is filled up of regular basis.

His pay in the post will be fixed as per rules.

The ad-hoc appointment does not confer on him any right to claim seniority in the post of Addl. Director of Industries or any preferential treatment in the matter of regular appointment/promotion.

The expenditure is debit able to the Head of Account " 2851-Village & Small Industries, 000 - Direction and Administration".

6.11.92
(K. Deb Barma
Deputy Secretary to the
Government of Tripura.

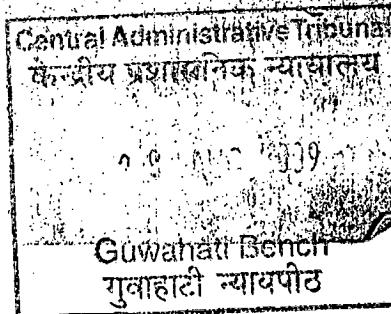
Copy to :-

- (1) Shri L. Darlong, General Manager, Directorate of Industries, Agartala.
- (2) The Manager of Govt. Press, Agartala, alongwith a spare copy for publications in the next issue of Tripura Gazette.
- (3) The Joint Secretary, Tripura Public Service Commission, Agartala.
- (4) The Treasury Officer, Agartala Treasury No. II.
- (5) The Sr. Deputy Accountant General (A&E), Tripura, Agartala.
- (6) The Manager (M&E) (A/Cs), Directorate of Industries, Agartala.
- (7) The Accounts Officer (Ind), Agartala.
- (8) Personal file.

6.11.92
(K. Deb Barma
Deputy Secretary to the
Government of Tripura.

ATTESTED

M
ADVOCATE



(TO BE PUBLISHED IN THE GAZETTE OF INDIA PART 1 SECTION 2)

No.14015/20/2000-AIS (I)

Government of India

Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)New Delhi, the 28th Aug, 2001.NOTIFICATION

In exercise of the powers conferred by sub-rule (2) of Rule 8 of the Indian Administrative Service (Recruitment) Rules, 1954 read with sub-regulation (1) of Regulation 8 of the Indian Administrative Service (Appointment by Selection) Regulations, 1997 and Rule 3 of the Indian Administrative Service (Probation) Rules, 1954, the President is pleased to appoint Shri L. Darlong, a member of the Non-State Civil Service of Tripura to the Indian Administrative Service on probation with immediate effect until further orders and to allocate him to the Manipur-Tripura Joint Cadre under sub-rule (1) of Rule 5 of the Indian Administrative Service (Cadre) Rules, 1954.

R. Vaidyanathan

(R.VAIDYANATHAN)

Under Secretary to the Government of India

To The Manager
Government of India Press
Faridabad (Haryana)

No.F.14015/20/2000-AIS(I)New Delhi, the 30th, 2001

1. The Chief Secretary, Government of Tripura, AGARTALA, with a spare copy for onward transmission to the officer concerned. Officers below the age of 50 years may be advised to exercise their option for membership of CGEIS or SIS failing which they will be treated as deemed to have opted for CGEIS.
2. The Chief Secretary, Government of Manipur, IMPHAL.
3. The Accountant General, Tripura, AGARTALA.
4. The Secretary, Union Public Service Commission, Dholpur House, New Delhi.
5. E.O. to the Government of India, New Delhi.

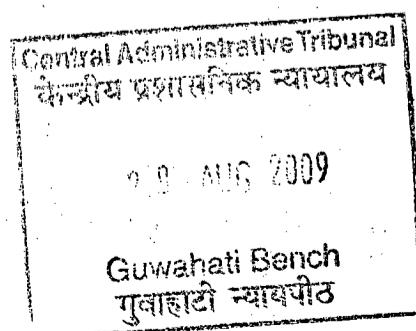
R. Vaidyanathan

(R.VAIDYANATHAN)

Under Secretary to the Government of India

INTERNAL DISTRIBUTION: US (S.II) / RO(CM) /TRG.DIV / SO(AIS.III) / AVD.I / 10 Spare copies

ATTESTED
①
ADVOCATE



GOVERNMENT OF TRIPURA
GENERAL ADMINISTRATION (P & T) DEPARTMENT

NU.F.2(B)-GA(P&T)/2000

Dated, Agartala, the 11th June, 2001.

NOTIFICATION

Consequent upon appointment of Shri L. Darlong, Additional Director, Industries & Commerce (Non-SCS) to the Indian Administrative Service in Joint Cadre of Manipur-Tripura vide Government of India, Ministry of Personnel, P.G. & Pensions, Deptt. of Personnel & Training, New Delhi Notification No.14015/20/2000-AIS (I) dated the 20th May, 2001, the Governor is pleased to order that Shri L. Darlong is posted as Adil. District Magistrate & Collector, North Tripura, Kailashahar (IAS Cadre post) with immediate effect and until further orders.

By order of the Governor,

B. Deb Barma
11-6-2001
(Mrs. B. Deb Barma)
Under Secretary to the
Government of Tripura.

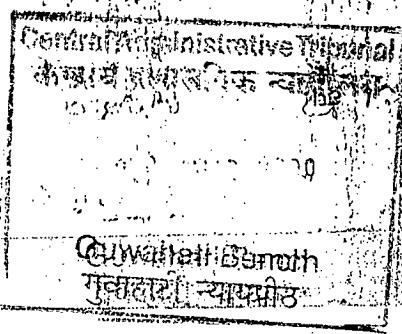
Copy to :-

1. Chief Secretary, Tripura, Agartala.
2. Principal Secretary to Governor, Tripura, Agartala.
3. Secretary to Chief Minister, Tripura.
4. Offices of all Ministers, Tripura, Agartala.
5. All Principal Secretaries/Commissioners/Secretaries, Tripura.
6. Estt. Officer & Adl. Secretary, Govt. of India, Department of Personnel & Training, North Block, New Delhi.
7. Shri R. Vaidyanathan, Under Secretary to the Govt. of India, Deptt. of Personnel & Training, North Block, New Delhi - 110001.
8. Accountant General (A & E), Tripura, Agartala.
9. Finance (Estt. Br.)/G.A.(S.A.)/Industries/& Commerce/Revenue Deptt.
10. Director, Industries & Commerce, Tripura, Agartala.
11. D.M. & Collector, North Tripura, Kailashahar.
12. Manager, Govt. Press, Agartala for publication.
13. Treasury Officer, Agt. T.O. No. I & II/Kailashahar.
14. Confidential Section, O/O the Chief Secretary, Tripura.
15. Shri L. Darlong, Adl. Director, Industries & Commerce, Tripura.
16. Personal file/Guard file.

B. Deb Barma
11-6-01
(Mrs. B. Deb Barma)
Under Secretary to the
Government of Tripura.

ATTESTED

ADVOCATE



Guwahati Baruah
Guwahati - 781003

(Typed copy of relevant portion)

GOVERNMENT OF TRIPURA
 CENTRAL ADMINISTRATION (PERSONNEL & TRAINING) DEPARTMENT

NO. F.2 (3)-GA (P&T)/94 Dated-Agartala the 11th August 2005

Guwahati Bench
 गुवाहाटी न्यायपीठ

NOTIFICATION

In the interest of Public Service the Governor is pleased to order as follows with immediate effect and until further orders.

- i) Shri SN Debbarma, ICS, Gr.I Controller, Stores & Distribution, Tripura, Agartala on transfer is posted as Additional D.M. & Collector, North Tripura. He will function as Project Director, D.R.D.A., North Tripura in addition vice Shri L. Darlong (transferred)
- ii) Shri L.Darlong, IAS, Additional D.M. & Collector, North Tripura District on transfer is posted as Joint Secretary, Govt. of Tripura, R.D. Department.
- iii) Shri Subrala Debbarma, ICS Gr.II, B.D.O., jampuijala on transfer is posted as Sub-Divisional Tribal Welfare, Sch. Castes Welfare OBC & RM Welfare Officer, Belonia vice Shri Devananda Reang (transferred)
- iv) Shri Devananda Reang TCS gr.II Sub-Divisional tribal Welfare Sch. Castes Welfare, OBC & RM Welfare Officer, Belonia on transfer, is posted as B.D.O., Jampuijala vide Shri Subrala Debbarma (transferred).
- v) Shri Haradhan Bhowmik, ICS Gr.II Under Secretary to the Govt. of Tripura on transfer is posted as Deputy Collector attached to the Office of the Sub-Divisional, Agartala Belonia.
- vi) Shri A. Barman Roy, TCS Gr.II, Officer-in Charge, Central Stores on transfer is posted as Controller Stores & Distribution vice Shri S.N. Debbarma (transferred)
- vii) Shri S.B.Chakma, TCS Gr. II Deputy Collector attached to the O/O the D.M. & Collector, South Tripura, Udaipur on transfer is posted as Officer-in-Charge, Central Stores vide Shri A. Barman Roy (transferred)

By order of the Governor
 Sd/

(Mrs. B. Debbarma)

Deputy Secretary to the Government of Tripura.

ATTESTED

 ADVOCATE

EDH
GENERAL ADMINISTRATION (RECRUITMENT & TRAINING) DEPARTMENT
GOVERNMENT OF TRIPURA

NO.F.2(3)-GA(P&T)/94



dated, Agartala, the 11th August 2003.

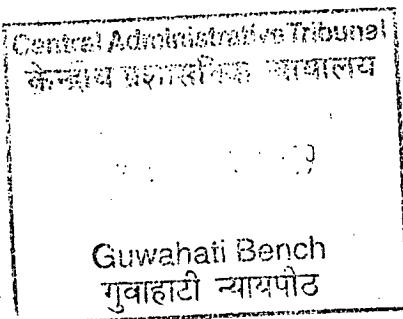
41

In the interest of public Service the Governor is pleased to order as follows with immediate effect and until further orders : -

- i) Shri S.N. Debbarma, ICS Gr.I, Controller, Stores & Distribution, Tripura, Agartala on transfer, is posted as Additional D.M. & Collector, North Tripura. He will function as Project Director, D.R.D.A., North Tripura, in addition, vice Shri T. Darlong (transferred).
- ii) Shri T. Darlong, IAS, Additional D.M. & Collector, North Tripura District on transfer, is posted as Joint Secretary, Govt. of Tripura, R.D. Department.
- iii) Shri Subrata Debbarma, ICS Gr.II, R.D.O., Jampuijala on transfer, is posted as Sub-Divisional Tribal Welfare, Sch.-Castes Welfare, OBC & RM Welfare Officer, Belonia vice Shri Devananda Reong (transferred).
- iv) Shri Devananda Reong, ICS Gr.II, Sub-Divisional Tribal Welfare, Sch. Castes Welfare, OBC & RM Welfare Officer, Belonia on transfer, is posted as R.D.O., Jampuijala vice Shri Subrata Debbarma (transferred).
- v) Shri Haradhan Bhowmik, ICS Gr.II, Under Secretary to the Govt. of Tripura, on transfer, is posted as Deputy Collector attached to the Office of the Sub-Divisional Magistrate, Belonia.
- vi) Shri A. Barman Roy, ICS Gr.II, Officer-in-Charge, Central Stores on transfer, is posted as Controller, Stores & Distribution vice Shri S.N. Debbarma (transferred).
- vii) Shri S.B. Chakma, ICS Gr.II, Deputy Collector attached to the O/O the D.M. & Collector, South Tripura, Uddipur on transfer, is posted as Officer-in-Charge, Central Stores vice Shri A. Barman Roy (transferred).

ATTESTED
BY
ADVOCATE

Copy to :-



By order of the Governor,

B. Debbarma
B.D. 10/8/03
(Mrs. B. Debbarma)
Deputy Secretary to the
Government of Tripura.

1. Chief Secretary, Tripura.
2. Principal Secretary to the Governor, Tripura.

Contra to P/2.

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23-

39

GOVERNMENT OF TRIPURA

GENERAL ADMINISTRATION (PERSONNEL & TRAINING) DEPARTMENT

NO. F.10(2)GA(P&T)/76

Dated, Agartala, the 13 January, 2005.NOTIFICATION

The Governor is pleased to appoint the following IAS Officers of 1996 batch of Tripura Part of Joint Manipur-Tripura Cadre to the Junior Administrative Grade in the scale of pay of Rs.12,750 - 375 - 16,500/- (non-functional) with effect from 1st January, 2005 :-

- i) Shri Yatendra Kumar, IAS,
- ii). Shri Jitendra Kumar Sinha, IAS,
- iii) Shri Laihlia Darlong, IAS.

By order of the Governor,

B. Debbarma

13-1-05

(Mrs. B. Debbarma)

Deputy Secretary to the
Government of Tripura.

Copy to :-

1. Chief Secretary, Tripura/Manipur, Agartala/Imphal.
2. Secretary to Governor, Tripura, Agartala.
3. Secretary to Chief Minister, Tripura, Agartala.
4. Offices of all Ministers, Tripura, Agartala.
5. Office of Vice-Chairman, State Planning Board, Agartala.
6. All Commissioner & Secretaries/Secretaries, Govt. of Tripura.
7. Finance (Estt.Br.)/GA(SA)/GA(AR)/Revenue Deptt., Tripura.
8. D. M. & Collector, West Tripura/South Tripura Distt., Agartala/Udaipur.
9. Manager, Govt. Press, Agartala for publication.
10. Treasury Officer, Agartala Treasury No.1/Udaipur.
11. Shri Yatendra Kumar, IAS, D. M. & Collector, South Tripura, Udaipur.
12. Shri Jitendra Kumar Sinha, IAS, D. M. & Collector, West Tripura, Agartala.
13. Shri Laihlia Darlong, IAS, Joint Secretary, GA(AR) Deptt., Agartala.
14. Personal files/Guard file.

B. Debbarma

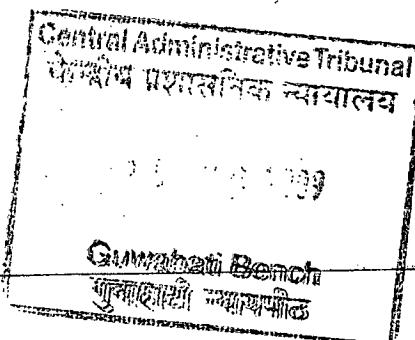
13-1-05

(Mrs. B. Debbarma)

Deputy Secretary to the
Government of Tripura.

ATTESTED

ADVOCATE



GOVERNMENT OF TRIPURA

GENERAL ADMINISTRATION (PERSONNEL & TRAINING) DEPARTMENT

No.F.2(6)-GA(P&T)/98

Dated, Agartala, the 25th April, 2005.NOTIFICATION

In the interest of public service, the Governor is pleased to order that Shri Laihla Darlong, IAS, Joint Secretary to the Government of Tripura is designated as Additional Secretary to the Government of Tripura with immediate effect until further orders.

2. On assumption, Shri Darlong will continue to look after the Department now assigned to him.

By order of the Governor,

B. Debbarma
25/4/05

(Mrs. B. Debbarma)
Deputy Secretary to the
Government of Tripura.

Copy to:-

1. Chief Secretary, Tripura.
2. Special Secretary to Governor, Tripura.
3. Secretary to Chief Minister, Tripura.
4. Principal Secretary/all Commissioner & Secretaries / Secretaries, Govt. of Tripura.
5. Accountant General (A & E) / (Audit), Tripura.
6. Finance (Estt. Br.) / G.A.(SA) / G.A.(A.R.) / G.A.(C&C) Deptt., Tripura, Agartala.
7. Treasury Officer, Agartala Treasury No. I.
8. Confidential Section, O/O the Chief Secretary, Tripura.
9. Manager, Govt. Press, Agartala for publication.
10. Shri Laihla Darlong, IAS, Joint Secretary to the Govt. of Tripura.
11. Personal files/ Guard file.

B. Debbarma
25/4/05
(Mrs. B. Debbarma)
Deputy Secretary to the
Government of Tripura.

ATTESTED

(Signature)
ADVOCATE

Central Administrative Tribunal
केन्द्रीय विधानिक न्यायालय

Guwahati Bench
गुवाहाटी न्यायालय

Central Administrative Tribunal
কেন্দ্ৰীয় প্ৰশাসনিক ন্যায়বলয়

2009

Guwahati Bench
গুৱাহাটী ন্যায়পীঠ

Typed copy

Government of Tripura
Department of Finance
(Establishment Branch)

No.F.9(1)(154)-FIN(E)/01

Dated, Agartala, 28th January, 2008

PAY ETC. REGULATION SLIP (PROVISIONAL)

The Officer(s) named below is entitled to draw pay etc. at the monthly rate(s) show from the date(s) specified less the amount already drawn, if any.

In case the pay/leave salary/increment(s) shown as admissible has already been drawn or withheld or is not due under rules or order, this authority shall be treated as void to that extent.

In case the officer is on leave on the date of increment, the financial benefit from the increment with effect service from the date of resumption of duties by the officer(s) concerned.

Deduction of fund subscriptions and recoveries of loans and advances and other government dues shall be effected. Nothing shall be drawn beyond what is authorized below:-

Name : Sri Laihlia Darlong, I.A.S.

Designation: Additional Secretary

Scale: Rs.15,100-400-18,300/-

Name Designation & scale of pay	From	From	From	From	Remarks
1.	2.	3.	4.	5.	6.
1. Pay Substantive/ Officiating	01-01-2008 -----				
2. Leave Salary	Rs.16,700/-				
3. Special Pay					
4. Personal Pay					
5. Allowance					
D.A.					
A.D.A.					
C.A.					
H.R.A.					
Other allowances }	AS ADMISSIBLE UNDER NORMAL RULES				

Sd/-

(R. Debnath)
Under Secretary to the
Government of Tripura

Copy forward to:-

1. Sri Laihlia Darlong, I.A.S., Additional Secretary, GA(AR) Department, Govt. of Tripura.
2. The Under Secretary, GA(SA) Department, Secretariat, Tripura.
3. The GA(P&T) Deptt., Secretariat, Tripura.
4. The Estate Officer, P.W.D., Agartala.

ATTESTED

ADVOCATE

Government of Tripura
Department of Finance
(Establishment Branch)

No. F 9(1)(154)-FIN(E)/01

Dated, Agartala, 28th January, 2008.

PAY ETC. REGULATION SLIP (PROVISIONAL)

The officer(s) named below is entitled to draw pay etc. at the monthly rate(s) shown from the date(s) specified less the amount already drawn, if any.

In case the pay/leave salary/increment(s) shown as admissible has already been drawn or withheld or is not due under rules or order, this authority shall be treated as void to that extent.

In case the officer is on leave on the date of increment, the financial benefit from the increment will accrue from the date of resumption of duties by the officer(s) concerned.

