

3

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI -5

(DESTRUCTION OF RECORD RULES, 1990)

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O.A./TA/ NO..... 24/2015  
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*24/2/2015*  
SECTION OFFICER (JUDL.)

*24/2/2015*

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH:

1. Original Application No. 24/09  
2. Misc Petition No. /  
3. Contempt Petition No. /  
4. Review Application No. /

Applicant(S) Bhagya Ch. Singh VS- Union Of India & Ors

Advocate for the Applicant(S) Dre. N. K. Singh, S. Rosan Saura

Advocate for the Respondent(S) CBSCL

Notes of the Registry	Date	Orders of the Tribunal
4. Application is in form, is filed/C. F. for Rs. 50/- d. deposited vide APC/ED No. 396/396209 Dated 16.2.09	27.02.2009	Heard learned counsel for the parties. For the reasons recorded separately this O.A stands disposed of at the admission stage. No costs.
<i>Dy. Registrar 17/2/09</i>		<i>M.R. Mohanty 17/2/09</i>
Steps taken with envelops. Copy served.	pg	(M.R. Mohanty) Vice-Chairman

✓

6.3.89  
copy of the order

Copy to  
D.D. 27.2.09 alongwith  
Copy of the Application  
Send to the D.F.C.C. & M.  
Issue the same to  
the Respondent  
and copy of the same  
so the Applicant by  
post.  
G.S.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application Nos. 24 of 2009.

DATE OF DECISION: 27-02-2009.

Sri Y Bhagya Ch. Singh

.....Applicant/s

Dr N.K. Singh

.....Advocate for the  
Applicant/s

-Versus -

Union of India & Ors.

.....Respondent/s

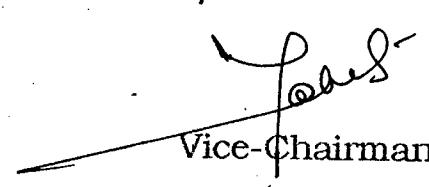
Mr. Kankan Das, Addl.C.G.S.C.

.....Advocate for the  
Respondent/s

CORAM

THE HON'BLE MR MANORANJAN MOHANTY, VICE CHAIRMAN

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

  
Vice-Chairman

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original Application No.24 of 2009.

Date of Order : This the 27th Day of February, 2009.

THE HON'BLE SHRI MANORANJAN MOHANTY, VICE CHAIRMAN

Shri Yengkhom Bhgya Chandra Singh  
Son of Y. Amuyaima Singh,  
Resident of Kakching Mayai Leikai  
Ward No. 1 P.O. Kakching Bazar,  
Manipur – 795103.

At present working as  
Junior Intelligence Officer-I  
S.I.B – Chandel, under S.I.B. Imphal,  
P.O.Lamphel,  
Imphal-795004.

.....Applicant

By Advocate Dr N.K. Singh

-Versus-

1. Assistant Director/G,  
IB-HQRS,  
35 S.P. Marg, New Delhi  
Pin-110021.

2. Deputy Director  
SIB (MHA) Imphal  
Govt. of India  
P.O. Lamphel,  
Imphal-795004.

3. Joint Director  
SIB (MHA) Shillong,  
Govt. of India,  
P.O. Laban, Shillong  
Meghalaya,  
Pin 793004.

4. Joint Director  
SIB (MHA) Kohima,  
Govt. of India,  
P.O. Kohima, Nagaland  
Pin 797001.

.....Respondents

By Mr K. Das, Addl.C.G.S.C.



O.A. No. 24 of 2009  
O R D E R (ORAL)  
27.02.2009

MANORANJAN MOHANTY (V.O.)

