

# Index

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G. Madhavan, IAS (Retd.)



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Pay Anomalies Commission, Haryana,  
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### **Foreword**

I have great pleasure in presenting this report of the Pay Anomalies Commission which examined the anomalies which crept in while revising the pay scales in Haryana on the basis of the recommendations of the Sixth Central Pay Commission. I would like to place on record my deep appreciation of the assistance extended to me by the State Govt. of Haryana, the officers of the Finance Department and the staff of the Commission. Sh. Vivek Padam Singh, HCS, Secretary, Sh. S. P. Verma Accounts Officer and Sh. Daljit Singh Section Officer deserve particular mention for their tireless efforts in preparing Agenda notes for the meetings and their inputs in the preparation of this report. The contribution of Sh. S. P. Verma Accounts Officer in the preparation of the report has been exceptional and the Commission benefitted immensely from his intimate knowledge of various issues involved because of his long association with the Pay Revision Branch as well as the Pay Anomaly Committee.

The Commission had some limitations in the scope of its functions since it was not a full fledged Pay Commission. Consequently, it was not possible to provide relief in cases where demands for improvement of pay scales were made and issues other than anomalies were raised which were beyond its purview. Every effort was, however, made to give a patient hearing to all representationists, be it an individual, association or Union of employees and discussions were held in the presence of all Stake Holders concerned in a transparent manner. Within its limitations, the Commission has tried to address some major anomalies and provide relief. The Commission hopes that with the implementation of this report, the task of the Govt. in examining and adopting the report of the 7<sup>th</sup> Central Pay Commission will become much easier apart from a sense of satisfaction to the affected employees that their genuine concerns have been addressed.

**1<sup>st</sup> March, 2016**  
**CHANDIGARH**

**G. MADHAVAN**  
**CHAIRMAN**

## Chapter-1

### 1.1 Constitution of Pay Anomalies Commission & its Terms of Reference:

The Govt. of Haryana in the Finance Department vide Notification No. 1/83/2008-1PR (FD), dated 11<sup>th</sup> Sept. 2014, constituted a Pay Anomaly Commission. Shri G. Madhavan, IAS (Retd.) was appointed as Chairman of the Commission on the following terms of reference:-

*“To consider representations received from individual employees/ Association(s)/ Union(s) of employees for removal of pay anomalies and deviations, which might have arisen out of the implementation of pay revisions vide Haryana Civil Services (Revised Pay) Rules, 2008 and Haryana Civil Services (Assured Career Progression) Rules, 2008 as amended from time to time and make appropriate recommendations to the Government on such representations.”*

The notification further specified that the tenure of the commission will be of six months, which could be extended upto another six months.

Subsequently vide notification No. 1/83/2008-1PR (FD), dated 25<sup>th</sup> March, 2015, the tenure was extended for a further period of six months beyond 10.3.2015. Vide notification No. 1/83/2008-1PR(FD), dated 9<sup>th</sup> February, 2015, the terms of reference of the Pay Anomaly Commission were revised to include the following:-

*“To study the differences in eligibility conditions, pay scales, other benefits including, inter-alia, LTC, payment and releases of additional DA instalments, arrears thereof, actual pay for new recruits in initial years, etc., between Punjab and Haryana.”*

The Chairman took charge on 16<sup>th</sup> of September 2014. The Model code of conduct came into force with the declaration of Haryana Vidhan Sabha Elections announced by the Election Commission of India and no further serious action could be taken by the Commission, since no discussion could be undertaken with the employees/Association(s)/ Union(s) of employees, on the subject. No infrastructure was provided to the Pay Anomaly Commission, by way of staff, equipments etc. The new Govt. took charge in the month of October, 2014 and various decisions taken by the previous Govt. came under review as a matter of Policy. There was no clear indication whether the Commission should go ahead with its work and consequently, in the absence of staff and infrastructure, the Commission remained dormant during the months of November and December, 2014. Finally, in the end of December, 2014, the State Govt.

decided to activate the Pay Anomaly Commission and necessary decision to provide infrastructure and other facilities for functioning of the Commission was taken at the level of Hon'ble Chief Minister of Haryana. An Office Room was allotted to the Chairman in Haryana Civil Sectt and some personal staff was also provided. Further provision of infrastructure like computer, fax machine, Photostat machine and subordinate staff from FD was made. The Commission started its functioning in the month of February 2015. Since, the initial period of six months was lost, in the month of August 2015, The State Govt. vide notification No. 1/83/2008-1PR(FD), dated 5<sup>th</sup> October, 2015, extended the tenure for further six months upto 10<sup>th</sup> of March, 2016, for the Commission to submit its report. Copies of the notifications are placed at Annexure 'A', 'B', 'C' and 'D'.

The Commission vide its communication dated 13<sup>th</sup> February, 2015, addressed to all the Administrative Secretaries, All HODs, All Commissioners of Divisions, All DCs and SDOs (Civil), Registrar, Punjab and Haryana High Court, requested to consider representations received from individual employees/ Association(s), Union(s) of employees for removal of pay anomalies and deviations, which might have arisen out of the implementation of pay revisions. They were also requested to send their comments on the representations of the employees after proper examination of the representations depending upon, whether it was for removal of pay anomaly, removal of deviations from 6<sup>th</sup> Central Pay Commission that have taken place while implementing recommendations of 6<sup>th</sup> Pay Commission in the State or grant of pay scale on the pattern of Punjab. A copy of the instructions issued by the Finance Deptt. vide letter No. 8/6/2001-5PR(FD), dated 20.4.2001 on the subject of what constitutes a pay anomaly was also enclosed alongwith the communication addressed to all the Departments. In the case of deviations which may have taken place while implementing all the recommendations of the 6<sup>th</sup> Pay Commission in the State, the departments were also asked to supply the comparative table indicating therein the details of qualification of the post, hierarchical structure of the cadre, group of service, pay scale of the post/cadre applicable w.e.f. 01.01.1986, 01.01.1996 and 01.01.2006 alongwith authentic documentary proof thereof. Similarly, with regard to representations for grant of pay scale on Punjab pattern, recommendations were to be accompanied with a comparative table indicating therein the details regarding qualification of the post, hierarchical structure of the cadre, group of service, pay scale of the post/cadre applicable w.e.f 01.1.1986, 01.01.1996 and 01.01.2006 in the state of Punjab and Haryana alongwith authentic documentary proof. The departments were also asked to examine the possible vertical and horizontal relativities and assess the likely repercussions of the demands.