Reduction of fund, subscriptions and recoveries of loans and advances and other government dues shall be affected. Nothing shall be drawn beyond what is authorized below :-

Name : Sri Laih. la Darlong, I.A.S.
Designation: Additional Secretary
Scale : Rs. 15,100-400-18,300/-

Name, Designation & scale of pay	From	From	From	From	Remarks
1	2	3	4	5	6
1. Pay Substantive/Officiating	01-01-2008				
2. Leave Salary					
3. Special Pay	Rs. 16,700/-				
4. Personal Pay					
5. Allowance D.A. A.D.A. C.A. H.R.A. Other allowances		AS ADMISSIBLE UNDER NORMAL RULES			

(R. Debnath)
Under Secretary to the

Government of Tripura

Copy forward to :-

1. Sri Laih. la Darlong, I.A.S. Additional Secretary, GA(AR) Department, Govt. of Tripura.
2. The Under Secretary, GA(SA) Department, Secretariat Tripura.
3. The GA(P & T) Deptt., Secretariat, Tripura.
4. The Estate Officer, P.W.D., Agartala.

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय

Guwahati Bench
गुवाहाटी न्यायालय

ATTESTED
ADVOCATE

Guwahati, 28/1/2008

- 27 -

F.No.14021/5/2008-AIS-II

Government of India

Ministry of Personnel, Pensions and Public Grievances
Department of Personnel and TrainingNorth Block, New Delhi-01,
the 29th September, 2008

To

Chief Secretaries of all
State Governments and Union Territories.

**Subject: Implementation of Sixth Central Pay Commission recommendations-
Fixation of pay and payment of arrears - instructions in respect of members
of All India Services(AIS) - regarding.**

Sir,

I am directed to say that the IAS, IPS and IFS (Pay), 2007, have been amended by the notifications published in the Gazette of India, Extra-ordinary vide G.S.R. No.665 (E) dated 19th September, 2008, G.S.R. No.692(E) and S.S.R. No.691(E), dated 27th September, 2008 respectively. In terms of rule 4 of IAS (Pay) 2nd Amendment Rules, 2008 and the similar rule in respect of the IPS and the IFS, the members of the All India Services are required to exercise their option for drawal of their pay in the revised pay structure. The prescribed format to exercise the option is enclosed.

2. The sequence of action to be taken on receipt of the option will be as follows:-

- (i) The manner of initial fixation of pay in the revised pay structure has been indicated in the rule 4 of the IAS (Pay) 2nd Amendment Rules, 2008 and similar rules in respect of IPS and IFS. On the basis of this Rule, detailed Fixation Table for each stage in each of the pre-revised scales have been worked out in the manner recommended by the Sixth Pay Commission and are enclosed as Annex-I of this letter. These may be used for the purpose of fixation in the revised pay structure as on 1.1.2006.
- (ii) In terms of the IAS (Pay) 2nd Amendment Rules, 2008 and similar rules in respect of IPS and IFS, there shall be a uniform date of increment i.e. 1st July of the year after implementation of the revised pay structure. Consequently, in the case of officers whose date of next increment falls on 1.1.2006, the increment will be drawn in the pre-revised scale and pay fixed in according with the tables after including this increment. The next increment in the revised pay structure in such cases will be drawn on 1st July 2006.

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Central Administrative Tribunal
संकेत प्रशासनिक न्यायालय

2008

Chennai

(iii) On fixation of pay in the applicable revised pay bands and grade pay or in the pay scale, as the case may be, pay and allowances for the month of September, 2008 may be drawn and paid on the basis of the revised pay structure and the applicable allowances thereon after deduction of enhanced subscription to the General Provident Fund which will be calculated with reference to the revised basic pay. Insofar as the officers who have joined on or after 1.1.2004 are concerned, enhanced deductions under the New Pension Scheme will be calculated with reference to the revised basic pay and DA thereon.

“Basic pay” in the revised pay structure means the pay drawn in the prescribed pay band plus the applicable grade pay but does not include any other type of pay like special pay, etc. In the case of AIS officers in the pay scales of HAG+ and above, basic pay means the pay in the prescribed scale.

(iv) Similar sequential action as indicated above may be taken for the authorization of the revised pay and allowances of those officers whose options might be received later.

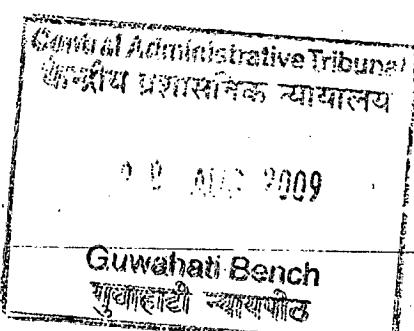
3. The revised rates of all allowances, such as House Rent Allowance, Transport Allowance, Children Education Allowance, Special Compensatory Allowance, etc, will be paid prospectively w.e.f.1.9.08. Accordingly, no arrears will be paid in respect of these allowances.

4. In order to ensure correct and systematic fixation of pay in the revised pay structure, a proforma for the purpose (Statement of Fixation of pay) is enclosed (Annex-II). The statement should be prepared in triplicate and one copy thereof should be pasted in the Service Book of the officer concerned and another copy made available to the concerned accounting authorities the concerned Ministry/Department or the State Government [State Accountant General/Chief Controller of Accounts/Controller of Accounts/Accounts Officer] for post-check. Attention is also invited in this connection to the Government of India's decision contained at Sl. No.2 (iii) of the Part 'A' of the Resolution No.1/1/2008-1C dated August 29,2008 regarding the adjustment of the installments of Dearness Allowance paid between July 1, 2006 and June 30,2008.

5. The requirement of pre-check of pay fixation having been dispensed with, it is not unlikely that the arrears due in some cases may be computed incorrectly leading to overpayments that might have to be recovered subsequently. The Drawing & Disbursing Officers should, therefore, make it clear to the officers while disbursing the arrears, that the payments are being made subject to adjustment from the amounts that may be due to them subsequently should any discrepancy be noticed later. For this purpose an undertaking may also be obtained from every officer at the time of disbursement of the arrears/pay and allowances for September, 2008 to the effect that any excess payment that may be found to have been made as a result of

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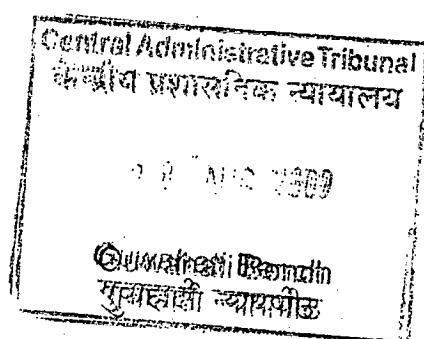
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incorrect fixation of pay in the revised scales will be refunded by him to Government either by adjustment against future payments or otherwise. A specimen form of the undertaking is also enclosed (Annex-III).

6. In authorizing the arrears, income tax as due may also be deducted and credited to Government in according with the instructions on the subject. In case an officer wishes to deposit his arrears in his General Provident Fund account, this may be permitted.
7. When the pay of an All India Service officer will be fixed as per Rule 4(B) on a date subsequent to 01.01.2006, the fitment tables annexed with this Department's O.M. of even number dated 30.08.2008 will be used as prescribed in the relevant provisions contained in para 2 of the O.M. The pre-revised pay to be reckoned in such cases will be the pay of the officer on the day of such fixation.
8. Fixation of pay of All India Service officers who were on deputation and got promotion in the cadre subsequently while they were still on deputation
 - i. In case the officer was on deputation on 1.1.06 and got promoted to a higher post in his cadre after 1.1.06, but was not granted proforma promotion under the 'Next Below Rule', his pay will get fixed w.e.f.1.1.06 in the grade which he was holding on 1.1.06.
 - ii. In case the officer had been granted proforma promotion under the 'Next Below Rule', his pay will be fixed using the provisions of the 'Next Below Rule', as explained in (iii) below.
 - iii. In the revised pay structure, the pay of an officer would be regulated in the following manner on grant of proforma promotion to him under 'Next Below Rule'.
 - (a) In case an AIS officer on deputation to a post gets promoted in his cadre to a post in a higher grade, his pay in the pay band will be fixed with reference to the pay in the pay band of the officer immediately junior to him in the cadre of his service. However, the officer in question would continue to draw the grade pay attached to the deputation post for the remaining duration of the deputation.
 - (b) In case an AIS officer on deputation to a post in PB-4 gets promoted in his cadre to a post in HAG+, his basic pay will be fixed with reference to the basic pay of the employees immediately junior to him in the cadre of his service, but the total of pay in the pay band and grade pay of the deputation post will not exceed Rs.79,000.

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(c) In case an officer on deputation to a post in PB-4 gets promoted in his cadre to a post in apex scale, his basic pay will be fixed with reference to the basic pay of the employees immediately junior to him in the cadre of his service, but the total of pay in the pay band and grade pay of the deputation post will not exceed Rs.79,000.

(d) In case an officer on deputation to a post in HAG+ gets promoted in his cadre to a post in apex scale, his basic pay will be fixed with reference to the basic pay of the employees immediately junior to him in the cadre of his service.

9. Fixation of pay of member of service who go on deputation to a lower post

(i) In case an AIS officer goes on deputation to a post carrying a lower grade pay, his pay in the pay band would continue unchanged, but he will be granted the grade pay of the lower post for the entire duration of the deputation.

(ii) In case an officer in HAG+ scale goes on deputation to a lower post in PB-4, his basic pay in the deputation post will be fixed at a stage equal to his basic pay in the cadre of his service, but the total of pay in the pay band and grade pay of the deputation post will not exceed Rs.79,000.

(iii) In case an officer in the apex scale goes on deputation to a lower post in PB-4, his pay in the pay band will be fixed at the maximum of PB-4 (Rs.67000) and he will be granted the grade pay attached to the deputation post, but the total of pay in the pay band grade pay of the deputation post will not exceed Rs.79,000. In case deputation is from the apex scale to a post in HAG+, the basic pay will be protected in HAG+.

10. Under rule 5(f) of the IAS (Pay) 2nd Amendment Rules, 2008 and similar rules in respect of IPS and IFS, on promotion from one grade to another, the AIS officers have an option to get their pay fixed in the higher grade either from the date of promotion or from date of his next increment, viz. 1st July of the year. The procedure for fixation of pay of an officer, who exercises an option to get his pay fixed in the higher grade either from date of his next increment, viz. 1st July of the year has been prescribed in the said rule.

In case the officer opts to get his pay fixed in the higher grade from the date of his promotion, he shall get his first increment on the next 1st July if he was promoted between 2nd July and 1st January. However, if he was promoted between 2nd January and 30th June of a particular year, he shall get his increment on 1st July of next year.

11. On receipt of the necessary options, action for drawals and disbursement of arrears should be completed immediately. The arrears of pay and allowances in respect of the members of All India Services, on Central deputation, for the period from

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Central Administrative Tribunal केंद्रीय प्रशासनिक न्यायालय
9th AUG 2009
Gyaneshwari Bhamoh गुणेश्वारी भामोह

January 1, 2006 to August 31, 2008 shall be paid by the concerned Ministries/Departments in the manner prescribed by the Ministry of Finance vide their O.M. No. 1/1/2008-IC, dated 30th August, 2008. The State/Joint cadre authorities may however, take an independent view regarding modalities of payment of arrears of pay and allowances for the period from 1.1.2006 to 31.8.2008.

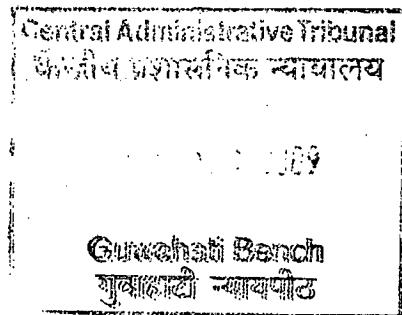
12. This issues with the concurrence of the Department of Expenditure vide their U.O. No.4.2/18/2008-IC, dated 26.9.2008
13. Hindi version will follow.

—
(Harjot Kaur)
Director (Services)

Copies to:

1. All Ministries/Departments of Government of India (as per standard list)
2. Website Section, Ministry of Personnel, Public Grievance and Pensions, North Block, New Delhi.

—
(Harjot Kaur)
Director (Services)



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Form of Option

[See Rule]

*⁽ⁱ⁾ I _____ hereby elect the revised pay structure with effect from 1st January, 2006.

* (ii) I _____ hereby elect to continue on the existing scale of pay of my substantive/officiating post mentioned below until:

- * the date of my next increment
The date of my subsequent increment
raising my pay to Rs.
I vacate or cease to draw pay in the existing scale.
The date of my promotion to

Existing Scale _____

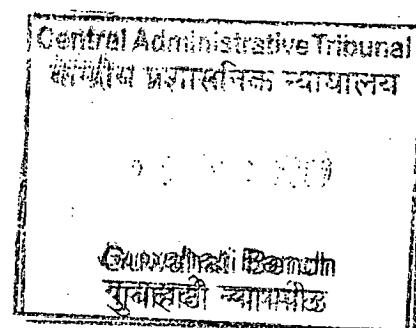
Signature _____
Name _____
Designation _____

Designation _____
Office in which employed _____

Date:

Station:

* To be scored out, if not applicable.

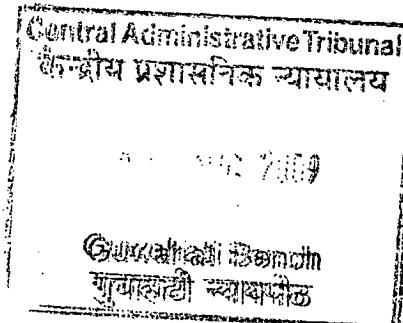


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Annex-II

Statement of fixation of pay under IAS (Pay) 2nd Amendment Rules, 2008 or IPS (Pay) Amendment Rules, 2008 or IFS (Pay) 2nd Amendment Rules, 2008

1. Name of the Officer
2. Pay Band and Grade Pay
in which pay is to be fixed as on
January 1, 2006
3. Status (substantive/officiating)
4. Pre-revised scale(s) of pay applicable for
the post [In case more than one scale of
pay is applicable for the post and these
have been merged in pursuance of the
recommendation of the Sixth CPC in a
Single revised scale, the scale of pay in
Which the employee was actually drawing
his pay should be specified)
5. Existing emoluments as on January 1, 2006-
 - (a) Basic pay (including Stagnation
Increments, if any)
 - (b) Dearness Pay
 - (c) Dearness Allowance applicable at AICPI
average 536 (1982 = 100)
 - (d) Total existing emoluments [(a) to (c)]
6. Revised pay band and grade/scale pay
corresponding to the pre-revised scale shown
at SI.No.4 above. (In the case of HAG)
and above the appropriate scale
may be mentioned)
7. Pay in the revised pay band/scale in which
pay is to be fixed as per the fitment table
attached at Annex-I.
8. Grade pay to be applied in terms of Rule
4 of IAS (Pay) 2nd Amendment
Rules 2008/IPS(Pay) Amendment



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Rules 2008/IFS(Pay) 2nd Amendment
Rules 2008

9. Stepped up pay with reference to the revised pay of junior, if applicable [Rule 4(A)(b) and Note 8 below Rule 4(A)(b) of IAS/IPS/IFS(Pay) Amendment Rules, 2008]
10. Personal Pay, if any [Note 4 below Rule 4.]
11. Revised emoluments after fixation
 - (a) Pay in the Revised Pay Band/Pay Scale
 - (b) Grade Pay
 - (c) Special Pay, if admissible (Sub Rule (C) of Rule 4)
 - (d) Personal Pay, if admissible
12. Date of next increment (Rule 6 & 7) and pay after grant of increment

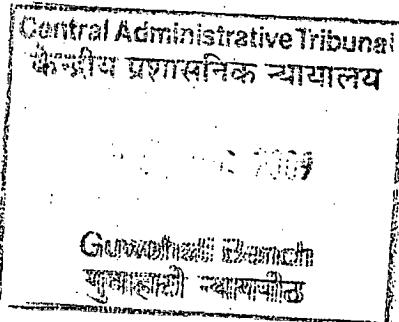
Date of Increment

Pay after Increment	
Pay in the Pay Band/Scale	Grade Pay (Wherever applicable)

13. Any other relevant information

Date:

Signature & Designation of
Head of Office



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W
ADVOCATE

Annex-III

UNDERTAKING

I hereby undertake that any excess payment that may be found to have been made as a result of incorrect fixation of pay or any excess payment detected in the light of discrepancies noticed subsequently will be refunded by me to the Government either by adjustment against future payments due to me or otherwise.