Applicant, Y.Bhgya Chandra Singh claims that he is a Security Assistant of Subsidiary Intelligence Bureau of Ministry of Home Affairs of Govt. of India since 25.01.1982; that he was sent to obtain Compounder Course/Training at Hamedia Hospital/Bhopal during 1984; that he was posted as Compounder (an ex-cadre post) at S.I.B., Tezpur (that was set up in the year 1986) in a different/higher pay scale and that he was posted (on transfer) at various boarder areas of North Eastern India including Sikkim. He claims further that on being asked, on 06.07.2007, to give his willingness to be absorbed in the ex-cadre post of Compounder; he expressed his unwillingness and that, in the said premises, he was reverted back to his parent cadre with effect from 24.12.2007 vide an order dated 29.12.2007.

2. It has been pointed out that pay of Compounders have been revised with effect from 01.01.2006 (in terms of VIth Pay Commission Report) by the Govt. of India and, as such, the Applicant is entitled to get the benefits of the said pay revision (for the period from 01.01.2006 to 24.12.2007) in the pay scale enjoyed by him as a Compounder. Under the Govt. instructions, 40% of the differential arrear (for the period 01.01.2006 to 24.12.2007) should be disbursed to him before end of March 2009. It has been alleged that despite his representation dated 06.10.2008, the Applicant has not yet been given the benefit of the said pay revision (for the period between 01.01.2006 to 24.12.2007) and

hence, the Applicant has approached this Tribunal with the present Original Application filed under Section 19 of the Administrative Tribunals Act, 1985.

3. In para 9 of his representation dated 06.10.2008, the Applicant has stated as under :-

"That on 25.09.2008, the Deputy Director, SIB Imphal issued an order, being No.337 whereby my scale of pay was filed w.e.f. 24.12.2007, the day I was reverted back to my parent cadre from deputation cadre. (A copy of the office order is annexed wherinafter as Annexure A/6).

The very office order above referred really surprised me as my legally entitled right has been forfeited by the office order. As per service rules, pay fixation is to be made on the basis of the pay actually drawn during a particular period. The pay fixation for the period 01.01.2006 to 24.12.2007 is to be made in accordance with the revised pay scale of a compounder whereas that of the period 25.12.2007 till date is to be fixed in accordance with the revised pay scale of JIO-II/G and JIO-I/G. However in my case, the pay fixation for the period 01.01.2006 to 24.12.2007 was sholly omitted, hereby causing shock and surprised on my part.

In the aforesaid premises, your goodself is requested kindly to look into the matter and consider the fixation of pay for the period 01.01.2006 to 24.12.2007 during which I render service as a Compounder for the ends of justice and to avoid legal complacacies.

For this act of kindness, I as duty bound shall ever pray."

4. Applicant was drawing his pay in a distinct pay scale during the period from 01.01.2006 to 24.12.2007 and, if that pay scale has been revised upwards (in terms of the Report of VIth Pay Commission) with effect from 01.01.2006, then, certainly, the Applicant is entitled to get the benefit of the said pay revision from 01.01.2006 to 24.12.2007 and, accordingly, the appropriate authority should fix his

pay with effect from 01.01.2006 to 24.12.2007 and release 40% of the differential amount of arrear (in favour of the Applicant) by end of March 2009 and release rest 60% of the same after March 2009.

5. Since it is the positive case of the Applicant that his representation dated 06.10.2008 is still pending with the authorities; without any waste of time, this case is hereby disposed of with direction to the Respondents to act promptly to fix the pay of the Applicant with effect from 01.01.2006 (to 24.12.2007) in the post of Compounder, as due and admissible under the Rules and Govt. instructions, and to release 40% of the differential arrear to him during this financial year 2008-09 (and release the rest 60% in the next financial year) on consideration of his representation dated 06.10.2008.

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

7. Send copies of this order to the Applicant and the Respondents (along with the copies of this Original Application) in the address given in the O.A. and free copies of this order be also supplied to Dr N.K.Singh, learned counsel for the Applicant and to Mr K.Das, learned Addl. Standing counsel for the Union of India; to whom a copy of this Original Application has already been supplied.