The Commission after obtaining the comments of the Administrative Deptt. on various representations sought the view of the Finance Deptt. In the case of representations directly received by the Commission, the comments of the Administrative Deptt. were also sought. Since, the comments were not received in many cases from the Administrative Deptt. by 15<sup>th</sup> April, 2015, the date was further extended for submitting comments i.e. upto 11<sup>th</sup> May, 2015 and subsequently upto 11<sup>th</sup> June, 2015, The Administrative Secretaries were also Demi – Officially addressed by the Chairman of the Commission in the Month of May, 2015, drawing their attention on the urgency of the representations pending with them and asked for sending comments on them. While comments were received from most of the Administrative Deptts, Finance Deptt. did not provide its comments in most of the cases and the Commission was left with no option but to go ahead with its work. The Commission felt that apart from the written comments available with it on the representations, it was necessary to have across the board open discussions on the representations alongwith all the stake holders including HODs concerned/ Administrative Secys./ Finance Deptt. so that all the issues can be thrashed-out. The Commission, therefore, started the process of calling meetings department-wise in this connection. Such meetings were held in the months of July, August, and September, 2015. A total of 17 meetings were held with all the stake holders during this period.

The Commission noticed that there were a few representations, which though submitted in time either to the department or the Commission, on which inspite of repeated reminders, no comments were furnished by the Administrative Department. It was felt that it would be injustice to exclude such cases, since the representationists can not be faulted for the lapse on the part of the department for not sending their comments in time. The Commission, therefore, decided to fix meetings in such cases department-wise with a clear notice to the Administrative Deptt. to furnish its comments, before due date, to the Commission apart from submitting their views in person. Such meetings were held in the months of October, November and December, 2015. The main theme of the Commission was to ensure that every representationist either serving or retired is given a proper hearing in the presence of the Administrative Secretary concerned to identify the issues raised and possible remedies, which could be evolved to give him relief. The Commission also took care to ensure that with regard to every cadre, different Associations were heard even though they had raised the same issues for consideration. The exercise was carried out in such a way that by and large the representationists whether individual or Association(s)/ Union(s) of employees were satisfied with the time given to them for hearing and the open discussions held in the presence of all concerned.

**GOVERNMENT OF HARYANA**

**FINANCE DEPARTMENT**

**Notification**

**The 11<sup>th</sup> September, 2014**

**No. 1/83/2008-1PR(FD)** – In supersession of the Government Notification No. 1/83/2008-1PR(FD), dated 7<sup>th</sup> January, 2009 and 14-07-2009, the Governor of Haryana is pleased to constitute of Pay Anomaly Commission as follows:-

1. Sh. G. Madhavan, IAS (Retd.) is appointed as Chairman of the Commission of usual term and conditions. It will be a one-man Commission. An officer of the rank of Special Secretary will work as Secretary to the Commission.
2. Terms of Reference of the Commission:-  
To consider representations received from individual employees/ Association(s)/ Union(s) of employees for removal of pay anomalies and deviations, which might have arisen out of the implementation of pay revisions vide Haryana Civil Services (Revised Pay) Rules, 2008 and Haryana Civil Services (Assured Career Progression) Rules, 2008 as amended from time to time and make appropriate recommendations to the Government on such representations.
3. The tenure of the Commission will be of six months, which can be extended upto another six months.
4. Headquarters of the Commission will be at Chandigarh.

Chandigarh  
The 11<sup>th</sup> September, 2014

**Rajan Gupta, IAS,**  
Additional Chief Secretary to Government,  
Haryana, Finance Department

Endst. No. 1/83/2008-1PR(FD)

Dated 11-09-2014

A copy is forwarded to the following for information and necessary action:-

1. Chief Secretary to Government, Haryana.
2. All Additional Chief Secretaries to Government, Haryana.
3. All Principal Secretaries to Government, Haryana.
4. All Administrative Secretaries to Government, Haryana.
5. All Heads of Department Government Haryana.

Sd/-

**Special Secretary Finance (FD)**  
for Additional Chief Secretary to Government, Haryana,  
Finance Department



***ANNEXURE-B***

**HARYANA GOVERNMENT**

**FINANCE DEPARTMENT**

**Notification**

**The 25th March, 2015**

**No. 1/83/2008-1PR(FD).**—In continuation of the Government Notification No. 1/83/2008-1PR(FD) dated 11th September, 2014, the Governor of Haryana is pleased to extend the tenure of the Pay Anomaly Commission for a further period of six months beyond 10-03-2015.

Other conditions of the terms of reference and notification of the Commission shall remain unchanged.

Chandigarh:  
The 25th March, 2015.

P.K. DAS,  
Principal Secretary to Government Haryana,  
Finance Department

**ANNEXURE-C**

**HARYANA GOVERNMENT**

**FINANCE DEPARTMENT**

**Notification**

**The 9th February, 2015**

No. 1/83/2008-1PR(FD).—In continuation of the Government Notification No. 1/83/2008-1PR(FD) dated 11th September, 2014 following subject matter is added in Para 2 of the terms of reference of the Pay Anomaly Commission:--

*“To study the differences in eligibility conditions, pay scales, other benefits including, inter-alia, LTC, payment and release of additional DA instalments arrears thereof, actual pay for new recruits in initial years, etc., between Punjab and Haryana.”*

The other conditions of terms of reference and notification of the Commission shall remain unchanged.