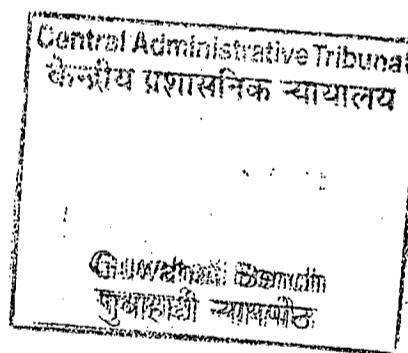
Signature: _____

Name: _____

Designation: _____

Date:

Station:



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New (Group A Entry)
Rs.8000-275-13500

Revised Pay Band + Grade Pay
PB-3 Rs.15600-39100 + 5400

Pre-revised Basic Pay	Revised Pay		
	Pay in the Pay Band	Grade Pay	Revised Basic Pay
8,000	15,600	5,400	21,000
8,275	15,600	5,400	21,000
8,550	15,910	5,400	21,310
8,825	16,420	5,400	21,820
9,100	16,930	5,400	22,330
9,375	17,440	5,400	22,840
9,650	17,950	5,400	23,350
9,925	18,470	5,400	23,870
10,200	18,980	5,400	24,380
10,475	19,490	5,400	24,890
10,750	20,000	5,400	25,400
11,025	20,510	5,400	25,910
11,300	21,020	5,400	26,420
11,575	21,530	5,400	26,930
11,850	22,050	5,400	27,450
12,125	22,560	5,400	27,960
12,400	23,070	5,400	28,470
12,675	23,580	5,400	28,980
12,950	24,090	5,400	29,490
13,225	24,600	5,400	30,000
13,500	25,110	5,400	30,510
13,775	25,630	5,400	31,030
14,050	26,140	5,400	31,540
14,325	26,650	5,400	32,050

Pre-revised scale (S - 16)
Rs.9000

Revised Pay Band + Grade Pay
PB-3 Rs.15600-39100 + 5400

Pre-revised Basic Pay	Revised Pay		
	Pay in the Pay Band	Grade Pay	Revised Basic Pay
9,000	16,740	5,400	22,140

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय

28 AUG 2009

Guwahati Bench
गुवाहाटी न्यायपीठ

ALOCEA A. 75
1977-1981
Ministry of
Dept of
1977-1981

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Pre-revised scale (S - 17)
Rs.9000-275-9550

Revised Pay Band + Grade Pay
PB-3 Rs.15600-39100 + 5400

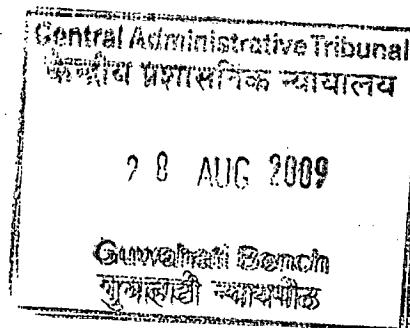
Pre-revised Basic Pay	Revised Pay		
	Pay in the Pay Band	Grade Pay	Revised Basic Pay
9,000	16,740	5,400	22,140
9,275	17,260	5,400	22,660
9,550	17,770	5,400	23,170
9,825	18,280	5,400	23,680
10,100	18,790	5,400	24,190
10,375	19,300	5,400	24,700

Pre-revised scale (S - 18)
Rs.10325-325-10975

Revised Pay Band + Grade Pay
PB-3 Rs.15600-39100 + 6600

Pre-revised Basic Pay	Revised Pay		
	Pay in the Pay Band	Grade Pay	Revised Basic Pay
10,325	19,210	6,600	25,810
10,650	19,810	6,600	26,410
10,975	20,420	6,600	27,020
11,300	21,020	6,600	27,620
11,625	21,630	6,600	28,230
11,950	22,230	6,600	28,830

ANIL K. SAWANT
Member "C"
Ministry of Home Affairs
Dept. of Legal Affairs
New Delhi



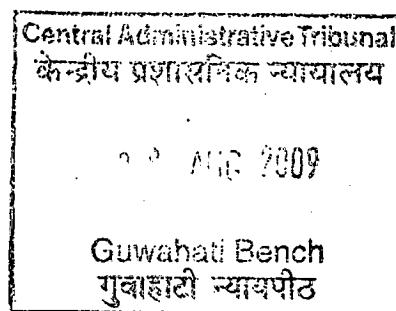
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Pre-revised scale (S - 19)
Rs.10000-325-15200

Revised Pay Band + Grade Pay
PB-3 Rs.15600-39100 + 6600

Pre-revised Basic Pay	Revised Pay		
	Pay in the Pay Band	Grade Pay	Revised Basic Pay
10,000	18,600	6,600	25,200
10,325	19,210	6,600	25,810
10,650	19,810	6,600	26,410
10,975	20,420	6,600	27,020
11,300	21,020	6,600	27,620
11,625	21,630	6,600	28,230
11,950	22,230	6,600	28,830
12,275	22,840	6,600	29,440
12,600	23,440	6,600	30,040
12,925	24,050	6,600	30,650
13,250	24,650	6,600	31,250
13,575	25,250	6,600	31,850
13,900	25,860	6,600	32,460
14,225	26,460	6,600	33,060
14,550	27,070	6,600	33,670
14,875	27,670	6,600	34,270
15,200	28,280	6,600	34,880
15,525	28,880	6,600	35,480
15,850	29,490	6,600	36,090
16,175	30,090	6,600	36,690

At C.R.C. S.A.X. 2009
1. 1. 2009
The Hon'ble President
Central Administrative Tribunal
New Delhi



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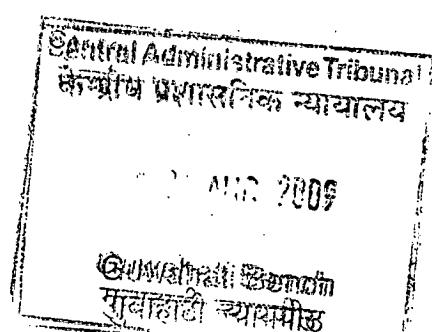
ADVOCTE

Pre-revised scale (S - 20)
Rs.10650-325-15850

Revised Pay Band + Grade Pay
PB-3 Rs.15600-39100 + 6600

Pre-revised Basic Pay	Revised Pay		
	Pay in the Pay Band	Grade Pay	Revised Basic Pay
10,650	19,810	6,600	26,410
10,975	20,420	6,600	27,020
11,300	21,020	6,600	27,620
11,625	21,630	6,600	28,230
11,950	22,230	6,600	28,830
12,275	22,840	6,600	29,440
12,600	23,440	6,600	30,040
12,925	24,050	6,600	30,650
13,250	24,650	6,600	31,250
13,575	25,250	6,600	31,850
13,900	25,860	6,600	32,460
14,225	26,460	6,600	33,060
14,550	27,070	6,600	33,670
14,875	27,670	6,600	34,270
15,200	28,280	6,600	34,880
15,525	28,880	6,600	35,480
15,850	29,490	6,600	36,090
16,175	30,090	6,600	36,690
16,500	30,690	6,600	37,290
16,825	31,300	6,600	37,900

ALOK SINGH
B.E. (C.E.)
Secretary
Central Administrative Tribunal
Delhi



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Pre-revised scale (S - 21)
Rs.12000-375-16500

Revised Pay Band + Grade Pay
PB-3 Rs.15600-39100 + 7600

Pre-revised Basic Pay	Revised Pay		
	Pay in the Pay Band	Grade Pay	Revised Basic Pay
12,000	22,320	7,600	29,920
12,375	23,020	7,600	30,620
12,750	23,720	7,600	31,320
13,125	24,420	7,600	32,020
13,500	25,110	7,600	32,710
13,875	25,810	7,600	33,410
14,250	26,510	7,600	34,110
14,625	27,210	7,600	34,810
15,000	27,900	7,600	35,500
15,375	28,600	7,600	36,200
15,750	29,300	7,600	36,900
16,125	30,000	7,600	37,600
16,500	30,690	7,600	38,290
16,875	31,390	7,600	38,990
17,250	32,090	7,600	39,690
17,625	32,790	7,600	40,390

Pre-revised scale (S - 22)
Rs.12750-375-16500

Revised Pay Band + Grade Pay
PB-3 Rs.15600-39100 + 7600

Pre-revised Basic Pay	Revised Pay		
	Pay in the Pay Band	Grade Pay	Revised Basic Pay
12,750	23,720	7,600	31,320
13,125	24,420	7,600	32,020
13,500	25,110	7,600	32,710
13,875	25,810	7,600	33,410
14,250	26,510	7,600	34,110
14,625	27,210	7,600	34,810
15,000	27,900	7,600	35,500
15,375	28,600	7,600	36,200
15,750	29,300	7,600	36,900
16,125	30,000	7,600	37,600
16,500	30,690	7,600	38,290
16,875	31,390	7,600	38,990
17,250	32,090	7,600	39,690
17,625	32,790	7,600	40,390

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1. 10/05/2018
2. 10/05/2018
3. 10/05/2018

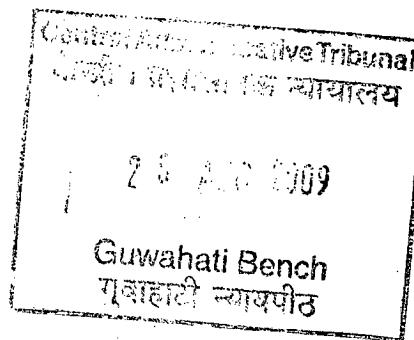
Central Administrative Tribunal
केंद्रीय प्रशासनिक न्यायालय
28 MAY 2018
गुवाहाटी न्यायालय

Pre-revised scale (S - 23)
Rs.12000-375-18000

Revised Pay Band + Grade Pay
PB-3 Rs.15600-39100 + 7600

Pre-revised Basic Pay	Revised Pay		
	Pay in the Pay Band	Grade Pay	Revised Basic Pay
12,000	22,320	7,600	29,920
12,375	23,020	7,600	30,618
12,750	23,720	7,600	31,315
13,125	24,420	7,600	32,013
13,500	25,110	7,600	32,710
13,875	25,810	7,600	33,408
14,250	26,510	7,600	34,105
14,625	27,210	7,600	34,803
15,000	27,900	7,600	35,500
15,375	28,600	7,600	36,198
15,750	29,300	7,600	36,895
16,125	30,000	7,600	37,593
16,500	30,690	7,600	38,290
16,875	31,390	7,600	38,988
17,250	32,090	7,600	39,685
17,625	32,790	7,600	40,383
18,000	33,480	7,600	41,080
18,375	34,180	7,600	41,778
18,750	34,880	7,600	42,475
19,125	35,580	7,600	43,173

ALOK SARKAR
LAW OFFICES,
Ministry of Finance
Dept. of Ex. & Int. Trade
Guwahati



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Pre-revised scale (S - 24)
Rs.14300-400-18300

Revised Pay Band + Grade Pay
PB-4 Rs.37400-67000 + 8700

Pre-revised Basic Pay	Revised Pay		
	Pay in the Pay Band	Grade Pay	Revised Basic Pay
14,300	37,400	8,700	46,100
14,700	37,400	8,700	46,100
15,100	38,530	8,700	47,230
15,500	38,530	8,700	47,230
15,900	39,690	8,700	48,390
16,300	39,690	8,700	48,390
16,700	40,890	8,700	49,590
17,100	40,890	8,700	49,590
17,500	42,120	8,700	50,820
17,900	42,120	8,700	50,820
18,300	43,390	8,700	52,090
18,700	43,390	8,700	52,090
19,100	44,700	8,700	53,400
19,500	44,700	8,700	53,400

Pre-revised scale (S - 25)
Rs.15100-400-18300

Revised Pay Band + Grade Pay
PB-4 Rs.37400-67000 + 8700

Pre-revised Basic Pay	Revised Pay		
	Pay in the Pay Band	Grade Pay	Revised Basic Pay
15,100	39,690	8,700	48,390
15,500	39,690	8,700	48,390
15,900	40,890	8,700	49,590
16,300	40,890	8,700	49,590
16,700	42,120	8,700	50,820
17,100	42,120	8,700	50,820
17,500	43,390	8,700	52,090
17,900	43,390	8,700	52,090
18,300	44,700	8,700	53,400
18,700	44,700	8,700	53,400
19,100	46,050	8,700	54,750
19,500	46,050	8,700	54,750

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Central Administrative Tribunal
नियन्त्रित विधायिका न्यायालय
Chairman
Chairman
Chairman
Chairman

Chennai Bench
சென்னை ந्यायालय
Chennai Bench
சென்னை ந्यायालय

Pre-revised scale (S - 26)
Rs.16400-450-20000

Revised Pay Band + Grade Pay
PB-4 Rs.37400-67000 + 8900

Pre-revised Basic Pay	Revised Pay		
	Pay in the Pay Band	Grade Pay	Revised Basic Pay
16,400	39,690	8,900	48,590
16,850	40,890	8,900	49,790
17,300	40,890	8,900	49,790
17,750	42,120	8,900	51,020
18,200	42,120	8,900	51,020
18,650	43,390	8,900	52,290
19,100	43,390	8,900	52,290
19,550	44,700	8,900	53,600
20,000	44,700	8,900	53,600
20,450	46,050	8,900	54,950
20,900	46,050	8,900	54,950
21,350	47,440	8,900	56,340

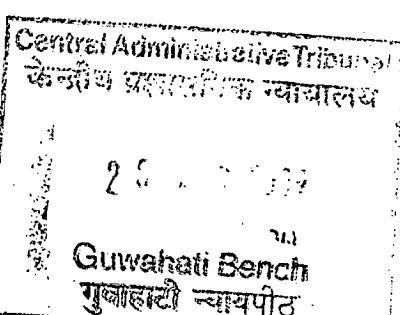
Pre-revised scale (S - 27)
Rs.16400-450-20900

Revised Pay Band + Grade Pay
PB-4 Rs.37400-67000 + 8900

Pre-revised Basic Pay	Revised Pay		
	Pay in the Pay Band	Grade Pay	Revised Basic Pay
16,400	39,690	8,900	48,590
16,850	40,890	8,900	49,790
17,300	40,890	8,900	49,790
17,750	42,120	8,900	51,020
18,200	42,120	8,900	51,020
18,650	43,390	8,900	52,290
19,100	43,390	8,900	52,290
19,550	44,700	8,900	53,600
20,000	44,700	8,900	53,600
20,450	46,050	8,900	54,950
20,900	46,050	8,900	54,950
21,350	47,440	8,900	56,340
21,800	47,440	8,900	56,340
22,250	48,870	8,900	57,770

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1. C.A.S. / 2014
2. 10/10/2014
3. 10/10/2014
4. 10/10/2014
5. 10/10/2014



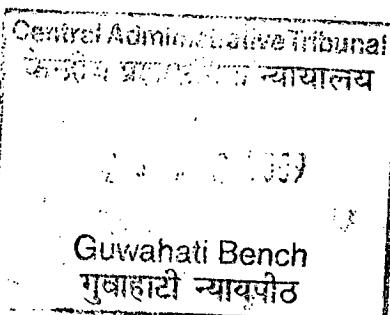
Pre-revised scale (S - 28)
Rs.14300-450-22400

Revised Pay Band + Grade Pay
PB-4 Rs.37400-67000 + 10000

- 44 -

Pre-revised Basic Pay	Revised Pay		
	Pay in the Pay Band	Grade Pay	Revised Basic Pay
14,300	37,400	10,000	47,400
14,750	37,400	10,000	47,400
15,200	38,530	10,000	48,530
15,650	38,530	10,000	48,530
16,100	39,690	10,000	49,690
16,550	39,690	10,000	49,690
17,000	40,890	10,000	50,890
17,450	40,890	10,000	50,890
17,900	42,120	10,000	52,120
18,350	42,120	10,000	52,120
18,800	43,390	10,000	53,390
19,250	43,390	10,000	53,390
19,700	44,700	10,000	54,700
20,150	44,700	10,000	54,700
20,600	46,050	10,000	56,050
21,050	46,050	10,000	56,050
21,500	47,440	10,000	57,440
21,950	47,440	10,000	57,440
22,400	48,870	10,000	58,870
22,850	48,870	10,000	58,870
23,300	50,340	10,000	60,340
23,750	50,340	10,000	60,340

ANIK SAXENA
LAW (CJ)
Ministry of Law & Justice
Dept. of Legal Services
New Delhi



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Pre-revised scale (S - 29)
Rs.18400-500-22400

Revised Pay Band + Grade Pay
PB-4 Rs.37400-67000 + 10000

Pre-revised Basic Pay	Revised Pay		
	Pay in the Pay Band	Grade Pay	Revised Basic Pay
18,400	44,700	10,000	54,700
18,900	46,050	10,000	56,050
19,400	46,050	10,000	56,050
19,900	47,440	10,000	57,440
20,400	47,440	10,000	57,440
20,900	48,870	10,000	58,870
21,400	48,870	10,000	58,870
21,900	50,340	10,000	60,340
22,400	51,850	10,000	61,850
22,900	53,410	10,000	63,410
23,400	55,020	10,000	65,020
23,900	56,680	10,000	66,680

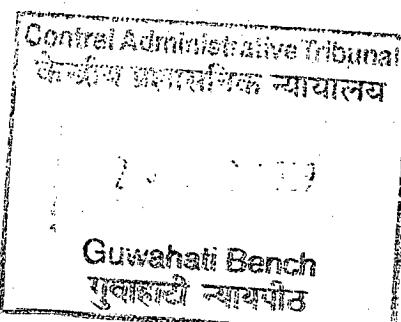
Note : The last three stages in each of the pay scales above relates to fixation for those drawing stagnation increment in the pre-revised scale

Pre-revised scale (S - 30)
Rs.22400-525-24500

Revised Pay Band + Grade Pay
PB-4 Rs.37400-67000 + 12000

Pre-revised Basic Pay	Revised Pay		
	Pay in the Pay Band	Grade Pay	Revised Basic Pay
22,400	51,850	12,000	63,850
22,925	53,410	12,000	65,410
23,450	55,020	12,000	67,020
23,975	56,680	12,000	68,680
24,500	58,380	12,000	70,380

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Pre-revised scale (S - 31)
Rs.22400-600-26000

Revised Pay Scale
HAG+ Rs.75500-80000

Pre-revised Basic Pay	Revised Basic Pay
22,400	75,500
23,000	75,500
23,600	77,765
24,200	77,765
24,800	80,000
25,400	80,000
26,000	80,000

Pre-revised scale (S - 32)
Rs.24050-650-26000

Revised Pay Scale
HAG+ Rs.75500-80000

Pre-revised Basic Pay	Revised Basic Pay
24,050	77,765
24,700	80,000
25,350	80,000
26,000	80,000

Pre-revised scale (S - 33)
Rs.26000 (fixed)

Revised Pay Scale
Apex Scale Rs.80000 (fixed)

Pre-revised Basic Pay	Revised Basic Pay
26000 (fixed)	80,000 (fixed)

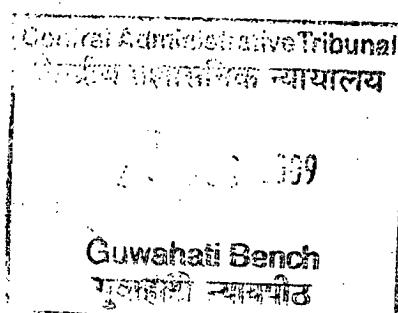
Pre-revised scale (S - 34)
Rs.30000 (fixed)

Revised Pay Scale
Cab. Sec./Equ. Scale Rs.90000 (fixed)

Pre-revised Basic Pay	Revised Basic Pay
30000 (fixed)	90000 (fixed)

11/10/2017
11/10/2017
11/10/2017
11/10/2017
11/10/2017

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No. F.9(1)(172)-CCS(RP)/FIN(E)/08/639
 GOVERNMENT OF TRIPURA
 DEPARTMENT OF FINANCE
 (Establishment Branch)

Dated, Agartala, the 21st October 2008MEMORANDUM

Subject: Implementation of 6th Central Pay Commission re-commendations – fixation of pay and payment of arrears – instructions in respect of members of All India Service (AIS) – regarding.

The undersigned is directed to inform that a circular has been issued from the Ministry of Personnel, PG & Pension, Government of India vide. F. No.14021/5/2008 – AIS – II, 29th September 2008 communicating instructions of the Government of India relating to procedure of fixation of pay and payment of arrears in respect of members of the All India Service (AIS) as a part of implementation of the recommendations of the 6th Central Pay Commission.

2. Now the undersigned is directed to inform that the State Government has formally adopted the aforesaid circular (copy enclosed) for providing benefit of fixation of pay and payment of arrears as admissible to the AIS officers borne under MT Cadre (Tripura Part) and request all concerned for compliance of the same.