*40% and  
27/02/09*  
(MANORANJAN MOHANTY)  
VICE CHAIRMAN

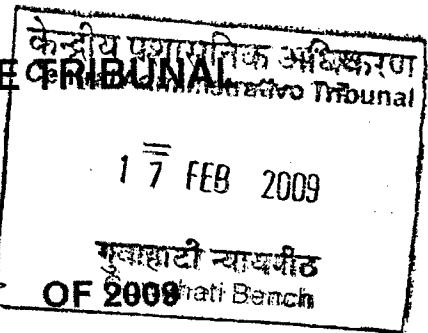
OA (one 2+4 sets) of 1902 envelope is filed today by Advocate Shri Rozen Sarma. A copy has been served on the Govt. side. To be posted on 24.2.09

161269

**DISTRICT: TURBAL (MANIPUR)**

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**

**GUWAHATI BENCH**



**ORIGINAL APPLICATION NO. 24**

Application under Section- 19 of the A. T. Act of 1985

Shri Yengkhom Bhagya Chandra Singh

..... Applicant.

VS -  
UNION OF INDIA

(Asstt. Director, IB- HQrs & Ors.)

..... Respondents.

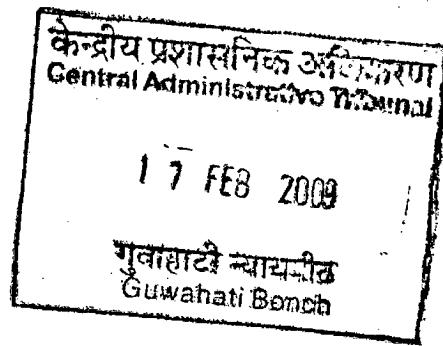
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2	List of Dates (Events)	-	2
3	Application	-	3-9
4	Copy of Memo No. 39/E/IMP/Dep/(1) 2007-645 dated 06.07.2007	A	10
5	Copy of Memo No. 11/E/IMP/Prom/ 2007(1) dated 29.12.2007,	B	11
6	Copy of representation dated 06.10.2008.	C	12-13
7	Vakalatnama	-	

Filed by-

Rozen Sarma  
Advocate.

Y.Bhagya Chandra Singh.



DISTRICT:

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

ORIGINAL APPLICATION NO. 24 OF 2009

Application under Section- 19 of the A. T. Act of 1985

Shri Yengkhom Bhagya Chandra Singh  
..... Applicant.

- Vs -  
UNION OF INDIA  
(Asstt. Director, IB- HQrs & Ors)

..... Respondents.

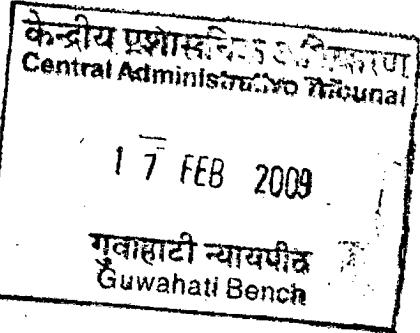
SYNOPSIS

The applicant was appointed to the post of Security Assistant of the Subsidiary Intelligence Bureau under the Ministry of Home Affairs, Govt. of India on 25.01.1982. He was posted to different places of the North Eastern States as Compounder. He was reverted to his parent cadre w.e.f. 24.12.2007.

The VI<sup>TH</sup> Revised Pay Scale came into effect on 01.01.2006 as per the recommendation of the VI<sup>TH</sup> Pay Commission as a policy of the Govt. of India. The applicant claims that he is entitled to the VI<sup>TH</sup> Revised Pay Scale for the period for 01.12.2006 to 24.12.2007. In spite of several representations to authority, the applicant's claim has not been granted. Hence the applicant filed this petition.

Filed by-  
Roxen Samra  
Advocate.

Y. Bhagya Chandra Singh



2

DISTRICT:

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

ORIGINAL APPLICATION NO. 24 OF 2009

Application under Section- 19 of the A. T. Act of 1985

Shri Yengkhom Bhagya Chandra Singh

..... Applicant.