Chandigarh:  
The 9<sup>th</sup> February, 2015.

P.K. DAS,  
Principal Secretary to Government Haryana,  
Finance Department

**ANNEXURE-D**

**HARYANA GOVERNMENT**

**FINANCE DEPARTMENT**

**Notification**

**The 5<sup>th</sup> October, 2015**

**No. 1/83/2008-1PR(FD)** – In continuation of the Government Notification No. 1/83/2008-1PR(FD) dated 11<sup>th</sup> September, 2014, the Governor of Haryana is pleased to extend the tenure of the Pay Anomaly Commission for a further period of six months beyond 11-09-2015.

2. Other condition of the terms of reference and notification of the Commission shall remain unchanged.

3. The terms & conditions of the services of Shri G. Madhavan, IAS (Retd.) Chairman Pay Anomaly Commission, Haryana will remain the same, as issued vide order No. 1/37/2014-5PR(FD), dated 26-03-2015.

Chandigarh:

The 5<sup>th</sup> October, 2015

P.K. DAS,

Additional Chief Secretary to Government Haryana,  
Finance Department

Endst. No. 1/37/2014-5PR(FD)

Dated 05/06-10-2015

A copy is forwarded to the following for information and necessary action:-

1. Chief Secretary to Government, Haryana.
2. All Additional Chief Secretaries to Government, Haryana.
3. All Principal Secretaries to Government, Haryana.
4. All Heads of Department Government Haryana.
5. Principal Accountant General (A&E/Audit), Haryana, Chandigarh.

Sd/-

**Under Secretary Finance (FD)**

for Additional Chief Secretary to Government, Haryana,  
Finance Department

Internal Distribution:-

1. PS/ ACSF
2. PS/ ASF/ SS
3. PS/ Chairman Pay Anomaly Commission, Haryana, Chandigarh.
4. Secretary, Pay Anomaly Commission.

## **CHAPTER-2**

### **2.1 Representations received and considered by the Commission and its recommendations thereon**

#### **2.2 AGRICULTURE DEPARTMENT**

##### **Meeting held on 13.7.2015**

##### **Assistant Statistical Officer and other Officers of Agriculture Deptt.**

The ASO of the Agri. Deptt. has requested for increase of his GP Rs. 4200/- to Rs.4600/- on the following grounds:-

- i) While revising the pay scale of the officers of class II category of the Agri. Deptt. on 22.5.14, the post of ASOs who are also class II officers have been left out. While all officers were given the GP of Rs.4600/-, the ASO was not included for which there was no justification.
- ii) The post of ASO of the Agriculture Deptt. is a promotional post from that of Tech. Asstt., but the grade pay for both became identical after the revision. In fact, the Tech. Asstt. gets more pay than the ASO because he gets Spl. Pay of 150/- P.M.

After discussion it was found that there was a parallel hierarchy in the department both on the statistical side as well as the development side. The pay scale of all categories in both sides were identical before revision. However, the Govt. took a conscious decision not to maintain this parity on the statistical side so as not to disturb the parity with equivalent posts in the ESA organization. After revision the scales of TA, ASO and SSO correspond to the posts of ADO, TA and SDAO on the general side. The Commission does not find any merit in the demand for raising the Grade Pay to Rs. 4600/- on the logic given in the representation. However, the same relief will be admissible to this category under relief being suggested by the Commission separately for all such categories

##### **Meeting held on 28.09.2015**

- i. **Haryana Agriculture Development Officer Association (Regd No. 12, year 1977)**
- ii. **Deputy Directors, Joint Directors, Additional Directors**

Haryana Agriculture Development Officer Association (Regd No. 12, year 1977) submitted their representation dated 20.03.2015 in the office of DG, Agriculture who further forwarded the same to ACS, Agriculture vide their letter dated 15.04.2015 and the same was received in the O/o Secretary, Pay Anomalies Commission under diary No. 16443, dated 10.07.2015. In their representation they have raised following demands:-

*“1.1 As per FD Order dated 22<sup>nd</sup> May 2014, the posts of ADO and BAO/ TA have been merged into one cadre. Before this order of merger of these two posts into one cadre, it would generally take more than 25 years for ADO to get promoted to the post of BAO/ TA. Beyond this, further promotion to the post of SDAO/ SMS or equivalent is quite rare and if at all it happens, it is generally at the fag end of one's service career. This aspect has been completely ignored while revising/ amending the pay scales of ADO and BAO/ TA w.e.f. 22.5.2014 and one pay scale of 9300-34800+4200 (GP) has been given to both the posts. This prima facie has given birth to an anomalous situation among the members of the cadre who had already been suffering with their falling morale due to long stagnation and poor pay scales being among the lowest in whole of the country, whereas, the State boasts of 1<sup>st</sup> position in agriculture productivity.*

*Further, besides these Group 'B' posts of ADO & BAO/ TA, there are other posts like SDAO, SMS, APPO, ACDO, ASCO, QCI, ACC, AMO, ASPO, SSO which also fall in Group 'B' services and ADO seldom reaches at one of these posts. Merger of all the posts falling in Group 'B' services into one cadre and granting them a time scale can be a useful remedy to the menace of stagnation and falling morale in the cadre.*

*In order to do away with the anomaly of one pay structure to two posts having quite-different-lengths of service and to cater to the situation of long stagnation, it is prayed that all the Group 'B' posts in this Department may be merged into one cadre, recruitment may be made only through the feeder post of ADO and time scale may be granted on the analogy of the Department of Animal Husbandry & Dairying.*