Enclo : As stated

(R. Debnath)
 Under Secretary to the
Government of Tripura

To
 All Departments

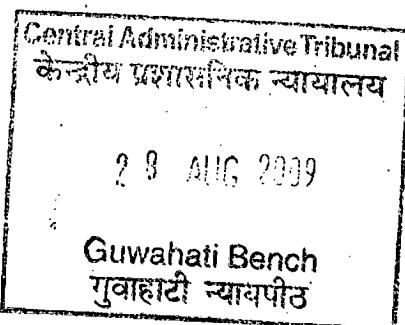
Copy to:

1. Special Secretary to the Governor, Tripura.
2. Principal Secretary to Chief Minister, Tripura
3. Accountant General (A&E), Tripura, Agartala.
4. Principal Secretary, GA (P&T) Department
5. Principal Secretary, GA (SA) Department
6. Director (Services), Ministry of Personnel, PG & Pension, Department of P&T, North Block, New Delhi – 110001.
7. All Treasury and Sub-Treasury Officers
8. File F.5(6)-FIN(G)/79 (Part-II)

(R. Debnath)
 Under Secretary to the
Government of Tripura

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भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 510]

नई दिल्ली, शुक्रवार, सितम्बर 19, 2008/भाद्र 28, 1930

No. 510]

NEW DELHI, FRIDAY, SEPTEMBER 19, 2008/BHADRA 28, 1930

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

अधिसूचना

नई दिल्ली, 19 सितम्बर, 2008

सा.का.नि. 665(अ).....केन्द्र सरकार, अखिल भारतीय सेवाएं अधिनियम, 1951 (1951 का 61) की धारा 3 की उप-धारा (1) प्रदत्त प्रदत्त शक्तियों का प्रयोग करते हुए सम्बन्धित राज्य सरकारों से परामर्श करने के पश्चात् भारतीय प्रशासनिक भैवा (वेतन) नियमावली, 2007 में संशोधन करने के लिए एतद्वाग निम्नलिखित आगे और नियम बनती है, अर्थात् :—

1. (1) इन नियमों का नाम भारतीय प्रशासनिक सेवा (वेतन) द्वितीय संशोधन नियमावली, 2008 है।
(2) ये 1 जनवरी, 2006 को लागू हुए समझे जाएंगे सिवाय 'भैवा के सदस्य द्वाग धारित केन्द्र सरकार के अन्तर्गत आने वाले ऐसे पदों' से सम्बद्ध अनुसूची॥। के धारा-ग में विहित केन्द्रीय (कार्यान्वयि पर प्रतिनियुक्ति) भैवे के प्रावधानों के, जो 1 सितम्बर, 2008 से लागू होंगे।
2. भारतीय प्रशासनिक सेवा (वेतन) नियमावली, 2007 के नियम-2 में
(जिसे यहां उपर्युक्त नियमावली के रूप में संदर्भित किया गया है)

(i) खण्ड (क) के पश्चात् निम्नलिखित खण्ड अंतर्गतिपूर्वकिया जाएगा, अर्थात् :—

'(का क) संशोधित वेतन वाने में "मूल वेतन" से अधिप्राय है निर्धारित पेय वैड में आहरित वेतन और लागू गोड पे लोकिन डियमें विशेष वेतन इत्यादि जैवा कोड और वेतन शामिल नहीं है।

शीर्षक वेतनमान और मांत्रिमपड़न संचिन के वेतनपात्र में जैवा के राज्य के भागों में मूल वेतन में अधिप्राय है, संशोधित वेतनमान वा वेतन;

660-01-2008

(1)

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय

29 अगस्त 2009

मुख्यालयी न्यायपीठ
मुख्यालयी न्यायपीठ

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(ii) खण्ड (ड.) के स्थान पर निम्नलिखित खण्ड अंतःस्थापित किया जाएगा, अर्थात्:-
 '(ड.) "ग्रेड-पे" पूर्व-संशोधित वेतनमान/पदों के तदनुरूपी नियत राशि है;

(iii) खण्ड (ब.) के पश्चात् निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्:-
 '(ब क) "पे-बैंड में वेतन" से अभिप्राय है नियम ३ के उप-नियम-१ में विनिर्दिष्ट रनिंग पे-बैंडों में आहरित वेतन;

(iv) खण्ड (ड.) के पश्चात् निम्नलिखित खण्ड अंतःस्थापित किए जाएंगे, अर्थात्:-
 '(ड क) "संशोधित परिलब्धियों" से अभिप्राय है पे-बैंड में वेतन और संशोधित वेतन ढांचे में सेवा के सदस्य की ग्रेड-पे अथवा शीर्षस्थ वेतनमान और मन्त्रिमण्डल सचिव के वेतनमान में मूल वेतन;
 '(ड ख) अनुसूची-॥ में विनिर्दिष्ट किसी पद के सम्बन्ध में "संशोधित वेतन ढांचे" से अभिप्राय कॉलम-५ और ६ में विनिर्दिष्ट उस पद अथवा वेतनमान पर विनिर्दिष्ट पे-बैंड अथवा ग्रेड-पे से है जब तक कि उस पद के लिए एक अलग संशोधित पे-बैंड और ग्रेड-पे अथवा वेतनमान अलग से अधिसूचित नहीं कर दिया जाता;

3. उपर्युक्त नियमावली के नियम-३ में उप-नियम (1) के स्थान पर निम्नलिखित उप-नियम प्रतिस्थापित किया जाएगा, अर्थात्:-

"(1) पे-बैंड और ग्रेड-पे सेवा के सदस्य को अनुज्ञेय पे-बैंड और ग्रेड-पे और वेतारीख जिनसे पे-बैंड और ग्रेड-पे लागू हुए समझे जाएंगे, निम्नानुसार होंगे:-

(क) कनिष्ठ वेतनमान -

पे-बैंड - ३: 15600-39100 रुपये और ग्रेड-पे 5400 रुपये ।

(1 जनवरी, 2006 से लागू)

(ख) वरिष्ठ वेतनमान -

(i) वरिष्ठ समय वेतनमान - पे-बैंड - ३: 15600-39100 रुपये और ग्रेड-पे 6600 रुपये (पदोन्नति पर वेतन निर्धारित करते समय दो अतिरिक्त वेतनवृद्धियाँ दी जाएंगी) ।

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Constitution Admnistrative Tribunal
 भौतिक प्रशासनिक न्यायालय

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(ii) कनिष्ठ प्रशासनिक ग्रेड - पे-बैंड - 3: 15600-39100 रुपये और ग्रेड-पे 7600 रुपये (पदोन्नति पर वेतन निर्धारित करते समय दो अतिरिक्त वेतनवृद्धियां दी जाएंगी)।

(iii) चयन ग्रेड:- पे-बैंड - 4: 37400-67000 रुपये और ग्रेड-पे 8700 रुपये (पदोन्नति के समय पे-बैंड के न्यूनतम और ग्रेड-पे पर दो अतिरिक्त वेतनवृद्धियां दी जाएंगी)।

(1 जनवरी, 2006 से लागू)

(ग) अधिसमय वेतनमान :-

पे-बैंड - 4: 37400-67000 रुपये और ग्रेड-पे 10000 रुपये।

(1 जनवरी, 2006 से लागू)

(घ) अधिसमय वेतनमान से ऊपर के वेतनमान :-

(i) पे-बैंड - 4: 37400-67000 रुपये और ग्रेड-पे 12000 रुपये।

(ii) शीर्षस्थ वेतनमान: 80000 रुपये (नियत) और ग्रेड-पे: शून्य

(iii) मंत्रिमण्डल सचिव ग्रेड: 90000 रुपये (नियत); ग्रेड-पे: शून्य;

(भारत सरकार के मंत्रिमण्डल सचिव के पद के लिए)

(1 जनवरी, 2006 से लागू)

टिप्पणी 1. — समय वेतनमान और इससे ऊपर के पदों पर सेवा के सदस्य की नियुक्ति, भारतीय प्रशासनिक सेवा में विभिन्न ग्रेडों में पदोन्नति के बारे में मार्गदर्शी सिद्धांतों में दिए गए प्रावधानों के अनुसार विनियमित की जाएंगी :

बशर्ते कि सेवा का कोई सदस्य भारतीय प्रशासनिक सेवा (भर्ती) नियमावली, 1954 के नियम-6क के उप-नियम (2) के प्रावधानों के अध्यधीन अपनी सेवा के 4 वर्ष पूरी करने के पश्चात् वरिष्ठ समय वेतनगान्त में, 9 वर्ष की सेवा पूरी करने के पश्चात् कनिष्ठ प्रशासनिक ग्रेड में, 13 वर्ष की सेवा पूरी करने के पश्चात् चयन ग्रेड में और 16 वर्ष की सेवा पूरी करने के पश्चात् अधिसमय वेतनमान में नियुक्त किए जाने का पात्र हो जाएगा:

बशर्ते आगे यह भी कि सेवा का कोई सदस्य यथानिर्धारित अनिवार्य मध्य केरिअर प्रशिक्षण चरण-III पूरा करने के पश्चात् ही कनिष्ठ प्रशासनिक ग्रेड में नियुक्त किया जाएगा।

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Central Administrative Tribunal
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गुवाहाटी न्यायालय

टिप्पणी 2. इस नियम में सेवा के 4 वर्ष, 9 वर्ष, 13 वर्ष, 16 वर्षों की गणना, भारतीय प्रशासनिक सेवा (वरिष्ठता का विनियमन) नियमावली, 1987 के नियम-3 के अंतर्गत इसे आवंटित, आवंटन वर्ष से की जाएगी।

टिप्पणी 3. चिकित्सा प्रमाण-पत्र के आधार के अलावा ली गई किसी असाधारण छुट्टी अथवा सम्बन्धित राज्य सरकार द्वारा सुविचारित, सेवा के सदस्य के वियंत्रण से परे किसी कारण के लिए ली गई छुट्टी अथवा अध्ययन के लिए ली गई छुट्टी जो कि लोकहित में हो और जिसके लिए अखिल भारतीय सेवा (अध्ययन छुट्टी) विनियमावली, 1960 के अंतर्गत अध्ययन छुट्टी अन्यथा अनुज्ञेय हो, की अवधि को इन घेड़ों में नियुक्ति के लिए अपेक्षित सेवा की पात्रता अवधि की गणना करने के आशय से शामिल नहीं किया जाएगा।

बशर्ते यह कि सेवा का कोई सदस्य उस तारीख तक मौजूदा वेतनमान में वेतन आहरित करते रहने का विकल्प दे सकता है जिस तारीख को वह मौजूदा वेतनमान में अपनी अगली या कोई तदनुरूपी वेतनवृद्धि पाता है अथवा जब तक वह अपना पद छोड़ देता है अथवा जब तक वह उस वेतनमान में वेतन आहरित करना बंद कर देता है।

बशर्ते यह कि ऐसे मामलों में जहां सेवा के सदस्य को 1.01.2006 और इन नियमों की अधिसूचना की तारीख के बीच में पदोन्नति अथवा वेतनमान के अपग्रेडेशन के कारण उच्चतर वेतनमान में रखा गया है, सेवा के सदस्य ऐसी पदोन्नति अथवा अपग्रेडेशन, जैसा भी मामला हो, की तारीख से संशोधित वेतन ढांचे का विकल्प दे सकते हैं।

स्पष्टीकरण 1- इन नियम के परन्तुक के अन्तर्गत मौजूदा वेतनमान बहाल रखने का विकल्प केवल एक मौजूदा वेतनमान के मामले में देय होगा।

स्पष्टीकरण 2- उपर्युक्त विकल्प 1 जनवरी, 2006 को अथवा उसके बाद किसी पद पर नियुक्त किसी भी व्यक्ति के लिए लागू नहीं होगा और उसे केवल संशोधित वेतन ढांचे में ही वेतन प्राप्त करने की अनुमति होगी।

स्पष्टीकरण 3- जहां सेवा का कोई सदस्य उस वेतनमान में वेतन नियमन के प्रयोजन के लिए नियमित आधार पर स्थानापन्न क्षमता पर धारित अपने किसी पद के संबंध में इस नियम के अन्तर्गत मौजूदा वेतनगान को बहाल रखने का विकल्प चुनता है तो इस स्थिति में उसका वास्तविक वेतन वह मूलभूत वेतन होगा जो मौजूदा वेतनमान के संबंध में धारित पद, जिस पर उसका पुनर्ग्रहणाधिकार रहता या निलंबन न किए जाने तक उसका पुनर्ग्रहणाधिकार बना रहता या स्थानापन्न पद का वह वेतन, इनमें से जो भी अधिक हो, होगा जो कि लागू होने के समय किसी भी आदेश के अनुरूप वास्तविक वेतन की खासियत लिए हुए वह अंजित करता।

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Central Administrative Tribunal भारतीय प्रशासनिक न्यायालय
9.9.2009
Gurukul Bhawan युक्तालयी न्यायालय

4. उपर्युक्त नियमावली के नियम 3 के लिए निम्नलिखित नियम प्रतिस्थापित किए जाएंगे अर्थात् :-

‘3क. संशोधित वेतन ढांचे में वेतन का नियतन- सेवा का कोई सदस्य जो इन नियमों के अनुसार, 1 जनवरी, 2006 को अथवा बाद की किसी तारीख को संशोधित वेतन ढांचे के अनुसार विकल्प देता है अथवा विकल्प दिया हुआ समझा जाता है तो उसके आरंभिक वेतन का, उसके उस स्थायी पद, जिस पर उसका पुनर्ग्रहणाधिकार रहता है और वह पद जिस पर उसका पुनर्ग्रहणाधिकार रहता यदि वह निलंबित न हो गया होता, के वास्तविक वेतन के अनुसार उस तारीख से अलग से पुनः निर्धारित किया जाएगा और उसके द्वारा धारित पद स्थानापन्न वेतन के संबंध में निम्नलिखित तरीके से निर्धारित किया जाएगा अर्थात् :-

(क) सेवा के सभी सदस्यों के मामलों में:-

(i) वेतन बैंड/वेतनमान में वेतन का निर्धारण 1 जनवरी, 2006 को यथाविधमान मौजूदा मूल वेतन को 1.86 के गुणक से गुणा करके तथा इस प्रकार प्राप्त संख्या को 10 के अंगले गुणज में पूर्णांकित करके किया जाएगा ।

(ii) यदि संशोधित वेतन बैंड/वेतनमान का न्यूनतम उपर्युक्त (i) के अनुसार प्राप्त राशि से ज्यादा है तो वेतन संशोधित वेतन बैंड/वेतनमान के न्यूनतम पर निर्धारित किया जाएगा ।

वशर्ते कि

(क) वेतन निर्धारण में जहां कहीं सेवा के किसी सदस्य का वेतन जो मौजूदा वेतनमान में दो या अधिक संयोजी अवस्थाओं पर आहरित वेतन समूहवद्व हो जाता है अर्थात् अन्यथा कहीं तो इसी अवस्था पर संशोधित वेतन ढांचे में वेतन बैंड में निर्धारित हो जाता है तो इस प्रकार से समूहवद्व ऐसी प्रत्येक दो अवस्थाओं के लिए उन्हें एक वेतन वृद्धि का लाभ दिया जाएगा जिससे कि संशोधित रनिंग वेतन बैंडों में दो अवस्थाओं से अधिक वंचिंग से बचा जा सके । इस प्रयोजन के लिए वेतन वृद्धि वेतन बैंड में वेतन पर परिकलित की

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Central Administrative Tribunal
संघीय प्रशासनिक न्यायालय

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श्रीमती अंगारा
मुख्यमंत्री न्यायप्रीकृत

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जाएगी बंधिंग को कम करने के लिए वेतनवृद्धि देते समय ब्रैड वेतन को ध्यान में नहीं रखा जाएगा।

(ख) उपर्युक्त ढंग से वेतन वर्धन से किसी सरकारी कर्मचारी का वेतन संशोधित वेतन बैंड/वेतनमान (जहां लागू हो) की उस अवस्था पर निर्धारित हो जाता है जो कि अगली उच्च अवस्था अथवा अवस्थाओं वाले संशोधित वेतन बैंड वाले कर्मचारियों को प्राप्त हो रहा है, तब ऐसी स्थिति में बाद वाले कर्मचारी का वेतन उस सीमा तक बढ़ाया जाएगा जब तक कि वह पिछले कर्मचारी के वेतन की तुलना में कम हो।

(iii) वेतन बैंड में वेतन उपर्युक्त तरीके से निर्धारित होगा। वेतन बैंड में वेतन के अलावा मौजूदा वेतनमान के अनुरूप ग्रेड वेतन भी देय होगा।

(ख) सेवा के उस सदस्य, जो भारत के बाहर । जनवरी, 2006 को प्रतिनियुक्त अथवा छुट्टी अथवा विदेश सेवा पर था अथवा जो उच्चतर पद पर कार्य करने के अलावा एक या अधिक निम्नतर पदों पर उस तारीख को कार्य किया होता, के मामले में “विद्यमान वेतनमान” में, उस पद जिस पर वह उच्चतर पद पर कार्य करने के अलावा भारत के बाहर प्रतिनियुक्त अथवा छुट्टी अथवा विदेश सेवा अथवा, जैसा भी मामला हो, के लिए लागू वेतनमान शामिल है।

(ग) सेवा के उन सदस्यों के मामले में जो कि मौजूदा वेतनमान में वेतन के अलावा विशेष वेतन अथवा भत्ता कर रहे हैं तथा जिनके लिए स्थानापन्न तौर पर किसी विशेष वेतन अथवा भत्तों के बिना ही कोई वेतन बैंड ग्रेड वेतन दिया गया है, ऐसे सदस्यों का वेतन संशोधित वेतन ढांचे में ऊपर (क) के उपर्युक्त में निहित प्रावधानों के अनुसार ही किया जाएगा।

(घ) सेवा के उन रादस्यों के मामले में जो कि वर्तमान वेतनगालों भी मिल रहे वेतन के अतिरिक्त किसी अन्य नाम से विशेष वेतन घटक प्राप्त कर रहे हैं, जैसे कि छोटे परिवार के मानकों को प्रोत्साहन देने के लिए व्यक्तिगत वेतन, केन्द्रीय (कार्यकाल पर प्रतिनियुक्त) भत्ता, आदि तथा जिनके मामले में इनके स्थान पर साइर्य भत्ता अथवा वेतन के साथ संशोधित

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वेतन ढांचा लागू कर लिया गया है, के मामले में संशोधित वेतन ढांचा उपर्युक्त धारा (क) के प्रावधानों के अनुरूप निर्धारित होंगे ऐसे मामलों में संस्तुत नई दरों पर भत्ते, इन भत्तों से संबंधित वैयक्तिक अधिसूचनाओं में विनिर्दिष्ट तारीख से संशोधित वेतन ढांचे में मिलने वाले वेतन के अतिरिक्त मिलेंगे।