- Vs -  
UNION OF INDIA  
(Asstt. Director, IB- HQrs & Ors)

..... Respondents.

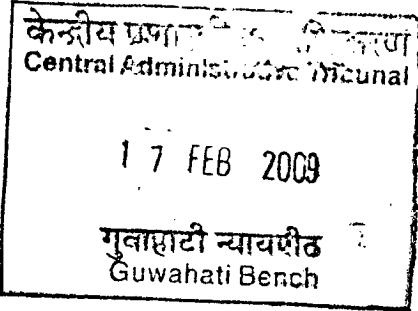
LIST OF DATES (EVENTS)

1. 25.12.1982 - Applicant was initially appointed as S.A. of the S.I.B.  
..... Annexure- A.
2. 06.07.2007 - Applicant was asked to give his willingness or otherwise for absorption.  
..... Annexure- B.
3. 29.12.2007 - Applicant was reverted to his parent cadre.  
..... Annexure- C.
4. 06.10.2008 - Applicant submitted representation to the authority advancing his claim that his pay may be revised on the basis of VI<sup>TH</sup> Pay Commission for the period from 01.01.2006 to 24.12.2007.  
..... Annexure- C.

Filed by-

Rupan Sarma  
Advocate.

Y. Bhagya Chandra Singh



3

**DISTRICT:**

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH**

**ORIGINAL APPLICATION NO. 24 OF 2009**

Application under Section- 19 of the A. T. Act of 1985

Shri Yengkhom Bhgya Chandra Singh

...aged about 49 years

S/O Y. Amuyaima Singh,

Resident of kakching Mayai Leikai

Ward No. 1, P.O. Kakching Bazar,

Manipur- 795103

At present working as

Junior Intelligence Officer-I

S.I.B. -Chandel,

Under S.I.B. Imphal,

P.O. Lamphel,

Imphal- 795004.

..... **Applicant.**

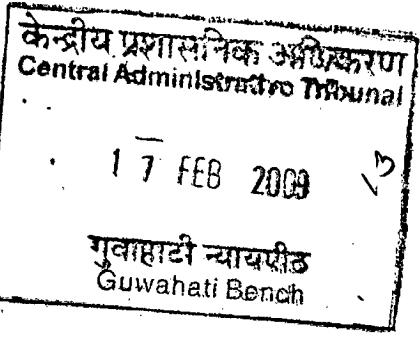
1. Assistant Director/G

IB-HQRS,

35- S.P. Marg, New Delhi,

PIN-110021.

*G. Bhagya Chandra Singh*



4

2. Deputy Director

SIB (MHA) IMPHAL,

Govt. of India,

P.O. Lamphel,

Imphal-795004.

3. Joint Director,

SIB (MHA) Shillong,

Govt. of India,

P.O. Laban,

Shillong, Meghalaya,

PIN- 793004.

4. Joint Director,

SIB (MHA) Kohima,

Govt. of India,

P.O. Kohima, Nagaland,

PIN-797001.

.... Respondents.

IN THE MATTER OF:

Non-payment of VI<sup>TH</sup> Revised Pay

Scale with effect from 01.01.2006

to 24.12.2007 while the applicant

was serving as Compounder

before he was reverted back to his

parent cadre as JIO-I/G.

L.Bhagya Chandra Singh

17 FEB 2009

गुवाहाटी ब्रांच  
Guwahati Bench

5

- A N D -

IN THE MATTER OF:

Articles 14 & 16 of the Constitution  
of India.

**A. PARTICULARS OF THE ORDER AGAINST WHICH THE APPLICATION IS MADE:**

1. The present application is made against non-payment/ non-fixation of revised Pay Scale for the period of 01.01.2006 to 24.12.2007 under the VI<sup>TH</sup> Pay Commission.

**B. JURISDICTION OF THE TRIBUNAL:**

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

**C. LIMITATION:**

The applicant further declares that the application is within the limitation period prescribed in section- 21 of the Administrative Tribunal Act, 1985.