*1.2 The Government of Haryana, vide Order No. 1/83/2008-2PR(FD) dated 16<sup>th</sup> December 2010, had improved further the structure of entry level pay for the post 01.01.2006 direct recruits in the cadres/ services of the State. As per this order, the Existing Entry Level Pay of 9300 in the Pay Structure of 9300-34800 (PB) + 4200 (GP) has been modified to 12090 w.e.f. 01.09.2010. But, this modified pay has not been granted to members of our cadre allegedly on the ground that the said order dated 16<sup>th</sup> December, 2010 is not applicable in our case. Thus, the revision/ modification effected by the Government from 22.5.2014 has lost its meaning by not giving it the actual effect.*

*It is, therefore, prayed that till the prayer made at Para 1.1 is accepted, the matter may be considered in the light of the above position and necessary amendment, if needed, may be made to actually implement the revision/ modification in the pay structure of members of our cadre.*

*1.3 The Government of Haryana, vide Notification No. GSR/Const./Article 309/08 dated 30<sup>th</sup> December 2008, had notified the Haryana Civil Services (Assured Career Progression) Rules, 2008. The Rules provide for grant of 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> ACP Scale on completion of 8, 16 and 24 years of service respectively to those employees who have not got financial upgradation during the prescribed period. Though the pay structure of our cadre has been revised/ modified from 9300-34800+3600 to 9300-34800+4200 w.e.f. 22.5.2014, the benefit of ACP is being denied on the ground that the above revision/modification is allegedly a financial upgradation and, therefore, ACP scales cannot be granted on the basis of the said revised/modified pay structure. This has again caused an anomaly and the revision/modification in pay structure has lost its meaning because no financial upgradation has actually been given as an upgradation of not even a single penny has been given to those members of our cadre who had got either 2<sup>nd</sup> or 3<sup>rd</sup> ACP scale. A member of our cadre would have got the 2<sup>nd</sup> ACP scale of 9300-34800+4200 and the 3<sup>rd</sup> ACP scale of 9300-34800+4600 even if the pay structure was not revised/modified. This is, thus, an anomaly that inspite of the said revision in the pay structure, the pay structure has actually not been made effective.*

*It is, therefore, prayed that till the prayer made at Para 1.1 is accepted, this anomaly may be removed by way of bringing in enabling amendment in the ACP Rules, 2008 so that 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> ACP Scale Grade Pay of 4600, 4800 and 5400 is granted to the members of our cadre on completion of 8, 16 and 24 years of service respectively."*

2. Grant of pay scale on Punjab pattern as under:-

<b>Name of post</b>	<b>Pay Scale</b>	<b>At par with Punjab Government</b>
ADO	PB-2, GP-3600/-w.e.f. 01.01.2006 and GP-4200/- w.e.f. 22.05.2014	PB-3, GP-5400/-
BAO/ TA	PB-2, GP-4000/- w.e.f. 01.01.2006 and GP-4200/- w.e.f. 22.05.2014	No such post exists in Punjab

SDAO/ SMS/ APPO & equivalent	PB-2, GP-4200/- w.e.f. 01.01.2006 and GP-4600/- w.e.f. 22.05.2014	PB-3, GP-6600/-
DDA & equivalent	PB-3, GP-5400/-	PB-3, GP-7600/-
JDA & equivalent	PB-3, GP-6400/-	PB-4, GP-8700/-
Addl. Director	PB-3, GP-8000/-	No such post exists in Punjab

3. HOD and AD have merely forwarded their representation with no specific comments thereon. The Commission heard the representationist in its meeting held on 29.09.2015. The Commission considered the pre-revised pay scale and revised pay structure given to the Agriculture Development Officers (from ADO to Addl. Director) w.e.f. 01.01.2006 which are as under:-

Sr. No.	Name of post	Pre-revised pay scale	Revised pay structure w.e.f. 01.01.2006
1	ADO	5500-9000	PB-2, 9300-34800, GP-3600/-
2	BAO/ TA	6500-9900	PB-2, 9300-34800, GP-4000/-
3	SDAO/ SMS/ APPO & equivalent	6500-10500	PB-2, 9300-34800, GP-4200/-
4	DDA & equivalent	8000-13500	PB-3, 15600-39100, GP-5400/-
5	JDA & equivalent	10000-15200	PB-3, 15600-39100, GP-6400/-
6	Addl. Director	13500-17250	PB-3, 15600-39100, GP-8000/-

Their demand for better pay scale on the pattern of Punjab or other services in the State like Doctors, Veterinary Surgeons etc. was considered by the Pay Anomaly Committee in its meeting held on 06.01.2014 and the Committee made following recommendations:-

*"The Committee considered the demand of ADOs/ HDOs and proposal of Administrative Department in light of FD's instruction dated 20.04.2001 and observed that:-*

1. *It is not a case of pay anomaly. Their pre-revised pay scale was Rs. 5500-9000 which has been revised to PB-2, 9300-34800, GP-3600/- strictly as per the State Government notification dated 30.12.2008 based on the recommendations of 6<sup>th</sup> CPC and report of the Pay Revision Committee*

*constituted by the Government for the purpose. Similar revision have been given to the other categories of Employees carrying pre-revised pay scale of 5500-9000 viz. JE in three wings of PWD, Dy. Supdt in all the Directorate of the State, Head Draftsman in PWD three wings, PA in all the Directorate of the state.*

*2. The Committee further observed that their demand is for further upgradation of pay scale based on following reasonings:-*

- i) Change of group of service from C to B vide notification dated 17.08.2010.*
- ii) Grant of parity with counterparts in Punjab Government.*
- iii) Grant of parity with Veterinary Surgeons, HCMS Doctors on the basis of recommendations of National Commission on Agriculture.*