टिप्पणी 1- निलंबनाधीन सेवा का सदस्य वेतन के विचारान वेतनमान पर आधारित निर्वाह भत्ता लेता रहेगा और संशोधित वेतन ढांचे में उसका वेतन लंबित अनुशासनिक कार्यवाहियों पर अन्तिम आदेश के अध्यधीन होगा।

टिप्पणी 2- सेवा के किसी सदस्य की “मौजूदा परिलिंग्धियों” संशोधित परिलिंग्धियों से अधिक हो जाती है तो उस अन्तर को वेतन में होने वाली भावी वृद्धियों में व्यक्तिगत वेतन के रूप में समाहित करने की अनुमति होगी।

स्पष्टीकरण- इस टिप्पणी के उद्देश्य के लिए, “मौजूदा परिलिंग्धियों” से अभिप्राय (i) मौजूदा मूल वेतन (ii) मूल वेतन पर मंहगाई वेतन और (iii) मौजूदा मूल वेतन पर मंहगाई भत्ता + औसत सूचकांक 536(1982=100) पर मंहगाई वेतन

टिप्पणी 3- जहां उप नियम (1) के अधीन वेतन निर्धारण में सेवा का कोई सदस्य जो मौजूदा वेतनमान में 1 जनवरी, 2006 के तुरंत पहले समान केंद्र के किसी कनिष्ठ कर्मचारी की तुलना में अधिक वेतन प्राप्त कर रहा था और संशोधित वेतन बैंड में उसका वेतन एक ऐसी अवस्था पर निर्धारित हो जाता है, जो कि उसके कनिष्ठ से कम हो तब ऐसी स्थिति में उसका वेतन संशोधित वेतन बैंड में उसी अवस्था में बढ़ा दिया जाएगा, जिस अवस्था पर वह कनिष्ठ कर्मचारी हो।

टिप्पणी 4- जहां सेवा को कोई सदस्य 1 जनवरी, 2006 को व्यक्तिगत वेतन प्राप्त कर रहा हो और जो उसकी मौजूदा परिलिंग्धियों से जुड़ने पर संशोधित परिलिंग्धियों से अधिक हो जाती है, तो उस अंतर को वेतन में होने वाली वृद्धियों में उस सेवा के किसी सदस्य के व्यक्तिगत वेतन के रूप में समाहित करने की अनुमति होगी।

टिप्पणी 5- उस सेवा के सदस्य के मामले में जो 1 जनवरी, 2006 के पूर्व हिन्दी शिक्षण योजना के अन्तर्गत हिन्दी प्राज्ञ और ऐसी अन्य परीक्षाएं उत्तीर्ण करने के लिए व्यक्तिगत वेतन प्राप्त कर रहा है, उनका यह अव्यक्तिगत

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वेतन संशोधित वेतन संरचना में मूल वेतन के निर्धारण के लिए शामिल नहीं किया जाएगा, वे 1 जनवरी, 2006 से या उससे आगे की अवधि के लिए संशोधित वेतन ढांचे में उस व्यक्तिगत वेतन को प्राप्त करते रहेंगे जो कि वे संशोधित वेतन ढांचे का निर्धारण न होने की दशा में प्राप्त करते। ऐसा व्यक्तिगत वेतन, निर्धारण की तिथि से संशोधित वेतन ढांचे में वेतन वृद्धि की उचित दर से उस अवधि तक के लिए दिया जाएगा जिस अवधि तक अधिकारी उसे प्राप्त करना जारी रखता।

स्पष्टीकरण : इस टिप्पणी के प्रयोजन के लिए “संशोधित वेतन ढांचे में वेतनवृद्धि की उपयुक्त दर” का तात्पर्य वेतन बैंड में वेतन के कुल के 3 प्रतिशत के बराबर धनराशि तथा उस स्तर पर ग्रेड वेतन है जिस पर कर्मचारी का वेतन, संशोधित वेतन ढांचे में नियत किया गया है।

टिप्पणी 6 - जहां दिनांक 01 जनवरी, 2006 से पूर्व किसी उच्चतर पद पर पदोन्नत किया गया सेवा का कोई ज्येष्ठ सदस्य अपने कनिष्ठ सदस्य से पुनरीक्षित वेतनमान में कम वेतन प्राप्त करता है, जो 01 जनवरी, 2006 को या उसके पश्चात उच्चतर पद पर पदोन्नत किया गया है वहां सेवा के ज्येष्ठ सदस्य के वेतन बैंड में वेतन को उस उच्चतर पद में उसके कनिष्ठ सदस्य के वेतन बैंड में नियत किए गए वेतन के बराबर राशि तक बढ़ाया जाएगा और वेतन के बढ़ाए (स्टेप-अप) जाने को निम्नलिखित शर्तों को पूरा करने के अध्यधीन सेवा के कनिष्ठ सदस्य की पदोन्नति की तारीख से प्रभावी किया जाएगा अर्थात् :-

- (क) सेवा के कनिष्ठ और वरिष्ठ दोनों सदस्य उसी काडर के होंगे और वह पद जिन पर उन्हें पदोन्नत किया गया है उसी काडर में सदृश होंगे;
- (ख) निम्नतर और उच्चतर पदों के पूर्व संशोधित वेतनमान और संशोधित ग्रेड वेतन जिसमें वे वेतन पाने के हकदार हैं, एक-समान होंगे;
- (ग) पदोन्नति के समय सेवा का ज्येष्ठ सदस्य कनिष्ठ के बराबर या अधिक वेतन पा रहा हो और;

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(घ) विषमता, इस उप नियम के उपबंधों के लागू करने के परिणामस्वरूप प्रत्यक्षतः होगी;

(ड.) यहां तक कि यदि निम्नतर पद में कनिष्ठ अधिकारी उसको अनुदत्त किन्हीं अग्रिम वेतनवृद्धियों के कारण ज्येष्ठ व्यक्ति से पूर्व संशोधित वेतनमान में अधिक वेतन प्राप्त कर रहा था, तो इस टिप्पणी के प्रावधानों को सेवा के ज्येष्ठ सदस्य के वेतन को बढ़ाने के लिए विखंडित किए जाने की आवश्यकता है।

टिप्पणी 7:- उपरोक्त उपबंधों के अनुसरण में सेवा के ज्येष्ठ सदस्य के वेतन में पुनः नियतन से संबंधित आदेश सुसंगत नियमों के अधीन जारी किया जाएगा और सेवा का ज्येष्ठ सदस्य वेतन के पुनः नियतन की तारीख से उसके द्वारा अपेक्षित सेवा पूरी करने पर अगली वेतनवृद्धि का हकदार होगा।

(ड.) दिनांक 01 जनवरी, 2006 के बाद संशोधित वेतनमान में वेतन, का निर्धारण— जहां सेवा का कोई सदस्य मौजूदा वेतनमान में वेतन आहरित करना जारी रखता है और 01 जनवरी, 2006 के बाद किसी तारीख से संशोधित वेतन ढांचे का विकल्प देता है तो संशोधित वेतन ढांचे में उसका वेतन, बाद वाली तारीख से इन्हीं नियमों के तहत निर्धारित किया जाएगा और इस प्रयोजन के लिए मौजूदा वेतनमान में उसका वेतन छंड (क), (ग) अथवा (घ) जैसी भी स्थिति हो, के अनुसार यथा परिकलित मौजूदा परिलक्षितों के मामते के बराबर होगा; परन्तु इस शर्त के अध्यधीन कि बाद वाली तारीख में मूल वेतन और जहां रोदा का सदररय रोदा विशेष भूत्ता प्राप्त कर रहा है, उसका वेतन इस प्रकार परिकलित परिलक्षितों के उपर्युक्त संशोधित दरों पर विशेष भूत्ते के समान धनराशि की उन परिलक्षितों में से घटाकर नियत किया जाएगा।

5. उपर्युक्त नियमावली के नियम 4 में :-

(क) उप नियम (1) के स्थान पर निम्नलिखित उप नियम प्रतिस्थापित किया जाएगा।

"(1) सीधी भर्ती के अधिकारी का प्रारंभिक वेतन, 5400 रुपए के ग्रेड वेतन सहित वेतन वैंड-3 के न्यूनतम पर निर्धारित किया जाएगा;

परन्तु यह कि यदि सीधी भर्ती का कोई अधिकारी भारतीय प्रशासनिक सेवा में उसकी नियुक्ति से पूर्व उस पर तागू नियमों के तहत लियन रखता है, अथवा लियन रखता

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यदि उसका लियन स्थायी आधार पर निलंबित कर कर दिया गया होता, उसका आरंभिक वेतन निम्नलिखित तरीके से विनियमित किया जाएगा अर्थात्:-

- (क) वह, परिवीक्षा की अवधि के दौरान स्थायी पद का वेतन आहरित करेगा, यदि यह कनिष्ठ वेतनमान और भारतीय प्रशासनिक सेवा में स्थायीकरण होने पर उसके वेतनमान के न्यूनतम से अधिक है;
- (ख) यदि वह भारतीय प्रशासनिक सेवा में नियुक्ति से पूर्व किसी समूह 'क' के पद को धारण किए हुए था, उसका वेतन, उस स्तर पर निर्धारित किया जाएगा जैसा कि वेतन बैंड-3 जमा ग्रेड वेतन 5400 में समूह 'क' के लिए किया जाएगा; और
- (ग) यदि वह समूह 'क' से किसी निम्नतर पद को धारण किए हुए था तो उसका वेतन, वेतन बैंड-3 में वेतन बैंड और ग्रेड वेतन के 3 प्रतिशत के बराबर एक वेतनवृद्धि देकर नियत किया जाएगा जिसे 10 के अगले गुणज तक संगणित और पूरा किया जाएगा तथा इस प्रकार जो वेतन बनता है और यदि यह वेतन, वेतन बैंड-3 के न्यूनतम वेतन से कम है तो उसका वेतन, वेतन बैंड-3 के न्यूनतम पर निर्धारित किया जाएगा;
- (घ) तथापि, कनिष्ठ वेतनमान में वह कोई वेतनवृद्धि प्राप्त नहीं करेगा, जब तक कि अपनी सेवा अवधि के हिसाब से वह किसी उच्चतर वेतन के लिए पात्र नहीं बन जाता।

परन्तु यह और कि वह नियम 7 के तहत अनुज्ञेय वेतन आहरित करेगा, यदि वह पूर्ववर्ती परन्तुक में उल्लिखित वेतन से अधिक है;

- (ख) उप नियम (2) के स्थान पर निम्नलिखित उप-नियम प्रतिस्थापित किया जाएगा, अर्थात् :-

"(2) वरिष्ठ समय वेतनमान के पद पर पदोन्नत होने पर कनिष्ठ वेतनमान के सेवा के सदस्य का वेतन संशोधित वेतन ढाचे में निम्नानुसार निर्धारित किया जाएगा :

भारतीय प्रशासनिक सेवा के कनिष्ठ वेतनमान के लिए पे बैंड के कुल वेतन और मौजूदा ग्रेड-पे के 3% के बराबर सेंद्रान्तिक आधार पर एक वेतनवृद्धि दी जाएगी और इसे अगले 10 के गुणज तक पूरा किया

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जाएगा तथा इसे उनके मौजूदा वेतन में जोड़ दिया जाएगा । इसके पश्चात् सैद्धान्तिक आधार पर एक वेतनवृद्धि और वरिष्ठ समय वेतनमान की 6600 रुपए की तदनुरूपी ग्रेड-पे को जोड़कर 3% की दर से दो अतिरिक्त वेतनवृद्धियों की गणना की जाएगी और उसे अगले 10 के गुणज के बराबर कर दिया जाएगा और इसे पे-बैंड -3 के मौजूदा वेतन में जोड़ दिया जाएगा ताकि भारतीय प्रशासनिक सेवा के वरिष्ठ समय वेतनमान का वेतन आकलित किया जा सके और दूसरी वेतनवृद्धि की गणना पे-बैंड तथा मौजूदा ग्रेड-पे में पहली वेतनवृद्धि और वरिष्ठ समय वेतनमान की 6600 रुपए की ग्रेड-पे जोड़कर पे-बैंड में इस वेतन के अतिरिक्त स्वीकृत किया जाएगा ।

(ग) उप नियम(5) के स्थान पर निम्नलिखित उप-नियम प्रतिस्थापित किया जाएगा, अर्थात् :-

“(5) कनिष्ठ प्रशासनिक ग्रेड में पदोन्नति होने पर वरषि समय वेतनमान में सेवा के सदस्य का वेतन, पे-बैंड-3 में उसी प्रकार निर्धारित किया जाएगा जैसे कनिष्ठ समय समय वेतनमान से वरिष्ठ समय वेतनमान में पदोन्नति होने पर पे-बैंड-3 के वेतन तथा 7600 रुपए की ग्रेड-पे में 3% की दर से 2 अतिरिक्त वेतनवृद्धियों को जोड़कर किया जाता है जिसकी गणना अगले 10 के गुणज द्वारा पूरा करके की जाती है और इसे पे-बैंड 3 के मौजूदा वेतन में 7600 रुपए की ग्रेड-पे जोड़कर किया जाता है ।

(घ) उप नियम-(6) के लिए निम्नलिखित उप-नियम को पदस्थापित किया जाएगा, अर्थात् :-

“(6) कनिष्ठ प्रशासनिक ग्रेड में सेवा के सदस्य की चयन ग्रेड में पदोन्नति होने पर उसका वेतन पे-बैंड-4 में व्यूनतम पे-बैंड तथा ग्रेड-पे की गणना के दो अतिरिक्त वेतनवृद्धियों को स्वीकृत करके निर्धारित किया जाएगा तथा 8700 रुपए का ग्रेड-पे चयन ग्रेड के लिए स्वीकृत किया जाएगा ” :

(इ.) उप नियम (7) के लिए निम्नलिखित उप नियम पदस्थापित किया जाएगा, अर्थात् :-

(7) चयन ग्रेड में सेवा के किसी सदस्य का, सुपर समय वेतनमान में पदोन्नति होने पर तथा सुपर समय वेतनमान से ऊपर के वेतनमान में

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पदोन्नति होने पर सुपर समय वेतनमान में वेतन का निर्धारण वेतन-बैंड-4 में उसके वेतन और मौजूदा ग्रेड के 3% के बराबर एक वेतनवृद्धि को उनके सुपर समय वेतनमान से और सुपर समय वेतनमान से ऊपर के वेतनमान, जैसी भी स्थिति हो, की मौजूदा वेतन और वेतन बैंड-4 का तद्रुपी ग्रेड वेतन में जोड़कर आकलित किया जाएगा। और इसे अगले 10 के गुणज के बराबर किया जाएगा और उस वेतन बैंड में उस वेतन के अतिरिक्त दिया जाएगा।

(च) उप नियम (8) के स्थान पर निम्नलिखित उप नियम प्रतिस्थापित किया जाएगा, अर्थात् :-

“(8) सेवा में एक ग्रेड से दूसरे ग्रेड में पदोन्नति होने पर सेवा के सदस्य के पास विकल्प होगा कि वह अपना वेतन, उच्चतर पद के पे-बैंड में या तो अपनी पदोन्नति की तारीख से या उस वर्ष की पहली जुलाई से निर्धारित करा सके, जब वह उपर्युक्त संगत उप-नियम में किए गए प्रावधान के अनुसार विचले वेतनमान में तद्रुप बाद की वेतनवृद्धि अंजित करता है। बाद वाले निचले वेतनमान में पदोन्नति की तिथि को पे-बैंड में वेतन, निचले पद के समान ही मामले में, पदोन्नति की तिथि को पे-बैंड में वेतन, निचले पद के समान ही निर्धारित किया जाएगा परन्तु ग्रेड-पे उच्चतर पद की ही होगी तथा इसका पुनर्निर्धारण संबंधित उप-नियमावली में किए गए प्रावधान के अनुसार एक जुलाई, जो निचले वेतनमान में वास्तविक वेतनवृद्धि की तिथि है, से किया जाएगा।”

6. उक्त नियमावली के नियम-5 में -

(i) उप नियम (1) के स्थान पर निम्नलिखित उप नियम प्रतिस्थापित किया जाएगा, अर्थात् :-

“(1)(क) इन नियमों के नियम 6 या नियम 7 के अन्तर्गत संबंधित राज्य सरकार द्वारा जारी किए गए किसी आदेश के अध्यधीन भारतीय प्रशासनिक सेवा (भर्ती) नियमावली 1954 के नियम 7 या नियम 7क के अंतर्गत नियुक्ति सेवा के सदस्य को अनुसेय वेतनवृद्धि प्रत्येक वर्ष की पहली जुलाई को एक समान रूप से दी जाएगी;

(ख) संशोधित वेतन ढांचे में एक जुलाई को 6 माह या इससे अधिक पूरा करने वाले अधिकारी, वेतनवृद्धि पाने के पात्र होंगे।

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(ग) संशोधित वेतन ढांचे में 1 जनवरी, 2006 को वेतन विधारण के पश्चात् पहली वेतनवृद्धि दिनांक 1 जुलाई, 2006 को, सेवा के उन सदस्यों को दी जाएगी जिनकी वेतनवृद्धि की अगली तिथि 1 जुलाई, 2006 से 1 जनवरी, 2007 के बीच थी ।

(घ) सेवा के सभी सदस्य जिन्होंने अपनी अन्तिम वेतनवृद्धि 01-01-2005 तथा 01-01-2006 के बीच अर्जित की थी, वे अपनी वेतनवृद्धि 01-07-2006 को अर्जित करेंगे ।

बशर्ते कि उन व्यक्तियों के मामलों में, जो 01 जनवरी, 2006 की स्थिति के अनुसार एक वर्ष से अधिक की अवधि के लिए मौजूदा वेतनमान के अधिकतम पर थे, उन्हें संशोधित वेतन ढांचा में अगली वेतनवृद्धि 01 जनवरी, 2006 से दी जाएगी, उसके बाद इस नियम के प्रावधान लागू होंगे :

बशर्ते यह भी कि यदि सेवा का सदस्य जहाँ अपने वेतन बैंड के अधिकतम पर पहुँच जाता है, वह उस अधिकतम पर पहुँचने के एक वर्ष बाद अगले उच्चतर वेतन बैंड में आ जाएगा तथा उसे उच्चतर वेतन बैंड में रखे जाने के समय, उसे एक वेतनवृद्धि का लाभ दिया जाएगा, उसके बाद उसके उस वेतन बैंड के अधिकतम पर पहुँचने तक वह उच्चतर वेतनबैंड में चलता रहेगा, जिसके बाद उसे कोई अगली वेतनवृद्धि नहीं दी जाएगी ।

(ii) उप-नियम (2) और (3) का लोप कर दिया जाएगा ;

(iii) “वेतनमान” और “वेतन का मान” शब्दों के लिए उप-नियम (6) में “वेतन बैंड और ग्रेड वेतन” शब्द प्रतिस्थापित होंगे ;