**D. FACTS OF THE CASE:**

1. That, the applicant was initially appointed/ recruited to the post of Security Assistant of the Subsidiary Intelligence Bureau under the Ministry of Home Affairs, Govt. of India on 25.01.1982 in the Scale of Rs. 225- 308 per month. Since then he has been serving to the full satisfaction of his senior officers as well as the public in general till date. While the applicant was serving as Security

*Y. Bhagya Chandra Singh*

17 FEB 2008

गुवाहाटी न्यायदीठ  
Guwahati Bench

6

Assistant, he was sent for training on Compounder Course at Hamedia Hospital, Bhopal in the year 1984 and he successfully completed the training course in the year 1986. Thereafter, he was transferred and posted as Compounder at the S.I.B. Tezpur set up in the year 1986 in the Scale of Pay of Rs. 1350- 2200 and he was posted at various boarder areas of the North Eastern India including Sikkim.

2. That, on 6.07.2007 the authority asked the applicant to give his willingness or otherwise for absorption in the ex-cadre post of Compounder. The applicant expressed his unwillingness for absorption in the ex-cadre post of Compounder. The respondent authority by order-dated 29.12.2007 reverted the applicant to his parent cadre w.e.f. 24.12.2007.

**Annexure- A** is the order-dated  
6.07.2007.

**Annexure- B** is the order-dated  
29.12.2007.

3. That, the VI<sup>TH</sup> revised pay scale came into effect on 01.01.2006 as per recommendation of the VI<sup>TH</sup> Pay Commission and the policy of the Govt. of India. It implies that, the applicant was/is entitled to all the benefits of the VI<sup>TH</sup> revised pay scale for the period of 01.01.2006 to 24.12.2007.
4. That the applicant made representation to the Deputy Director, SIB (MHA), Govt. of India Imphal, Manipur for fixation of the revised

*G.Bhagya Chandra Singh*

pay scale and payment of the arrears for the period of 01.01.2006 to 24.12.2007 under the VI<sup>TH</sup> Pay Commission. The applicant apprehends that no useful purpose will be served in pursuing the authority in the matter which is pending before the authority.

**Annexure- C** is the representation-dated 06.10.2008.

**E. GROUND FOR RELIEF (S) WITH LEGAL PROVISIONS:**

- i. For that the applicant has been discriminated in the matter as the employee of the Central Govt. Similarly situated or the deputationist are allowed to enjoy the VI<sup>TH</sup> revised pay commission's scale w.e.f. 01.01.2006 and as such non-payment of the revised pay scale to the applicant violates his rights under Articles 14 and 16 of the Constitution of India.
- ii. For that, non-payment of the revised pay to the applicant violates the rules regarding to fixation of pay on appointment to an ex-cadre post.

**F. DETAILS OF THE REMEDIES EXHAUSTED:**

That the applicant states that there is no other statutory and/ or alternative remedy which the applicant is supposed to have exhausted before approaching the Hon'ble Tribunal.

**G. MATTERS NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT:**

The applicant had not approached the Hon'ble Tribunal or any other Court for the same matter.

*Y. Bhagya Chandra Singh.*

17 FEB 2009

गुवाहाटी न्यायालय  
Guwahati Bench

H. **RELIEF (S) SOUGHT:**

It is therefore prayed that the Hon'ble Tribunal be pleased to pass an order directing the Respondents to fix the pay Scale according to the VI<sup>TH</sup> revised pay scale and pay the arrears to the applicant for the period of 01.01.2006 to 24.12.207.

I. **INTERIM ORDER, IF ANY PRAYED FOR:**

That, the applicant has not made any prayer for interim order.

J. **IN THE EVENT OF APPLICATION BEING SENT BY  
REGISTERED POST:**

The applicant declares that the application is filed through his advocate.