*3. The Committee considered all these aspects in detail and observed as under:-*

- i) Government had changed their group of service from Group-C to Group-B vide Notification dated 17.08.2010, with the following conditions:-*
  - They will not claim higher pay scale and there will be no change in their function.*
  - They will continue to work under their present Superior Officer etc.*
- ii) The Committee noted that the qualification and hierarchical structure of Agriculture Department in Punjab and Haryana is different. In Punjab, Agriculture Officer is a Class-I post with 100% direct recruitment with essential qualification of M.Sc. Agriculture. In Haryana, the comparable post is Dy. Director, Agriculture, which is Class-I, not ADO. Moreover, the State Government has never followed the Punjab Government in the matter of pay scales. However, it is already at par with counterpart in Rajasthan State. Sixth CPC has not recommended any upgradation in the pay scale of ADOs/HDOs.*
- iii) The Committee noted that precisely what they are demanding is available to only Class-I (Group-A) services of the State viz, HCS, HCMS, etc. The level of responsibility of these posts is much higher than that of ADO. Besides, the deployment of these officers is not below the sub-division level, whereas, the deployment of ADO is made at the sub-block level (at the level of a cluster of 3-4 villages).*
- iv) The Committee observed that the recommendations of National Commission on Agriculture are not exactly relevant.*



*These recommendations were made 27 years back in 1986. The qualification and job profile of ADOs is different from that of HCMS/ Veterinary Surgeons. Admission and study course of MBBS/ Veterinary Surgeons is more rigorous than that of B.Sc. Agriculture. Availability of MBBS/ Veterinary Surgeons is also less as compared to B.Sc. Agriculture. The ADOs performs extension work relating to agriculture, whereas the HCMS/ Veterinary Surgeons perform clinical work.*

- v) Administrative Department has recommended for upgradation of the pay scale of ADO from PB-2, 9300-34800, GP-3600/- to PB-2, 9300-34800, GP-5200/- which is higher than its promotional post of BAO/ TA and further to the next promotional of SDAO (GP of BAO/ TA and SDAO is now Rs. 4000/- and 4200/- respectively). Likewise, in the structure of pay scale, it is 6 steps above the present level of GP (3600, 4000, 4200, 4600 4800 and then 5200).*
- vi) Administrative Department in its proposal has recommended equal pay scale for ADO and its promotional post of BAO, meaning thereby merger of the feeder and promotional post..*
- vii) The posts presently in identical scale to that of ADO viz. JE, Taxation Inspector, Labour Inspector, PA and Dy. Supdt. in the departments, etc may raise similar demand for upgradation of pay.*
- viii) The proposal/ demand if accepted, will lead to change of pay scale of entire hierarchy right from ADO to Addl. Director. It may disturb inter-department horizontal relativity. The Dy. Director, Jt. Director and Additional Director in other departments may raise similar demand.*

*As regard upgradation of pay scale of Dy. Director, JDA/ Addl. D.A., the Committee observed that while determining the pay structure of a post, its horizontal and vertical relativity within the department/ across the state has also to be kept in view. In Agriculture Department, there are 4 Wings/ Cadres of JDA/ Addl. Directors i.e. Engineering, Statistical, Soil Conservation and Agriculturist (General). The pay structure of Statistical Wing has been determined on the pattern of their counterpart in ESA Department. Presently the pay structure of Addl. Director and Jt. Director (Stat.) in Agriculture Department is already at par with their counterpart in ESA Department. In case, the pay structure of Addl. Director and Jt. Director (Stat.) is also considered alongwith the Addl. Director and Jt. Director (General and Soil Conservation Wing) then the pay structure of Statistical Wing shall become higher than their counterpart in ESA Department. Besides, the committee also considered the pay scale of Dy.*

Director, Joint Director and Addl. Director in other departments. The pay scale of these posts in some departments are as under:-

Sr. No.	Name of Department	Pay scale of Dy. Director	Pay scale of Jt. Director	Pay scale of Addl. Director
1.	Hospitality	PB-2, 9300-34800, GP-5400/-	PB-3, 15600-39100, GP-6000/-	PB-3, 15600-39100, GP-7600/-
2.	Social Justice & Empowerment	-do-	PB-3, 15600-39100, GP-6400/-	---
3.	Welfare of SCs & BCs	-do-	-do-	---
4.	Women & Child Development	-do-	-do-	PB-3, 15600-39100, GP-8000/-
5.	Industries	-do-	-do-	-do-
6.	Fisheries	-do-	-do-	---
7.	Land Records	-do-	-do-	---
8.	Labour	PB-3, 15600-39100, GP-6000/-	PB-3, 15600-39100, GP-6600/-	PB-3, 15600-39100, GP-7600/-
9.	Food & Supplies	-do-	PB-3, 15600-39100, GP-6400/-	-do-
10.	Agriculture (Existing)	PB-3, 15600-39100, GP-5400/-	PB-3, 15600-39100, GP-6400/-	PB-3, 15600-39100, GP-8000/-
	(Demanded)	6000, 7600 after 5 yrs & 8000 after 11 yrs	7600 & 8000 after 5 yrs	PB-4, GP-8700 & 9500 after 5 yrs

Therefore, the proposal of AD for upgradation of pay scale of Dy. Director, Jt. Director and Addl. Director is also found to be devoid of merit.

The proposal includes demand for cadre specific ACP on the pattern of HCS/ HCMS/ Engineers/ Dentist and Veterinary Surgeons etc. The other cadres which are now being granted general ACP on the pattern of ADOs may raise similar demand for cadre specific ACP.