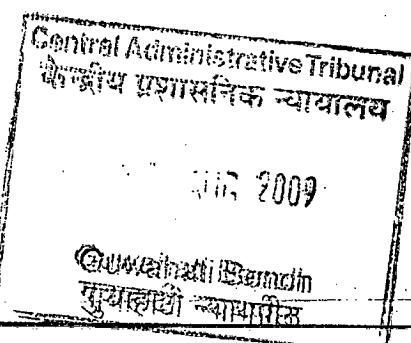
7. उपर्युक्त नियमों के नियम 5-क के लिए निरन्तरिष्ठ नियम प्रतिस्थापित होंगे, अर्थात् :-

“5क संशोधित वेतन ढांचा में वेतनवृद्धि की दर”:-

(1) संशोधित वेतन ढांचा में वेतनवृद्धि की दर, लागू वेतन बैंड और ग्रेड वेतन में वेतन की राशि के 3% के वरावर होगी, जो 10 की गुणा पर पूर्ण होगी तथा उस राशि को वेतन बैंड में मौजूदा वेतन में जोड़ा जाएगा ।

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(2) वेतन बैंड-3 के मामले में, 3% और 4% पर वेतनवृद्धि की अलग-अलग दर दी जाएं।

(3) वेतनवृद्धि की उच्चतर दर, वेतन बैंड-3 में अधिकारियों की पद संख्या के 20% से अधिक को नहीं दी जाएगी।”

8. उपर्युक्त नियमों के नियम 7 के लिए, निम्नलिखित नियम प्रतिस्थापित होंगे :-

“(7) — अग्रिम वेतनवृद्धि प्रदान करना— भारतीय प्रशासनिक सेवा (परिवीक्षा) सेवा की अवधि पर ध्यान दिए बिना उसके निर्धारित विभागीय परीक्षा या परीक्षाओं को उत्तीर्ण कर लेने के बाद वेतनवृद्धि की निर्धारित तारीख से सीधे भर्ती किए गए व्यक्ति को देय दूसरी और तीसरी वेतनवृद्धियाँ स्वीकृत करेंगी।

बशर्ते कि इस नियम के अंतर्गत तीसरी वेतनवृद्धि, निर्धारित विभागीय परीक्षा, या अंतिम निर्धारित विभागीय परीक्षा उत्तीर्ण करन के बाद परिवीक्षा को सफलतापूर्वक पूरा करने और स्थायीकरण पर जैसी भी स्थिति हो, वेतनवृद्धि की निर्धारित तारीख से पूर्व-प्रभावी दी जाएगी :

बशर्ते कि यह भी कि सीधे भर्ती किए गए कोई व्यक्ति, जिसे पूरी विभागीय परीक्षा या परीक्षाओं या विभागीय परीक्षा या परीक्षाओं का किसी भाग में, जैसी भी स्थिति हो, इस कारण से उपस्थित होने से छूट दी गई है, कि उसने, सेवा का सदस्य होने से पूर्व, ऐसी परीक्षा या परीक्षाओं या उनके किसी भाग को पहले ही उत्तीर्ण कर लिया है, को, इस नियम के प्रयोजनार्थ, उस पूर्य परीक्षा या परीक्षाओं या उनके भाग, जिनमें वह उपस्थित होता, की तारीख के बाद विभागीय परीक्षा या परीक्षाओं या उनके भाग, जैसी भी स्थिति हो, को उत्तीर्ण किया गया माना जाएगा, लेकिन छूट के लिए, सेवा का सदस्य होने के बाद”।

9. उपर्युक्त नियमों के नियम 9 में, उप-नियम (7) में, “26000 रुपए” शब्द और अंकों के लिए “80000 रुपए” शब्द और अंक प्रतिस्थापित होंगे।

10. उपर्युक्त नियमों की अनुसूची में,

(क) “01 जनवरी, 1996” शब्द और अंकों के लिए, जहाँ कहीं ये आते हैं, क्रमशः “01 जनवरी, 2006” शब्द और अंक प्रतिस्थापित होंगे;

(ख) पैरा (1) के लिए, निम्नलिखित पैरा प्रतिस्थापित होंगे :-

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“(1) के नियम 3 के उप-नियम (1) में प्रथम उपबंध तथा उसके अंतर्गत टिप्पणियों में किसी बात के होते हुए, पदोन्नत अधिकारी या चयन द्वारा नियुक्त किसी अधिकारी, जैसी भी स्थिति हो, का आरंभिक वेतन, निम्नलिखित तरीके से अधिकारी की पात्रता के अनुसार तीन घटक वरिष्ठ वेतनमानों के लिए अनुसंधान एक ग्रेड वेतन के अतिरिक्त राज्य सेवा में वेतन बैंड-3 या वेतन बैंड-4 में अधिकारी द्वारा आहरित वेतन पर नियत किया जाएगा ।

वेतन बैंड में वेतन

	ग्रेड- पे
वेतन बैंड-3 में 29490 रूपए तक के वेतन में अधिकारी	6600/-
वेतन बैंड-3 में 29491 रूपए से 30690 रूपए के	7600/-
मध्य वेतन में अधिकारी	
वेतन बैंड-3/वेतन बैंड-4 में 30691 रूपए अथवा उससे	8700/-
ऊपर के वेतन में अधिकारी	

यदि राज्य सेवा में अधिकारी का वेतन 1 जनवरी, 2006 से नए वेतन ढांचे के अनुसार संशोधित नहीं किया गया है, इसे नियम 3क में समाविष्ट प्रावधानों के आधार पर संशोधित किया जाएगा ।

11. उक्त नियमों की अनुसूची II में:-

(क) “क-राज्य सरकार के अधीन भारतीय प्रशासनिक सेवा के वरिष्ठ वेतनमान से ऊपर के वेतन में पद । अनुसूची II” शब्दों और अंकों के लिए निम्नलिखित प्रतिस्थापित किया जाएगा :-

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राज्य सरकारों के अधीन भारतीय प्रशासनिक सेवा में वरिष्ठ वेतनमान से ऊपर के वेतन में पद ”;

(ख) अनुसूची II, भाग-क में सभी स्थानों पर “26000 रूपए”, “22400-525-24500” और “18400-500-22400” शब्दों और अंकों के लिए, वेतन ढांचा “80000”, “वेतन बैंड-4:37400-67000रुपए जमा ग्रेड

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वेतन 12000 रुपए" और "वेतन बैंड-4: 37400-67000रुपए जमा ग्रेड वेतन 10000 रुपए", क्रमशः प्रतिस्थापित किया जाएगा।

(ग) भाग-क के अंत में, अंक "ख" के लिए, शब्द और अंक "भाग-ख" प्रतिस्थापित किया जाएगा;

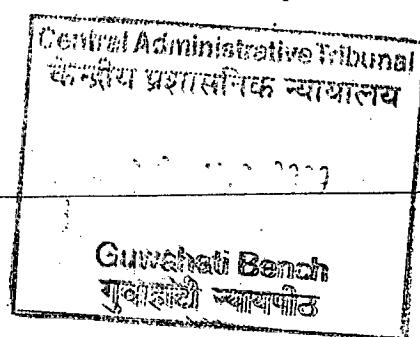
(घ) "ग सेवा के सदस्यों द्वारा धारित केन्द्रीय सरकार के अधीन पदों और तालिका के स्थान पर" निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात् :-

"भाग-ग सेवा के सदस्य द्वारा धारित केन्द्रीय सरकार पद

तालिका

पद का नाम (1)	वेतनमान (2)	केन्द्रीय (पदावधि पर प्रतिनियुक्ति) भत्ता (3)
(1) मंत्रिमण्डल सचिव	90000/- रुपए (नियत)	---
(2) भारत सरकार के सचिव/भारत सरकार के विशेष सचिव	80000/- रुपए (नियत)	---
(3) भारत सरकार के अपर सचिव	वेतन बैंड-4: 37400-67000 रुपए; और ग्रेड वेतन 12000 रुपए	---
(4) भारत सरकार के संयुक्त सचिव	वेतन बैंड-4: 37400-67000 रुपए; और ग्रेड वेतन 10000 रुपए	---
(5) भारत सरकार के निदेशक	चयन ग्रेड (वेतन बैंड-4: 37400-67000 रुपए; और ग्रेड वेतन 8,700/- रुपए)	अधिकतम चार हजार रुपए प्रति मास के अध्यधीन मूल वेतन का दस प्रतिशत
(6) भारत सरकार के उप सचिव	चयन ग्रेड: (वेतन बैंड-4: 37400-67000 रुपए; और ग्रेड वेतन 8,700/- रुपए) या कनिष्ठ प्रशासनिक ग्रेड: वेतन बैंड-3: 15600-39100 रुपए; और ग्रेड वेतन 7600 रुपए	अधिकतम चार हजार रुपए प्रति मास के अध्यधीन मूल वेतन का दस प्रतिशत

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(7) भारत सरकार के अवर सचिव	कनिष्ठ प्रशासनिक ग्रेड: वेतन बैंड-3: 15600-39100 रुपए; और ग्रेड वेतन 7600 रुपए या वरिष्ठ समय वेतनमान (ग्रेड: वेतन बैंड-3: 15600-39100 रुपए; और ग्रेड वेतन 6600 रुपए	अधिकतम चार हजार रुपए प्रति मास के अध्यधीन मूल वेतन का दस प्रतिशत
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टिप्पणी - इस नियम में विनिर्दिष्ट केन्द्रीय (कार्यावधि पर प्रतिनियुक्ति) भूता, सेवा के किसी सदस्य को सक्षम प्राधिकारी द्वारा अनुमोदित प्रतिनियुति की अवधि के लिए दिया जाएगा।

[फा. सं. 14021/1/2008-अ.भा.से. (II)-क]

हरजोत कौर, निदेशक

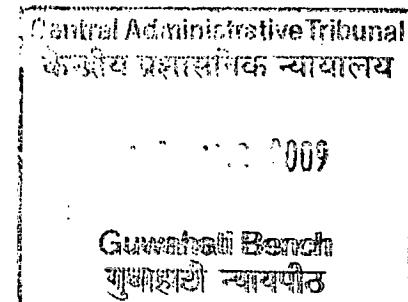
टिप्पणी : मूल नियम भारत के असाधारण राजपत्र में सा.का.नि.सं. 213(अ), तारीख 20 मार्च, 2007 द्वारा प्रकाशित किए गए थे और तत्पश्चात् सा.का.नि.सं.23(अ)दिनांक 10 जनवरी, 2008 द्वारा संशोधन किए गए।

द्वारा ख्यातनक ज्ञापन

केन्द्रीय सरकार ने यथा अनुमोदित संशोधन के अनुसार भारत सरकार के दिनांक 29 अगस्त, 2008 के संकल्प सं. 1/1/2008-आईसी में यथा विहित अखिल भारतीय सेवाओं के वेतनमानों में संशोधन के संबंध में छठे केन्द्रीय वेतन आयोग द्वारा की गई सिफारिशों को दिनांक 1 जनवरी, 2006 से कार्यान्वित करने का निर्णय किया है। इन सिफारिशों को कार्यान्वित करने के मद्देनजर, भारतीय प्रशासनिक सेवा (वेतन) नियमावली, 2007 को 1 जनवरी, 2006 से तद्वारा संशोधित किया जा रहा है।

यह प्रमाणित किया जाता है कि इन नियमों को भूतलक्षी प्रभाव से लागू किए जाने से भारतीय प्रशासनिक सेवा के किसी भी सदस्य पर कोई प्रतिकूल प्रभाव नहीं पड़ेगा।

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MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

NOTIFICATION

New Delhi, the 19th September, 2008

G.S.R. 665(E).—In exercise of the powers conferred by sub-section (1) of section 3 of the All India Services Act, 1951 (61 of 1951), the Central Government after consultation with the Governments of the States concerned, hereby makes the following rules further to amend the Indian Administrative Service (Pay) Rules, 2007, namely:—

1. (1) These rules may be called the Indian Administrative Service (Pay) Second Amendment Rules, 2008.
(2) They shall be deemed to have come in force on the 1st day of January, 2006 except the provisions of Central (Deputation on Tenure) Allowance contained in PART-C of Schedule II relating to the "Posts under the Central Government when held by member of the Service" which shall come into force on the 1st day of September, 2008.
2. In rule 2 of the Indian Administrative Service (Pay) Rules, 2007 (hereinafter referred to as the said rules),—
(i) after clause (a), the following clause shall be inserted, namely:

(aa) "basic pay" in the revised pay structure means the pay drawn in the prescribed pay band plus the applicable grade pay but does not include any other type of pay like special pay, etc.

In the case of members of the Service, in the apex scale and the Cabinet Secretary's scale, basic pay means the pay in the prescribed scale;

- (ii) for clause (e), the following clause shall be substituted, namely:—
(e) "grade pay" is the fixed amount corresponding to the pre-revised pay scale/posts;

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(iii) after clause (j), the following shall be inserted, namely :-

‘(ja) “pay in the pay band” means pay drawn in the running pay bands specified in sub-rule (1) of rule 3;’;

(iv) after clause (m), the following clauses shall be inserted, namely :-

‘(ma) “revised emoluments” means the pay in the pay band plus the grade pay of a member of the Service in the revised pay structure or the basic pay in the Apex scale and the Cabinet Secretary’s scale;’;

‘(mb) “revised pay structure” in relation to any post specified in Schedule II means the pay band and grade pay specified against that post or the pay scale specified in column 5 and 6 thereof, unless a different revised pay band and grade pay or pay scale is notified separately for that post;’;

3 In rule 3 of the said rules, for sub-rule (1), the following sub-rule shall be substituted, namely :-

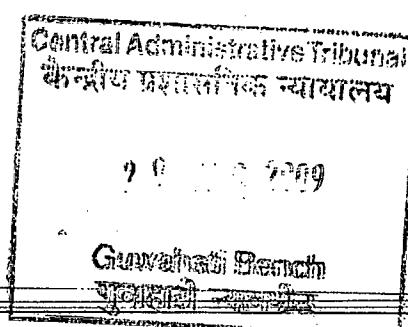
“(1) Pay Bands and Grade Pays - The pay bands and grade pays admissible to a member of the Service and the dates with effect from which the said pay bands and grade pays shall be deemed to have come into force, shall be as follows:-

(A) Junior Scale -

Pay Band - 3: Rs.15600-39100 plus Grade Pay Rs.5400.
(with effect from the 1st day of January, 2006);

(B) Senior Scales -

(i) **Senior Time Scale** - Pay Band - 3: Rs.15600-39100 plus Grade Pay Rs.6600 (Two additional increments shall be granted at the time of pay fixation on promotion);



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(ii) **Junior Administrative Grade :-**

Pay Band - 3: Rs.15600-39100; plus Grade Pay Rs.7600 (Two additional increments shall be granted at the time of pay fixation on promotion);

(iii) **Selection Grade :-**

Pay Band - 4: Rs.37400-67000; plus Grade Pay Rs.8700 (Two additional increments shall be granted at the time of promotion on the minimum of the pay band plus grade pay)
(with effect from the 1st day of January, 2006);

(C) Super Time Scale :

Pay Band - 4: Rs.37400-67000; plus Grade Pay Rs.10000
(with effect from the 1st day of January, 2006);

(D) Above Super Time Scale

- (i) Pay Band - 4: Rs.37400-67000; plus Grade Pay Rs.12000;
- (ii) Apex Scale : Rs.80000 (fixed); Grade Pay : nil;
- (iii) Cabinet Secretary Grade : Rs.90000 (fixed); Grade Pay : nil ;
(for the post of Cabinet Secretary in the Government of India)
(with effect from the 1st day of January, 2006);

Note 1. - Appointment of a member of the Service to the Time Scale and above shall be regulated as per the provisions in the Guidelines regarding promotion to various grades in the Indian Administrative Service:

Provided that a member of the Service shall become eligible for being appointed to the senior time scale on his completion of four years of service, subject to the provisions of sub-rule (2) of rule 6A of the Indian Administrative Service (Recruitment) Rules, 1954 and to the Junior Administrative Grade on completion of nine years of service, to the Selection Grade on completion of thirteen years of service and to the Super Time Scale on completion of sixteen years of service:

Provided further that a member of the service shall be appointed to the Junior Administrative Grade only after he has completed phase III mandatory Mid Career Training as prescribed.

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Central Administrative Tribunal
केन्द्रीय अधिकारी नियन्त्रण न्यायालय

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Note 2. The four years, nine years, thirteen years and sixteen year of service in this rule shall be calculated from the year of allotment assigned to him under rule 3 of the Indian Administrative Service (Regulation of Seniority) Rules, 1987.

Note 3. The period of extraordinary leave taken otherwise than on medical certificate or considered by the State Government concerned to have been taken for any cause beyond the control of the member of the Service or for prosecuting studies, which are in public interest and for which Study Leave could otherwise be admissible under the All India Service (Study Leave) Regulations, 1960, shall be excluded for the purpose of calculating the eligibility period of service required for appointment in these grades:

Provided that a member of Service may opt to continue to draw pay in the existing scale until the date on which he earns his next or any subsequent increment in the existing scale or until he vacates his post or ceases to draw pay in that scale:

Provided further that in cases where a member of the Service has been placed in a higher pay scale between 1.1.2006 and the date of notification of these rules on account of promotion or upgradation of pay scale, the member of Service may opt to switch over to the revised pay structure from the date of such promotion or upgradation, as the case may be.

Explanation 1. - The option to retain the existing scale under the proviso to this rule shall be admissible only in respect of one existing scale:

Explanation 2. - The said option shall not be admissible to any person appointed to the Service on or after the 1st day of January, 2006 and he shall be allowed pay only in the revised pay structure.