K. **PARTICULARS OF BANK DRAFT/POSTAL ORDER FILED IN  
RESPECT OF THE APPLICATION FEE:**

Indian Postal Order Number: 396209

Office of Issue : ~~Guwahati~~ <sup>17-2-09</sup> GUWAHATI HEAD POST OFFICE

Date of Issue : 16-2-09

G. Bhagya Chandra Singh

17 FEB 2009

गुवाहाटी न्यायदीर्घ  
Guwahati Bench

9

- VERIFICATION -

I, Shri Yengkhom Bhagya Chandra Singh, son of Y. Amuyaima Singh, aged about 49 years, at present working as Junior Intelligence Officer-I, SIB- Chandel under SIB, Imphal, P.O. Lamphel, Manipur-795004 do hereby verify that the contents of paragraph 1 to 4 are true and correct in so far as facts are concerned and those legal points are based on information received from my counsel which I verily belief to be true and correct and nothing false have been stated and have not suppressed any material fact and rest are my humble submission before this Hon'ble Tribunal.

*Bhagya Chandra Singh*

Signature of the Applicant

Date: 16/2/09

Place: Guwahati

Filed by-

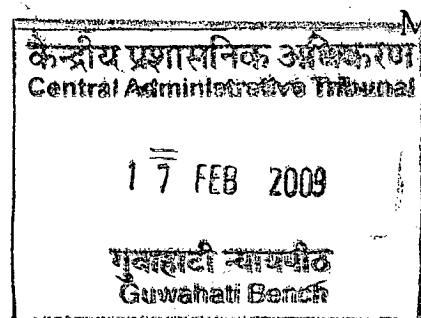
*Rozon Sarma*

Advocate.

Fax 3413 (2 Pages)

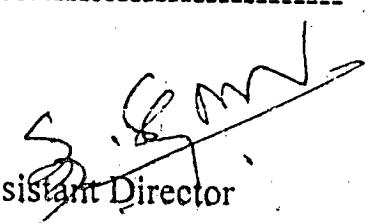
From :: Cremo :: Imphal (AD) (.)  
To :: Civints: Bishnupur/Senapati (.)

No. 39/E/IMP/Dep / (1) /2007-645



06.07.2007

Enclosed please find a copy of IB Hqrs., New Delhi Memo. No. 66/Estt(G)/2004(1)3352-61 dated 04.06.2007 regarding filling up the posts of Compounder by absorption from amongst the officials who are on deputation to the post of Compounder on transfer of service basis subject to their suitability (.) S/Shri P. Nipamacha Singh and Y. Bheigyachandra Singh may please give their willingness or otherwise to enable us to send their cases to IB Hqrs. (.)

  
S. G. M.  
Assistant Director

TRUE COPY

Dozan Sarma  
ADVOCATE

Annexure - B

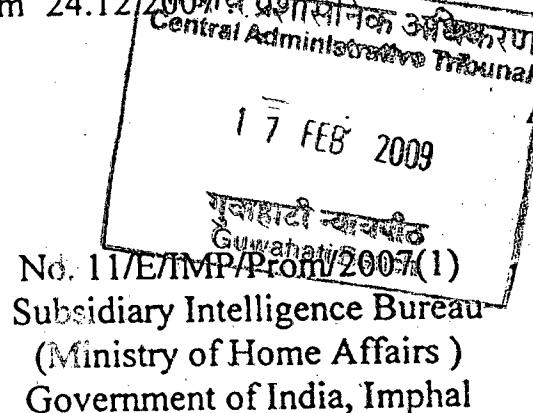
Office Order No. 267 Dated 28.12.2007

In pursuance of AD/G, IB Hqrs., New Delhi Memo. No. 66/Estt(G)/2004(1)9703 dated 18.12.2007, S/Shri P. Nipamacha Singh ( JIO-I/G, PIS No. 117139, DOB 01.03.61 ) and Y. Bhagyachandra Singh ( JIO-II/G, PIS No. 117867, DOB 01.03.60 ), both continuing to the ex-cadre post of Compounders in IB, who expressed their unwillingness for absorption in the ex-cadre post of Compounder, are reverted back to their parent executive cadre in the IB with immediate effect. Pursuant to this, S/Shri P. Nipamacha Singh and Y. Bhagyachandra Singh are reverted to the post of JIO-I/G ( Pay scale of Rs. 4000-100-6000/- ) and JIO-II/G ( Pay scale of Rs.3200-85-4900/- ) respectively i.e. the posts they are holding presently in their parent executive cadre, with effect from 24.12.2007.