However, the Committee observed that on upgradation of their group of service from Group-C to B, their genuine claim arise for the grade pay of Rs. 4000/-, but keeping in view of their higher entry qualification of B.Sc. Agriculture (Hons.) and in order to incentivise this class of employees the Committee recommends upgradation in the pay scale of ADO, BAO and SDAO as under prospectively:-

Sr. No.	Name of Post	Existing pay scale	Proposed/ Modified Pay scale	Remarks
1.	ADO/ HDO	PB-2, 9300-34800, GP-3600/-	PB-2, 9300-34800, GP-4200/-	As per recommendation of AD, the pay scale of ADO/ HDO & BAO/ TA/ Demonstrator has been recommended the same. Therefore, the proposed pay scale are subject to the condition that the post of ADO/
2.	BAO/ TA/ Demonstrator	PB-2, 9300-34800, GP-4000/-	PB-2, 9300-34800, GP-4200/-	

				<i>HDO &amp; BAO/ TA/ Demonstrator are merged in one and same cadre. The post of BAO/ TA/ Demonstrator will no more be promotional post of ADO/HDO. Only the senior ADO/ HDO will be appointed as BAO/ TA/ Demonstrator</i>
3.	<i>SDAO/ SMS/ APPO/ ACDO/ ASCO/ QCI/ ACC/ AMO/ ASPO (Class-II) SSO/ Floriculturist/ Veg. Specialist/ DHO/ Fruit Specialist/ Supdt. (H)</i>	<i>PB-2, 9300-34800, GP-4200/-</i>	<i>PB-2, 9300-34800, GP-4600/-</i>	

*B. The proposal of AD for upgradation of pay scale of Dy. Director, Jt. Director and Addl. Director is found to be devoid of merit, and not recommended.*

*C. The proposal of AD for grant of cadre specific ACP is also found to be devoid of merit, and not recommended."*

Based on above said recommendations of Pay Anomaly Committee Govt. issued order No. 1/53/2012-1PR(FD), dated 22-05-2014.

4. As regard their demand mentioned in para 1.1 above regarding merging of all Group 'B' posts viz. ADO, BAO/ BA with SDAO/ SMS/ APPO/ ACDO/ ASCO/ QCI/ ACC/ AMO/ ASPO/ SSO, this is an administrative matter so the department may take up this matter with competent authority in Govt. This Commission cannot make any recommendation in the matter.

5. Regarding demand mentioned in para 1.2 regarding improvement in entry pay for direct recruits, it is not a case of Pay Anomaly or disparity. Entry pay for direct recruits in all the departments of the State where pay scales of the post have been upgraded subsequent to 01.01.2006, has been prescribed with a same and uniform manner.

6. Regarding demand mentioned in Para 1.3 for grant of ACP corresponding to the upgraded pay scale instead of based on pay scale as it stood on 01.01.2016, this demand is not peculiar to the employees of Agriculture Department. Similar demands have been raised by various employees Unions/ Associations of various departments and after

considering the whole aspects in view, the Commission is making separate recommendations in this regard.

7. As regard demand of improvement of pay scale on Punjab pattern, it is observed that the qualification, mode of recruitments, hierarchical structure, service rules/ group of service of different posts in Punjab & Haryana are different. Similar demand has been raised by certain other categories of employees viz. Ministerial Staff Association and Police Staff etc. As per term of reference fixed by the Government, this Commission will submit a comparison of certain packages available in Haryana and Punjab.

8. In an another representation, Dy. Directors, Joint Directors and Addl. Directors of the department have demanded higher pay scale and cadre specific ACP at par with counterparts in Punjab and counterparts in other departments of the State. As regard, their demand of Punjab pay scale, the position is same as mentioned above. Regarding parity with counterparts in other departments, it is observed that there is no established parity in the pay scale of the DDA/ JDA/ Addl. DA and counterpart in other departments. The pay scale of the every post in every department is fixed based on certain parameters like qualification, Job profile, level of responsibility etc. The upward movement in pay scale is also based on changing dynamic on the basis of recommendations of pay Commission constituted by Central Govt./State Govt. The pay scale of the posts with whom parity has been claimed by the officers of Agriculture Department are higher due to certain reasons / recommendations of the Central Pay Commission. Hence, their claim is not covered under pay anomaly and their demand for better pay scale at par with counterpart in other departments is devoid of merit.

**iii) To Grant pay scales to Agriculture Development Officers (FI) working in the Engineering cadre at par with Engineers.**

The Agriculture Development Officers working in the Engineering Cadre of the department have requested for pay scales at par with Agricultural Engineers. The Commission finds no logic in this demand since, ADOs have these scales & pay on the general side and are governed by them. They cannot be given a different pay scale when they are deputed to work on the Engineering side. They carry their pay scales wherever they are deputed to work in the department. The demand has no merit and is fit to be rejected.

**iv) Representation of Shri S.R. Sehrawat, Chief Hydrologist.**

Shri S.R.Sehrawat who was working as Chief Hydrologist of the Ground Water Cell Wing of Agriculture Deptt. (since retired) has sought parity with the pay scale of Punjab as well on the pattern of PWD(B&R) Engineering Wing. Reference has also been made to some

decision of the High Court as well as of Supreme Court. The Deptt. has not supported the claim of the officer that the post of Chief Hydrologist is equal to that of Joint Director, Agriculture. It has also been pointed out that there is no provision of promotion from the post of Chief Hydrologist in the Deptt. The Deptt. has further claimed that no injustice has been done to him and due promotions have been given to him. The Deptt. has also pointed out that keeping in view the circular of the FD dated 20.4.2001 and the letter of PAC dated 13.2.2015, the representation of the officer has already been filed.

The officer has already been retired and the deptt. has already rejected the representation of the officer. It is not covered in the category of anomaly. The Commission, therefore, finds no justification to reopen this case at this stage.