Explanation 3. - Where a member of the Service exercises an option under the proviso to this rule to retain the existing scale in respect of a post held by him in an officiating capacity on a regular basis

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Central Administrative Tribunal केन्द्रीय प्रशासनिक न्यायमण्डल	
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for the purpose of regulation of pay in that scale, his substantive pay shall be the substantive pay which he would have drawn had he retained the existing scale in the permanent post on which he holds lien or would have held a lien had his lien not been suspended or the pay of the officiating post which has acquired the character of substantive pay in accordance with any order for the time being in force whichever is higher";

4. For rule 3A of the said rules, the following rule shall be substituted, namely:-

'3A. Fixation of pay in the revised pay structure. - The initial pay of a member of the Service who opts or deemed to have opted in accordance with these rules, to be governed by the revised pay structure on and from the 1st day of January, 2006 or from a later date, which shall be re-fixed as from that date separately in respect of his substantive pay in the permanent post on which he holds a lien or would have held a lien if it had not been suspended, and in respect of his pay in the officiating post held by him, in the following manner, namely:-

(A) in the cases of all members of the Service,-

(i) the pay in the pay band/pay scale shall be determined by multiplying the existing basic pay as on the 1st day of January, 2006 by a factor of 1.86 and rounding off the resultant figure to the next multiple of 10;

(ii) if the minimum of the revised pay band/ pay scale is more than the amount arrived at as per (i) above, the pay shall be fixed at the minimum of the revised pay band/pay scale:

Provided that -

(a) where, in the fixation of pay, the pay of a member of the Service drawing pay at two or more consecutive stages in an existing scale gets bunched, that is to say, gets fixed in the revised pay structure at the same stage in the pay band, then, for every two stages so bunched, benefit of

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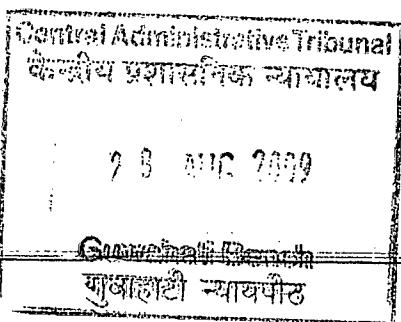
one increment shall be given so as to avoid bunching of more than two stages in the revised running pay bands and for this purpose, the increment shall be calculated on the pay in the pay band and the grade pay would not be taken into account for the purpose of granting increments to alleviate bunching;

- (b) if by stepping up of the pay as above, the pay of a member of the Service gets fixed at a stage in the revised pay band/ pay scale (where applicable) which is higher than the stage in the revised pay band at which the pay of a Government servant who was drawing pay at the next higher stage or stages in the same existing scale is fixed, the pay of the latter shall also be stepped up only to the extent by which it falls short of that of the former;
- (iii) the pay in the pay band shall be determined in the above manner and in addition to the pay in the pay band, grade pay corresponding to the existing scale shall be payable;

(B) In the case of a member of the Service, who was on the 1st day of January, 2006 on deputation out of India or on leave or on foreign service, or who would have on that date officiated in one or more lower posts but for his officiating in a higher post, the "existing scale" includes the scale applicable to the post which he would have held but for his being on deputation out of India or on leave or on foreign service or, as the case may be, but for his officiating in a higher post.

(C) In the case of members of the Service who are in receipt of special pay or allowance in addition to pay in the existing scale which has been recommended for replacement by a pay band and grade pay without any special pay or allowance, pay shall be fixed in the revised pay structure in accordance with the provisions of clause (A) above.

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(D) In the case of members of the Service who are in receipt of special pay component with any other nomenclature in addition to pay in the existing scales, such as personal pay for promoting small family norms, Central (Deputation on Tenure) Allowance, etc., and in whose case the same has been replaced in the revised pay structure with corresponding allowance or pay at the same rate or at a different rate, the pay in the revised pay structure shall be fixed in accordance with the provisions of clause (A) above and in such cases, the allowance at the new rate as recommended shall be drawn in addition to pay in the revised pay structure from the date specified in the individual notifications related to these allowances.

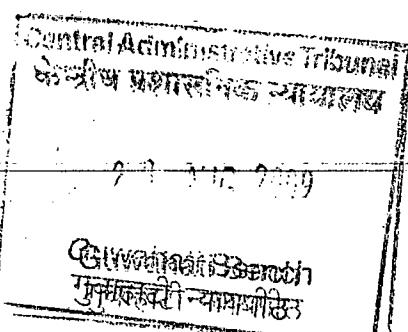
Note 1.— A member of the Service under suspension, shall continue to draw subsistence allowance based on existing scale of pay and his pay in the revised pay structure shall be subject to the final order on the pending disciplinary proceedings.

Note 2.— Where the 'existing emoluments' exceed the revised emoluments in the case of any member of Service, the difference shall be allowed as personal pay to be absorbed in future increases in pay.

Explanation.— For the purpose of this Note, "existing emoluments" mean the sum of (i) existing basic pay, (ii) dearness pay appropriate to the basic pay and (iii) dearness allowance appropriate to the basic pay + dearness pay at index average 536 (1982=100).

Note 3.— Where in the fixation of pay under sub-rule (1) of rule 3, the pay of a member of the Service, who, in the existing scale was drawing immediately before the 1st day of January, 2006 more pay than another member of the Service junior to him in the same cadre, gets fixed in the revised pay band at a stage lower than that of such junior, his pay shall be stepped upto the same stage in the revised pay band as that of the junior.

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Note 4. - Where a member of the Service is in receipt of personal pay on the 1st day of January, 2006, which together with his existing emoluments exceeds the revised emoluments, then, the difference representing such excess shall be allowed to such member of the Service as personal pay to be absorbed in future increases in pay.

Note 5. - In the case of members of the Service who are in receipt of personal pay for passing Hindi Pragya and such other examinations under the "Hindi Teaching Scheme" prior to the 1st day of January, 2006, while the personal pay shall not be taken into account for purposes of fixation of initial pay in the revised pay structure, they would continue to draw personal pay after fixation of their pay in the revised pay structure on and from the 1st day of January, 2006 or subsequently for the period for which they would have drawn it but for the fixation of their pay in the revised pay structure and the quantum of such personal pay would be paid at the appropriate rate of increment in the revised pay structure from the date of fixation of pay for the period for which the officer would have continued to draw it.

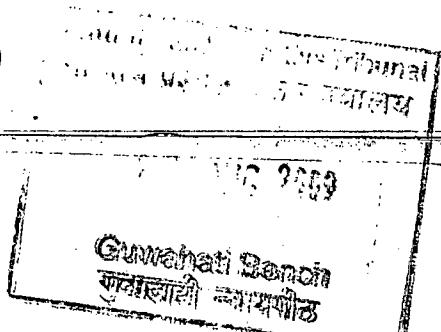
Explanation. - For the purpose of this Note, "appropriate rate of increment in the revised pay structure" means an amount equal to 3% of the sum of the pay in the pay band and the grade pay at the stage at which the pay of the employee is fixed in the revised pay structure.

Note 6. - In cases where a senior member of Service promoted to a higher post before the 1st day of January, 2006 draws less pay in the revised pay structure than his junior who is promoted to the higher post on or after the 1st day of January, 2006, the pay in the pay band of the senior member of Service should be stepped up to an amount equal to the pay in the pay band as fixed for his junior in that higher post; and the said stepping up should be done with effect from the date of promotion of the junior member of Service subject to the fulfillment of the following conditions, namely:

(a) both the junior and the senior members of Service should

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- (a) belong to the same cadre and the posts in which they have been promoted should be identical in the same cadre;
- (b) the pre-revised scale of pay and the revised grade pay of the lower and higher posts in which they are entitled to draw pay should be identical;
- (c) the senior member of Service at the time of promotion should have been drawing equal or more pay than the junior;
- (d) the anomaly should be directly as a result of the application of the provisions of this Note.
- (e) If even in the lower post, the junior officer was drawing more pay in the pre-revised scale than the senior by virtue of any advance increments granted to him, the provisions of this Note need not be invoked to step up the pay of the senior member of the Service.

Note 7.—The order relating to re-fixation of the pay of the senior member of the Service in accordance with the above provisions shall be issued under the relevant rules and the senior member of the Service shall be entitled to the next increment on completion of his required qualifying service with effect from the date of re-fixation of pay.

(E) Fixation of pay in the revised scale subsequent to the 1st day of January, 2006 - Where a member of Service continues to draw his pay in the existing scale and opts for revised pay structure from a date later than the 1st day of January, 2006, his pay from the later date in the revised pay structure shall be fixed under these rules and for this purpose his pay in the existing scale shall be the same as of existing emoluments as calculated in accordance with clauses - (A) , (C) or (D), as the case may be, subject to the condition that the basic pay on the later date and where the member of the Service is in receipt of special allowance, his pay shall be fixed after deducting from those emoluments an amount equal to the special allowance at the revised rates appropriate to the emoluments so calculated'.

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In rule 4 of the said rules,-

(a) for sub-rule (1), the following sub-rule shall be substituted, namely:-

"(1) The initial pay of a direct recruit shall be fixed at the minimum of pay band-3 with grade pay of Rs.5400:

Provided that, if a direct recruit holds a lien, or would hold the lien, had his lien not been suspended on permanent post, under the rules applicable to him prior to his appointment to the Indian Administrative Service, his initial pay shall be regulated in following manner, namely:-

(a) he shall, during the period of probation, draw the pay of the permanent post, if it is more than the minimum of the Junior Scale and on confirmation in the Indian Administrative Service;

(b) if he was holding a Group A post before appointment to the Indian Administrative Service, his pay shall be fixed at the same stage as the pay in the Group A post in the Pay Band-3 plus Grade Pay Rs.5400; and

(c) if he was holding a post lower than a Group A post, his pay in Pay Band-3 shall be fixed as the pay arrived at by increasing his pay in respect of the lower post by one increment equal to 3% of the sum of the pay in the pay band and the grade pay admissible for such lower post, computed and rounded off to the next multiple of 10 and if his pay in the pay band after adding one increment is less than the minimum of the pay band-3, then, his pay in the shall be fixed at the minimum of pay band-3;

(d) he shall however, cease to earn any increments in the Junior Scale, until, having regard to his length of service, he becomes entitled to a higher pay:

Provided further that he shall draw the pay admissible under rule 7 if that is more than the pay referred to in the preceding proviso.;"

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(b) for sub-rule (2), the following sub-rule shall be substituted, namely:-

“(2) The pay of a member of the Service in the Junior Scale shall, on promotion to a post in the Senior Time Scale, be fixed in the revised pay structure as follows:

One increment on notional basis equal to 3% of the sum of the pay in the pay band and the existing grade pay shall be computed and rounded off to the next multiple of 10 and added to the existing pay in the pay band for Junior Scale of the Indian Administrative Service, thereafter, two additional increments at the rate of 3% of the sum of the pay in the pay band 3, arrived at after adding one increment on notional basis, and the grade pay of Rs.6600/- corresponding to the Senior Time Scale, shall be computed and rounded off to the next multiple of 10 and added successively to the existing pay in the pay band 3 to arrive at the pay for Senior Time Scale of Indian Administrative Service in the pay band. The second increment is to be calculated on the sum of the pay in the pay-band and existing grade pay, after addition of the first increment in the pay in pay-band. The grade pay of Rs.6600 corresponding to the Senior Time Scale shall be granted in addition to this pay in the pay band”.

(c) for sub-rule (5), the following sub-rule shall be substituted, namely:-

“(5) The pay of a member of the Service in the Senior Time Scale shall, on promotion to the Junior Administrative Grade, be fixed in pay band 3 in the same manner as in the case of promotion from Junior Time Scale to Senior Time Scale by adding two additional increments at the rate of 3% of the sum of the pay in the pay band 3 and the grade pay of Rs.7600, computed and rounded off to the next multiple of 10 and added successively to the existing pay in the pay band 3, plus the grade pay of Rs.7600.”

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(d) for sub-rule (6), the following sub-rule shall be substituted, namely:-

"(6) The pay of a member of the Service in the Junior Administrative Grade shall, on promotion in the Selection Grade, be fixed in pay band-4 by granting two additional increments, computed on the minimum of the pay band plus grade pay and the grade pay of Rs.8700 shall be granted to the Selection Grade";

(e) for sub-rule (7), the following sub-rule shall be substituted, namely:-

"(7) The pay of a member of the Service in the Selection Grade, on promotion to the Super Time Scale and in the Super Time Scale, on promotion to the Above Super Time Scale, shall be fixed by adding one increment equal to 3% of the sum of the pay in the pay band - 4 and the existing grade pay, computed and rounded off to the next multiple of 10, to the existing pay in the pay band - 4 and the grade pay corresponding to the Super Time Scale and the Above Super Time Scale, as the case may be, shall be granted in addition to this pay in the pay band.;"

(f) for sub-rule (8), the following sub-rule shall be substituted, namely:-

"(8) On promotion from one grade to another in the Service, a member of the Service shall have an option to get his pay fixed in the Pay Band of the higher post either from the date of his promotion or from the 1st day of July of the year, the date on which he subsequently earns an increment in the lower scale in the manner provided in the relevant sub-rule above; in the latter case, on the date of promotion, pay in the pay band shall be fixed as the same in the lower post but the grade pay shall be that attached to the higher post, with further re-fixation to be done in the manner provided in relevant sub-rules with effect from the 1st day of July, the date of accrual of the next increment in the lower scale".

3610 GI/08-8

ATTESTED
ADVOCATE

28 AUG 2009

Supreme Bench

6. In rule 5 of the said rules, —

(i) for sub-rule (1) the following sub-rule shall be substituted, namely:—

"(1) (a) Subject to any order passed by the State Government concerned, under rule 6 or rule 7 of these rules, the increment admissible to a member of the Service appointed under rule 7 or rule 7A of the Indian Administrative Service (Recruitment) Rules, 1954, shall accrue uniformly on the 1st day of July of every year;

(b) Officers completing six months and above in the revised pay structure as on the 1st day of July shall be eligible to be granted the increment.

(c) The first increment after fixation of pay on the 1st day of January, 2006 in the revised pay structure shall be granted on the 1st day of July, 2006 for those members of the Service for whom the date of next increment was between the 1st July, 2006 to 1st January, 2007.

(d) All members of the Service who earned their last increment between 01.01.2005 and 01.01.2006 shall get their increment on 01.07.2006.

Provided that in the case of persons who had been drawing maximum of the existing scale for more than a year as on the 1st day of January, 2006, the next increment in the revised pay structure shall be allowed on the 1st day of January, 2006, thereafter, the provision of this rule shall apply:

Provided further that in cases where a member of the Service reaches the maximum of his pay band, he shall be placed in the next higher pay band after one year of reaching such a maximum and at the time of placement in the higher pay band, benefit of one increment shall be provided, thereafter, he shall continue to move in the higher pay band till his pay in the pay band reaches the maximum of that pay band after which no further increments shall be granted.";

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ADVOCATE

28 AUG 2006

Guwahati Bench
High Court of Assam

- 78 -

Provided further that a direct recruit who has been exempted from appearing for the whole or any part of the departmental examination or examinations, as the case may be, for the reason that he had already passed such examination or examinations or part thereof before he became a member of the Service, shall, for the purpose of this rule, be deemed to have passed the departmental examination or examinations or part thereof, as the case may be, after the date of the earliest such examination or examinations or part thereof, in which he would have appeared, but for the exemption, after he became a member of the Service".

9. In rule 9 of the said rules, in sub-rule (7), for the word and figures "Rs.26000" the word and figures "Rs.80000" shall be substituted.

10. In Schedule I of the said rules,

(a) for the word and figures "1st day of January, 1996", wherever they occur the words and figures "1st day of January, 2006";, shall respectively be substituted;

(b) for paragraph (1), the following paragraphs shall be substituted, namely:-

"(1) Notwithstanding anything contained in the first proviso to sub-rule (1) of rule 3, and the Notes thereunder, the initial pay of a promoted officer or an officer appointed by selection, as the case may be, shall be fixed at the pay drawn by the officer in the pay band-3 or pay band-4 in the State Service in addition to one of the grade pays admissible for the three components Senior Scale as per the eligibility of the officer in the following manner:

Pay in Pay Band	Grade Pay
-----------------	-----------

Officers with pay up to Rs.29490 in Pay Band -3	Rs.6600/-
---	-----------

Officers with pay between Rs.29491 to Rs.30690 in Pay Band -3	Rs.7600/-
---	-----------

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ADVOCATE

28 AUG 2000

Guwahati Bench

(ii) sub-rules (2) and (3) shall be omitted;

(iii) in sub-rule (6) for the words "pay - scale" and "scale of pay", the words "pay bands and grade pay" shall be substituted;

7. For rule 5A of the said rules, the following rule shall be substituted, namely:-

"5A Rate of increment in the revised pay structure. -

(1) The rate of increment in the revised pay structure shall be equal to 3% of the sum of the pay in the pay band and the grade pay applicable, which shall be rounded off to the next multiple of 10 and the amount arrived at shall be added to the existing pay in the pay band.

(2) In the case of pay band - 3, variable rates of increment at 3% and 4% may be provided.

(3) The higher rate of increment shall be granted to not more than 20% of the strength of officers in pay band-3.

8. For rule 7 of the said rules, the following rule shall be substituted, namely:-

"(7). - Grant of advance increments. - Notwithstanding anything contained in rule 13 of the Indian Administrative Service (Probation) Rules, 1954, the State Government shall sanction the second and third increments due to a direct recruit with effect from the prescribed date of increment after he passes the prescribed departmental examination or examinations irrespective of the length of service, after which he shall be entitled to draw pay at the rate corresponding to his position in the pay band:

Provided that the third increment under this rule shall be granted retrospectively from the prescribed date of increment after passing the prescribed departmental examination, or the last of the prescribed departmental examinations, as the case may be, on the successful completion of the probation and confirmation:

ATTESTED
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ADVOCATE

28 AUG 2009

Shri Banch

Officers with pay Rs.30691 or above : Rs.8700/-
In Pay Band -3/Pay-Band-4

In case the pay of officer in State Service has not been revised to the new pay structure with effect from the 1st January, 2006, the same shall be revised in terms of provisions contained in rule 3A."

11. In Schedule II of the said rules,-

(a) for the words and letters "A – Posts carrying pay above the Senior Scale in the Indian Administrative Service under State Governments. SCHEDULE II", the following shall be substituted, namely:-

"SCHEDULE II

PART-A

Posts carrying pay above the Senior Scale in the Indian Administrative Service under State Governments";

(b) in SCHEDULE II, PART-A the words and figures "Rs.30000", "Rs.26000", "Rs.22400-525-24500" and "Rs.18400-500-22400", at all the places, the pay structure "Rs.90000", "Rs.80000", "Pay Band-4: Rs.37400-67000 plus Grade Pay Rs.12000" and "Pay Band-4: Rs.37400-67000 plus Grade Pay Rs.10000", shall respectively be substituted.

(c) at the end of Part-A, for the letter "B", the word and letter "Part-B" shall be substituted;

(d) for "C – Posts under the Central Government when held by member of the Service and the table", the following shall be substituted, namely:-

"PART-C – Posts under the Central Government when held by member of the Service."