Sd/-

Assistant Director

Office Order Book



No. 11/E/IMP/Prom/2007(1)  
Subsidiary Intelligence Bureau  
(Ministry of Home Affairs)  
Government of India, Imphal

Dated the 29 DEC 2007

Copy to ::

1. The ADs, G /CC/ACR/C-IV/C-V/Computer, IB Hqrs., New Delhi.
2. The AD/E, SIB Kohima.
3. The RP & AO, IB(MHA) Shillong.
4. The SO/A, SIB Imphal ( 2cs ).
5. The SB Section SIB Imphal ( 2cs ).
6. The NGO Br.
7. The DCIO, Civ. Senapati.
8. The I/C, Civ. Chassad.
9. Shri P. Nipamacha Singh JIO-I/G, Civ. Chassad.
10. Shri Y. Bhagyachandra Singh, JIO-II/G, Civ. Senapati.
11. S/Shri S.L. Kundu, Rose Marry & Kh. Dhiren Singh, UDCs and R.K Romita Devi & L.K. Haokip, LDCs.
12. Estt. List
13. P.Fs.

TRUE COPY

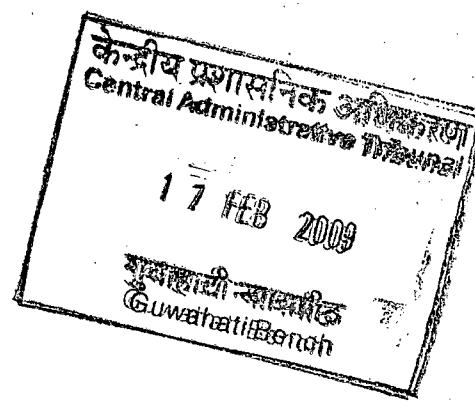
Rozain Sarma  
ADVOCATE

25/12  
Assistant Director

To,

The Deputy Director  
SIB (MHA), Govt. of India  
Imphal, Manipur

Through Proper Channel



Subject :- A humble representation for consideration of fixation of VIth revised pay scale including the period w.e.f. 01-01-2006 upto 24-12-2007 which I served as compounder before I was reverted back to my parent cadre w.e.f. 24-12-2007.

Sir,

With due respect, I, the undersigned have the honour to state the followings for your kind consideration and favourable necessary action.

1. That I, was initially appointed to the post of security Assistant (SA) of the SIB under the Ministry of Home Affairs, Govt. of India on 25-01-1982 while I was serving as SA, I was sent to Hamedia Hospital, Bhopal to undertake a training course of compounder vide an official circular dated 15-06-1984 issued by IB Head Quarters, Delhi. I had successfully completed the said training course in the year 1986.

2. That as soon as I had completed the above referred course, I was transferred and posted as compounder at the SIB Tezpur set-up in the year 1986 itself, since then I had been posted at various places of North Eastern India including Sikkim, Manipur etc. in the capacity of a compounder on deputation basis.

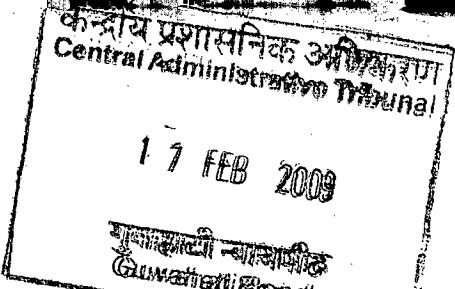
3. That, while I was serving as compounder at SIB Gangtok, I was allowed to officiate temporarily as JIO-II/G vide an order dated 25-10-1991 issued by the Assistant Director/E of the SIB, Ministry of Home Affairs, Govt. of India whereby I was given notional promotion to the said post w.e.f. 12-12-1990, since then I have submitted a series of representation to revert myself back to my parent cadre (executive cadre.) (some of the representation are annexed herein after as Annexure A/1, A/2 and A/3 for your ready reference). However, all my requests were not fully complied till recently.