#### **Meeting held on 19.11.2015**

#### **v) Representation regarding giving open ended pay scale to Gazetted Agriculture Officers(Group-B)- Dr. M. S. Dahiya, General Secretary.**

Shri M.S. Dahiya, General Secretary has represented for extending the benefit of open ended pay scale to Haryana Agriculture Officers (HAS-II) before 1.1.2006. It has been claimed that Circle Agriculture Officer which is a feeder cadre for HAS-II had been granted open ended pay scale prior to 1.1.2006 but this benefit was not given to HAS-II. Consequently, after promotion to Group-B from Group-C, has resulted in financial loss to the official. However, subsequent to 1.1.2006, the benefit of open-ended pay scale has been given to various categories and this problem is only with regard to a few officers who were promoted prior to 1.1.2006. He also met the Chairman of the Commission and represented the case personally and claimed that in the State of Haryana this was probably the only case where after promotion there has been a substantial loss in income. It was also pointed out that the representation is pending with government for a long time and no final reply has been furnished by the Finance Deptt.

After a careful consideration, the Commission finds that this matter which pertains to a period prior to 1.1.2006 strictly is not within the purview of this Commission. It has also been brought to the notice of the Commission that as per directions of the Court, Speaking Orders have already been passed by the Govt. rejecting their demand. This order has been challenged by way of a CWP in the High Court which is still pending.

## **2.3 ANIMAL HUSBANDRY AND DAIRYING DEPARTMENT**

### **Meeting held on 13.07.2015**

#### **i) VLDA/BLEO etc.**

VLDAs/BLEOs of the Animal Husbandry Deptt. have requested for a better Grade Pay of Rs. 4200/- in place of Rs. 3600/- and for BLEO GP of Rs. 5400/- in place of Rs.3600/- for following reasons:- The departmental officers are executing various development programmes in the Animal Husbandry Deptt. keeping in view the huge Cattle Wealth in Haryana. But their promotional prospects from the post of VLDA to BLEO are very limited since total number of posts of BLEO, which is the only promotional post from VLDA is less than 4% of the cadre strength. During the various pay revisions, the department has been given a step-motherly treatment as compared to other departments with identical pay scales before revision being given better pay scales after the revision. It has, further, been pointed out that the recruitment to the post of VLDA is done of a person having educational qualification of 10+2 as well as 2 years training course in the Lala Lajpatrai. Animal Husbandry University at Hisar, which is a diploma course. The admission in the diploma course is done on the basis of examination. The departmental officers have to work very hard in the field involving intensive touring. Comparison has also been made with the post of Staff Nurse in the Health Deptt. who have been given better treatment after the recommendation of the 6<sup>th</sup> Pay Commission. Attention has also been drawn to the anomaly in the ACP scale where no benefit has accrued to the department. Comparison has also been made with the GP given in the neighboring states of HP and Punjab.

After careful consideration of the matter, it was felt that comparison with JBT teacher and staff nurses will not be relevant in view of the different nature of duties performed. In addition, their pay scales compare with similar posts of dispensars in Ayush Deptt. and Pharmacists in Health Deptt. As regards the stagnation because of lack of promotional opportunities, it is for the department to find a solution to this problem.

### **Meeting held on 18.09.2015**

#### **iii) Haryana State Veterinary Association:**

The Veterinary Surgeons of the State have asked for complete parity with the Medical Officers of the Health Deptt. on the following grounds:-

- i) The department has a major contribution in the agricultural/dairy/rural sector as well as contribution in GDP of the State which is basically an agrarian State.

- ii) The Deptt. is playing an important role in qualitative and quantitative improvement in Livestock, providing self-employment in the rural areas of the State.
- iii) There was a complete parity with Medical Officers of the State during the implementation of 5<sup>th</sup> as well as 6<sup>th</sup> CPC's recommendations. The 5<sup>th</sup> CPC specifically recommended complete parity between Veterinary doctors, Medical Officers and Dental Doctors in terms of pay scales and career prospects. This was again endorsed by the 6<sup>th</sup> CPC.
- iv) In Haryana also, while revision of pay scales in 2006 was made there was complete parity between two services but veterinary surgeons were not given the benefit of 3<sup>rd</sup> ACP which was rectified prospectively w.e.f. 22.8.2012, thus all Veterinary Surgeons who retired between 1.1.2006 to 22.8.2012 were deprived the benefit of 3<sup>rd</sup> ACP, which is a great in-justice.
- v) In the year 2009, a decision taken by the State Govt. by giving improved pay scales and career prospects to the HCMS doctors upset the parity between the two services. Argument given by the State Govt./Pay Anomaly Committee was that there was a severe shortage of availability of HCMS doctors which severely affected the delivery of quality health services in the State. It was mentioned that maximum HCMS doctors were opting for private practice/Corporate Hospitals. It was further held that course of study and the selectivity of admission process of HCMS doctors cannot be held to be comparable to the Veterinary doctors/ Ayush doctors and thus these services cannot be fully at par with the HCMS doctors. The demand of Veterinary doctors for full parity with HCMS doctors was therefore not accepted.
- vi) The Association has tried to contradict the reasons given by the State Govt. regarding shortage of HCMS doctors by giving facts and figures about the requirement of 3677 Medical Doctors during 15 years (i.e. about 250 Doctors per year), against availability 18000 Doctors(1200 doctors produced in the State during this period. It has been contended that there is more shortage of Veterinary Doctors in the State as compared to their availability. The matter was examined once again in the Pay Anomaly Committee meeting held on 19.7.2012 and the demand was still not accepted except for grant of 3<sup>rd</sup> ACP. They have also disputed the argument on the course content of MOs being

more rigorous than the Veterinary course. A comparative study of HCMS and veterinary doctors in terms of method of recruitment, level at which recruitment is made, hierarchy of service, minimum educational qualification, technical qualification, nature of duties and responsibilities has been made to show that there is no difference between the two servicers.