3610 GI/08-9

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ADVOCATE

28 AUG 2009

TABLE

Name of Post (1)	Scale of Pay (2)	Central (Deputation on Tenure) Allowance (3)
(1) Cabinet Secretary	Rs.90000/- (Fixed)	---
(2) Secretary to the Government of India/Special Secretary to the Government of India	Rs.80000/- (Fixed)	---
(3) Additional Secretary to the Government of India	Pay Band-4: Rs.37400- 67000; and Grade Pay Rs.12000	---
(4) Joint Secretary to the Government of India	Pay Band-4: Rs.37400- 67000; and Grade Pay Rs.10,000/-	---
(5) Director to the Government of India	Selection Grade: (Pay Band- 4: Rs.37400-67000; and Grade Pay Rs.8,700/-)	Ten percent of the basic pay subject to the maximum of rupees four thousand per mensem.
(6) Deputy Secretary to the Government of India	Selection Grade: (Pay Band- 4: Rs.37400-67000; and Grade Pay Rs.8,700/-) or Junior Administrative Grade: Pay Band-3: Rs.15600-39100; and Grade Pay Rs.7600	Ten percent of the basic pay subject to the maximum of rupees four thousand per mensem.

28 AUG 2009

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(A)

ADVOCATE

Gyanendra Singh

(7) Under Secretary to the Government of India	Junior Administrative Grade: Pay Band-3: Rs.15600-39100; and Grade Pay Rs.7600 or Senior Time Scale (Grade: Pay Band-3: Rs.15600-39100; and Grade Pay Rs.6600)	Ten percent of the basic pay subject to the maximum of rupees four thousand per mensem.
--	--	---

Note – The Central (Deputation on Tenure) Allowance specified in this rule shall be paid to a member of the Service for the period of deputation approved by the competent authority”.

[F. No. 14021/1/2008-AIS (II)-A]

HARJOT KAUR, Director

Note : The principal rules were published in the Gazette of India, Extraordinary vide number G.S.R. 213(E), dated the 20th March, 2007 and subsequently were amended vide numbers G.S.R. 23(E), dated the 10th January, 2008.

EXPLANATORY MEMORANDUM

The Central Government has decided to implement the recommendations made by the Sixth Central Pay Commission with the modification approved by the Government as contained Government of India resolution No. 1/1/2008-IC, dated the 29th August, 2008 relating to revision of pay-scales in respect of the All India Services with effect from the 1st January, 2006. With a view to implement those recommendations, the Indian Administrative Service (Pay) Rules, 2007 are being amended accordingly with effect from the 1st January, 2006.

It is certified that no member of the Indian Administrative Service is likely to be adversely affected by giving retrospective effect to these rules.

Printed by the Manager, Govt. of India Press, Ring Road, Mayapuri, New Delhi-110064
 and Published by the Controller of Publications, Delhi-110054.

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 (M)
 ADVOCATE

28 AUG 2009

Typed copy

THE SECOND SCHEUDLE

Form of Option

[See Rule]

* (i) I M. Laihlia Darlong, Director, TW hereby elect the revised pay structure with effect from 1st January, 2006

* (ii) I hereby elect continue on the existing scale of pay of my substantive/officiating pay mentioned below until:

*the date of my next increment
the date of my subsequent increment
raising my pay to Rs.....

I vacate or cease to draw pay in theexisting scale

The date of my promotioni.....

Existing Scale 15,100 - 400 - 18,300/- w.e.f. 1.1.08

Signature Sd/-24.9.2008

Name: MR. LAIHLIA DARLONG

Designation: DIRECTOR, TW

Office in which employed: DEPTT. OF WELFARE FOR SCH. TRIBES

Date: 24/9/08

Place: Agartala

* To be scored out, if not applicable

Annex - III

UNDERTAKING

I hereby undertake that any excess payment that may be found to have been made as a result of incorrect fixation of pay or any excess payment detected in the light of discrepancies noticed subsequently will be refunded by me to the Government either by adjustment against future payments due to me or otherwise.

Signature: Sd/-24.9.2008

Name: MR. LAIHLIA DARLONG

Designation: DIRECTOR, TW DEPTT.

Date: 24.9.08

Station: Agartala

28 AUG 2008

AI TESTED
M
ADVOCATE

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THE SECOND SCHEDULE
Form of Option
(See Rule _____)

* (i) I Shri Laihla Darlong hereby elect
the revised pay structure with effect from 1st January, 2006.

* (ii) I hereby elect to
continue on the existing scale of pay of my substantive officiating pay mentioned below
until
* the date of my next increment
* the date of my subsequent increment
* raising my pay to Rs.....
I vacate or cease to draw pay in the existing scale.

The date of my migration
Existing Scale Rs 15,100 - 400 - 18,300/- w.e.f. 1.1.08

Signature

24/9/08

MR. LAIHLIA DARLONG
DIRECTOR, TW Dept.

Date: 24-9-08

Station: Agartala

(To be written again in the application)

24/9/08

UNDERTAKING

I hereby undertake that any excess payment that may be found to have been made
as a result of incorrect fixation of pay or any extra payment detected in the light of
discrepancies noticed subsequently will be refunded by me to the Government either by
adjustment against future payment due to me or otherwise.

Signature

24/9/08

Name MR. LAIHLIA DARLONG
Designation DIRECTOR, TW Dept.

Date 24-9-08
Station Agartala

Central Administration Ministry of Home Affairs	28 AUG 2009
Guwahati Bench Ganjidih	

ATTESTED
ADVOCATE
W

Government of Tripura
Department of Finance
(Establishment Branch)

Dated, Agartala, the
October, 2008

No. F.9(1)(154)-Fin(E)/01

PAY ETC. REGULATION SLIP (PROVISIONAL)

The officer(s) named below is entitled to draw pay etc. at the monthly rate(s) shown from the date(s) specified less the amount already drawn, if any.

In case the pay/leave salary/increment(s) shown as admissible has already been drawn or withheld or is not due under rules or order, this authority shall be treated as void to that extent.

In case the officer is on leave on the date of increment, the financial benefit from the increment with accrue from the date of resumption of duties by the officer(s) concerned.

Deduction of fund subscriptions and recoveries of loans and advances and other government dues shall be affected. Nothing shall be drawn beyond what is authorized below :-

Name : Sri L. Darlong, IAS.
Designation : Director, T.W.Department
Pay Band. 3.- Rs.15,600-39,100/-

Grade Pay. Rs.7600/-

Period Due	Revised Pay Band Due	Grade Pay Due	Period	Pre-revised Basic Pay Drawn	Pre-revised DP Drawn	Remarks
1-1-2005	Rs. 30,000/-	Rs. 7600/-	1-1-2006	Rs. 16,125/-	Rs. 8063/-	(1) DA due on Revised Pay (including Grade Pay) NIL from 1-1-2006 2% from 1-7-06; 5% from 1-1-07; 9% from 1-1-07; 12% from 1-1-08 & 16% from 1-7-08.
1-7-2006	Rs. 31,130/-	Rs. 7600/-	1-1-2007	Rs. 16,500/-	Rs. 8250/-	
1-7-2007	Rs. 32,300/-	Rs. 7600/-	1-1-2008	Rs. 16,700/-	Rs. 8350/-	
1-7-2008	Rs. 33,500/-	Rs. 7600/-				(2) DA drawn on Pre-revised Pay (including DP) 24% from 1-1-06 29% from 1-7-06; 35% from 1-1-07; 41% from 1-7-07; 47% from 1-1-08

NB. (i) Arrear Salary from 1-1-06 to 31-8-08 to be calculated under formula; (Revised Pay Band + Grade Pay + DA as indicated in Sl.No.1 of Remarks Col.)-(Pre-Revised DP + DA as indicated in Sl.2 of Remarks Col) (Ref. FR's Memo. No. F.9(1)(172)-CCS(RP)/FIN(E)/08/605, dated, 15-10-2008).

(ii) 40% of the aggregate arrears to be drawn under first installment during year 2008-09 and remaining 60% of the aggregate arrears to be drawn in second installment during 2009-10 (Ref. FD's Memo. No. F.9(1)(172)-CCS(RP)/FIN(E)/08/605, dated, 15-10-2008).

(iii) Revised rates of all other admissible allowances to be drawn over Revised Pay w.e.f. 1-9-2008, (Ref. FD's Memo. No. F.9(1)(172)-CCS(RP)/FIN(E)/08/606, dated, 15-10-2008).

(iv) IT deduction, GPF contribution etc. to be deducted from arrear salary in ref. to F.D's Memo. No. 9(1)9172)-CCS(RP)Fin(E)/08/639 dt. 21-10-2008.

*16/8/08
22/10/08
(R. Debnath)*

Under Secretary to the
Government of Tripura

Copy forward to :-

1. Sri L. Darlong, I.A.S., Director, T.W.Department, Government of Tripura.
2. The Director, T.W.Department, Government of Tripura.
3. The GA(P&T) Department, Agartala.
4. The Estate Officer, PWD, Agartala.

28 AUG 2008

Girishwar Banerjee
Advocate

ATTESTED
ADVOCATE

GOVERNMENT OF TRIPURA
DEPARTMENT OF WELFARE FOR SCH. TRIBES

No.F. 2391/TW/GL/2008/

Dated, Agartala, 3rd November, 2008

To
The Under Secretary
Department of Finance (Establishment Branch)
Govt. of Tripura
Agartala.

Sub:- Submission of option under Revised Pay structure w.e.f 1st January, 2008 instead of 1st January, 2006.

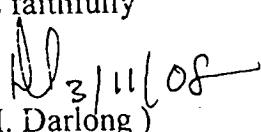
Sir,

I have submitted an option on 24th September, 2008 under the Revised Pay structure giving effect from 1st January, 2006 and the said option was submitted before received of the Memo. no. F. 9(1)(172)-CCS/RP)/FIN(E)/08/639 dated 21st October, 2008 issued by the Department of Finance (Estab. Branch).The said Memo. was received in Tribal Welfare Department on 22nd October, 2008. After going through the said Memo, I am submitting herewith fresh option giving effect from 1st January, 2008 instead of 1st January, 2006. It may also be stated that option submitted on 24-9-2008 giving effect from 1st January, 2006 may please be treated as withdrawn and cancelled. It may also be mentioned that pay as per revised pay structure has not been drawn including arrears till date. A certificate in this regard from the DDO,TW Directorate is enclosed herewith.

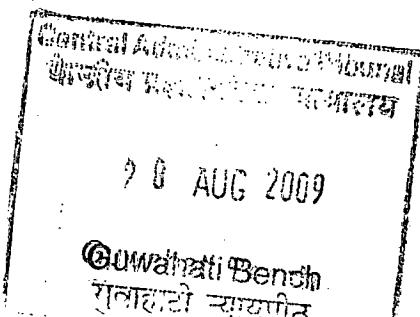
I would therefore, request to you kindly arrange for fixation of my pay under the Revised Pay structure giving effect from 1st January, 2008.

Yours faithfully

Enclo :- As stated above.


(L. H. Darlong)
Director, T.W

ATTESTED
N
ADVOCATE



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THE SECOND SCHEDULE

Form of Option

[See Rule _____]

* (i) I Mr. Laihla Darling, Director TW hereby elect the revised pay structure with effect from 1st January, 2008 (1-1-2008)

* (ii) I _____ hereby elect to continue on the existing scale of pay of my substantive/officiating pay mentioned below until :

- * the date of my next increment
- the date of my subsequent increment
- raising my pay to Rs.....
- I vacate or cease to draw pay in the existing scale.

The date of my promotion to

Existing Scale 15100 - 400 - 18300/-

Signature LL

Name MR. LAIHLA DARLONG

Designation DIRECTOR, TW

Office in which employed DEPTT OF WELFARE FOR SCH.

Date : 31/10/08

Station : Agartala

* To be scored out, if not applicable.

Annex - III

UNDERTAKING

I hereby undertake that any excess payment that may be found to have been made as a result of incorrect fixation of pay or any excess payment detected in the light of discrepancies noticed subsequently will be refunded by me to the Government either by adjustment against future payments due to me or otherwise.

Signature LL

Name Mr. Laihla Darling

Designation Director, TW

Date 31.10.08

Station Agartala

Central Bureau of Economic Intelligence

Section 17(4)(b) of the P.R.C. Act

20 AUG 2009

ATTESTED
M
ADVOCATE

Government of India
Ministry of Finance
Department of Revenue

ANN LRE- 16
ANN LRE- 15

GOVERNMENT OF TRIPURA
DIRECTORATE OF WELFARE FOR SCH. TRIBES
(GENERAL SECTION)

NO.F.2-391/TW/GL/2008/22516

DATED, AGARTALA, 31.10.2008

This is to certify that Sri L.H Darlong, IAS, Director, Tribal Welfare has not yet drawn any arrear of pay as per revised scale nor drawn his pay in revised scale till October-2008.

31/10/08
D.D.O

Directorate for Welfare of
Sch. Tribes, Tripura

ATTESTED
ADVOCATE

Guwahati Barak
Tribal Welfare

31/10/08

Government of Tripura
Finance Department
Establishment Branch
Secretariat

No.F.9(1)(154)-Fin(E)/01

Agartala, the 12 February, 2009.

To
The Desk Officer,
Government of India,
Ministry of Personnel, Pension & Public Grievances,
Department of Personal & Training,
North Block, New Delhi - 01.

Subject :- Implementation of 6th CPC Rules.2008 - exercise of OPTION - clarification thereof.

Sir,

The undersigned is directed to inform that Notification were issued from the Ministry of Finance, Deptt. of Expenditure, Govt. of India communicating instruction of the Govt. of India relating to procedure of fixation and payment of arrears as a part of implementation of the recommendation of the 6th CPC for officers and employees of the Central Govt. and the Govt. of Tripura had adopted the same providing benefits of fixation of pay and payment of arrears as admissible to the AIS officers borne under the MT Cadre (Tripura Part) also.

Subsequently, Initial Pay Statement (IPS) are being prepared and pay slip on revised pay are issued following the OPTION exercised by the concerned officers.

The instant case is as follows :-

Shri L. H. Darlong, IAS (MT Cadre)(Tripura-Part), Director, T.W. Department, Govt of Tripura, had submitted his OPTION on 24-9-2008 on revision of pay w.e.f 1-1-2006 and accordingly pay slip on revised pay was issued on 23-10-2008. Subsequently on 31-10-2008 Sh. Darlong re-submitted a revised OPTION for revision of his pay w.e.f 31-10-2008 and requested to accept the later in cancellation of earlier submitted OPTION (letter enclosed). As per ROP Rules, OPTION once exercised cannot be changed.

I am, therefore, directed to request you to clarify the procedure to be followed in this regard as to whether the request for cancellation of OPTION exercised once can be entertained.

An early communication in this regard is solicited.

Enclo :- As stated.

Yours faithfully,


(R. Debnath)
Under Secretary to the
Government of Tripura

Copy for information to :-

✓ Shri L. H. Darlong, IAS, Director, T.W. Department, Govt. of Tripura.

ATTESTED
M
ADVOCATE

Establishment Branch
गवर्नमेंट ब्रॅन्च

GOVERNMENT OF TRIPURA
DIRECTORATE OF WELFARE FOR SCH. TRIBES

No. F. 2-391/TW/GL/08/

Dated, Agartala, 7th May, 2009

To
The Principal Secretary
to the Govt. of Tripura
Finance Department
Agartala.

Sub:- Submission of option under the Revised Pay structure w.e.f. 1st January
2008.

Sir,

I would like to draw your kind attention to the fact that I had submitted an option under the Revised Pay Structure of Indian Administrative Service (Pay) 2nd Amendment Rules, 2008 vide letter no. F. 2-391/TW/GL/08 dated 3rd November, 2008 to the Under Secretary, Department of Finance (Estt. Branch), Govt. of Tripura effective from 1st January, 2008. Thereafter, the Under Secretary, Finance Department vide letter no. F. 9(1)(154)-Fin(E)/01 dated 17th February, 2009 had referred the matter to the Desk Officer, Govt. of India, Ministry of Personnel, Pension & Public Grievances, Department of Personal & Training, New Delhi seeking clarification on the point that as per ROP Rules, option once exercised cannot be changed. But it is learnt that reply from the DOPT is yet to be received.

2. In this respect, it may be stated that as per the Indian Administrative Service (Pay) 2nd Amendment Rules, 2008, there is no provision that an IAS officer cannot change option once exercised. A copy of the IAS (Pay) 2nd Amendment Rules, 2008 is enclosed herewith for kind perusal. It may also be stated that, I shall have to forego arrears of 2 (two) years, if my case is consider. Further, I had not yet drawn pay as per the Revised Pay Structure till date.

3. In view of the above, I would earnestly request you to kindly consider for issuing pay slip as per the option submitted w.e.f 1st January, 2008 for which I shall remain grateful to you.

Yours faithfully

Encl: As stated above.

(L. H. Darlong)
Director, T.W

Guwahati Branch
গুৱাহাটী ব্রাঞ্চ

ATTESTED
W
ADVOCATE

Government of Tripura
Finance Department
Establishment Branch
Secretariat
No.F.9(1)(154)-Fin(E)/01

Agartala, the 6th July June, 2009.

To
The Desk Officer,
Government of India,
Ministry of Personnel, Pension & Public Grievances,
Department of Personal & Training,
North Block, New Delhi - 01.

Subject :- Implementation of 6th CPC Rules, 2008 - exercise of OPTION - clarification thereof.

Sir,
I am directed to refer the letter of even number dated 27-03-2009 on the subject cited above issued from this end and to re-iterate that Notification were issued from the Ministry of Finance, Deptt. of Expenditure, Govt. of India communicating instruction of the Govt. of India relating to procedure of fixation and payment of arrears as a part of implementation of the recommendation of the 6th CPC for officers and employees of the Central Govt. and the Govt. of Tripura had adopted the same providing benefits of fixation of pay and payment of arrears as admissible to the AIS officers borne under the MT Cadre (Tripura Part) also.

Subsequently, Initial Pay Statement (IPS) are being prepared and pay slip on revised pay are issued following the OPTION exercised by the concerned officers.

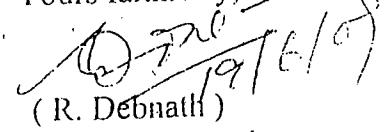
The instant case is as follows :-

Shri L. H. Darlong, IAS (MT Cadre)(Tripura-Part), Director, T.W. Department, Govt of Tripura, had submitted his OPTION on 24-9-2008 on revision of pay w.e.f 01-01-2008 and accordingly pay slip on revised pay was issued on 23-10-2008. Subsequently on 31-10-2008, Shri Darlong re-submitted a revised OPTION for revision of his pay w.e.f 01-01-2008 and requested to accept the later in cancellation of earlier submitted OPTION (letter enclosed). As per ROP Rules, OPTION once exercised cannot be changed.

I am, therefore, further directed to request you to clarify the procedure to be followed in this regard as to whether the request for cancellation of OPTION exercised once can be entertained.

An early communication in this regard is solicited.

Yours faithfully,


(R. Debnath)

Under Secretary to the
Government of Tripura

✓ Copy for information to :-

Shri L. H. Darlong, IAS, Director, T.W. Department, Govt. of Tripura.

ATTESTED
(M)
ADVOCATE

Gowhati Bench
Date: 10/06/2009