4. That, after completion of my 10 years service as compounder, the V<sup>th</sup> revised pay scale came into operation in the year 1996 and I was allowed to enjoy the pay scale 4500-7000 per month which is the fixed pay scale of compounder by that time. I got all the benefits of V<sup>th</sup> revised pay scale including the arrears.

5. That, I served as a compounder for more than 21 years as my efforts to revert back to my parent cadre was not materialised upto 24-12-2007. After completion of 21 years (twentyone years) of service as compounder on deputation basis, the IB HQ. vide letter No. 39/E/IMP/Dep/ (1)/2007-645 offered an option before us as to whether I was willing to be absorbed as compounder or revert back to my parent cadre. (A copy of the official letter Annexed herinafter as Annexure A/4 for your ready reference).

TRUE COPY

Rupan Sarma  
ADVOCATE



6. That in reply to the above stated letter, I submitted a fax message on 23-07-2007 expressing my unwillingness to absorb in the post of compounder furthermore. Thereafter, the Assistant Director, SIB (Ministry of Home Affairs,) Govt. of India, Imphal after considering my case issued an order dated 28-12-07 whereby I was revert back to my parent executive cadre in the IB with effect from 24-12-07. Thus I was working as JIO-II/G from 24-12-07 till 16-04-08 (A copy of the order is annexed herewith as Annexure A/5 for your ready reference). Then I was again promoted to the post of JIO-I/G on 16-04-2008 by an official order issued on the same date.

7. That I was rendering service as a compounder upto 24-12-2007 since 1986 and enjoyed the pay of Rs. 6625/- per month just before relieving me from the post of compounder. As I have already rendered my service as a compounder, the question of drawing excess pay does not at all arise.

8. That the VI<sup>th</sup> revised pay scale came into effect on 1<sup>st</sup> January as per recommendation of VI<sup>th</sup> pay commission and the policy of the Govt. of India. It implies that I am entitled to all the benefits including the arrears of pay which is supposed to be enjoyed by me for the period 01-01-2006 to 24-12-2007 in the capacity of a compounder for which I rendered service during the said period. the arrears of pay after 24-12-2007 till that is something I am entitled to enjoy as JIO-II/G and JIO-I/G.

9. That on 25-09-2008, the Deputy Director, SIB Imphal issued an order being No. 337 whereby my scale of pay was fixed w.e.f. 24-12-2007, the day I was reverted back to my parent cadre from deputation cadre. (A copy of the office order is annexed whereinafter as Annexure A/6)

The very office order above referred really surprised me as my legally entitled right has been forfeited by the office order. As per service rules, pay fixation is to be made on the basis of the pay actually drawn during a particular period. The pay fixation for the period 01-01-2006 to 24-12-2007 is to be made in accordance with the revised pay scale of a compounder whereas that of the period 25-12-2007 till date is to be fixed in accordance with the revised pay scale of JIO-II/G and JIO-I/G. However in my case, the pay fixation for the period 01-01-2006 to 24-12-2007 was wholly omitted, hereby causing shock and surprised on my part.

In the aforesaid premises, your goodself is requested kindly to look into the matter and consider the fixation of pay for the period 01-01-2006 to 24-12-2007 during which I render service as a compounder for the ends of justice and to avoid legal complications.

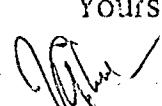
For this act of kindness, I, as duty found shall ever pay.

Dated Chandel the,  
06-10-2008

TRUE COPY

Dorjan Sarma  
ADVOCATE

Yours faithfully

  
(Y. Bhagyachandra Singh)  
JIO-I/G  
PIS-117867