Similar demands have been made for parity at various level in the hierarchy right upto Director General Animal Husbandry. Director General Animal Husbandry has raised the issue that his Grade Pay has been reduced in the notification dated 30<sup>th</sup> December, 2008 by adding the foot note in the Haryana Govt. Gaz. (EXTRA) at Sr. No. 27. He has demanded the same pay scale as enjoyed by his predecessor on the following grounds:-

- i) The pay scale of the post of Director, Animal Husbandry was revised vide order dated 16.2.2006 which was subsequently re-designated as Director General, Animal Husbandry vide order dated 6.3.2006. There is nothing to indicate that this Grade was given as a personal measure to the then incumbent Director General.
- ii) Similar pay scales have been given to DGHS as well as EIC. PWD(B&R).

After a careful consideration of the matter, the Commission is not inclined to accept the demand for parity with HCMS. The decision to give some benefits to HCMS in the matter of pay scales, ACP in 2014 was taken by the State Govt. for specific reasons which have been spelt out clearly. While taking this decision, the State Govt. was aware of the fact that it may lead to disturbing the established parity with certain other services like Veterinary Surgeons, Dental Surgeons etc. but such parities cannot be held to be sacrosanct for all times to come. The State Govt. was competent to take such a decision and the Commission is inclined to agree with it.

As regards, the representation of Director General, Animal Husbandry that his grade pay has been reduced compared to the previous incumbent, the Commission finds no merit in this representation. In the case of DG, Health Services, there are 4 levels of Jt. Director, Additional Director, Director between Dy. Director to Director General while in the case of Animal Husbandry Deptt. there are only two levels from Dy. Director to Jt. Director and then to DG. There is a very big jump from GP. 7600/- in case of Jt. Director, Animal Husbandry to Rs. 9500/- GP in the case of DG, Animal Husbandry. In addition, rationalization of pay scale was done, keeping also in view that in terms of scale of operations and delivery of service, the Department of Animal



Husbandry cannot be equated with Health. There is no case for redressal for any grievances and the Commission does not find any reason to interfere with the decision taken by the Govt.

**iv) Dr. Raj Kumar Sindhu, Demonstrator**

Dr. Rajkumar Sindhu was selected as Demonstrator (HVS-II) by the HPSC and joined as such in the Dairy Development Department on 30.4.1991. In the year 1993 seven Veterinary Officers working in the Haryana Dairy Development Co-operative Federation were declared surplus and were taken on deputation as District Dairy Dev. Officer in the Dairy Dev. Department. Dr. R.K. Sindhu has represented that he had the right of promotion to the post of Distt. Dairy Dev. Officer before the appointment of outside officers declared surplus. He represented to the Govt. to promote him as District Dairy Development Officer before these outside officers were appointed. He also mentioned that in the case of Dr. Tejinder Rana who did not have the experience of five years for appointment as DDDO but was still absorbed as DDDO. It is further mentioned that in the year 1994 he was posted as DDDO Narnaul in response to his representation. The officer has been working as DDDO for a period of nine years till September, 2003 when the two departments were merged. It has been claimed that while seven others with the same qualification B.V Sc. and A.H have been absorbed as Veterinary Surgeon he inspite of having the qualifications and having worked as DDDO for more than nine years has still not been absorbed as Veterinary Surgeon. At the time of merger an order was passed for placing his services at the disposal of Principal TTI (Hisar). The Officer has quoted a large number of Judicial Orders to show that he has the right to be absorbed as Veterinary Surgeon in the Animal Husbandry Department from the date of merger of the two departments. He has further claimed that from the time of merger till date the same work is being taken from him as is applicable to other veterinary surgeons of the Animal Husbandry Department. The Veterinary Surgeon is getting better pay scale. The request has, therefore, been made that he should be also given the same pay scale as Veterinary Surgeon in the Animal Husbandry Department alongwith NPA and other applicable allowances w.e.f.1.1.2006.

The Commission has carefully considered this matter. The department in its comments has supported the claim of the officer in full and has recommended that his pay scale may be equated with that of veterinary surgeons. However, he will remain posted as Demonstrator which is a diminishing cadre post. The Commission finds that this is a matter on which the Administrative Department should have taken a decision since it is a purely an Administrative matter. The department conceded that his pay scale was not revised on 1.1.2006. The Commission is of the views that the department should take corrective action for the

lapse which took place at the time of revision and approach the Finance Department in this regard. The Commission , therefore, recommends accordingly.

**Meeting held on 03.11.2015**

**v) Representation of Dr. Parveen Kumar, and Dr. Balwan Singh, Veterinary Surgeons, Govt. Veterinary Hospital (GVH) Chang, Bhiwani**

Dr. Parveen Kumar and Dr. Balwan Singh, Veterinary Surgeons, Animal Husbandry & Dairying Department in their representation have stated that:-

1. The pay of fresh entrant Veterinary Surgeons after 01.01.2006 is being fixed in PB-2, 9300-34800, GP\_5400/- with initial Basic Pay of Rs. 14880+ 5400 = 20280/-. They have demanded for fixation of their pay in PB-3, 15600-39100, GP-5400/- with initial Basic Pay of Rs. 15600+ 5400 = 21000/- on the pattern of 6<sup>th</sup> Central Pay Commission. Due to this wrong fixation of pay, they are suffering loss of Rs. 720/- in BP.
2. Veterinary Surgeons appointed before 01.01.2006 in the department are getting PB-3, whereas pay of Veterinary Surgeons appointed after 01.01.2006 is being fixed in PB-2.

The representationists did not attend the meeting dated 03.11.2015, inspite of written communication sent to them through their Administrative Department. Besides, the Administrative Department has not sent their comments in the matter, however, apart from other demands Haryana State Veterinary Association in their representation Diary No. 19901 dated 20-08-2015 have raised this demand also and they were heard on 18.09.2015.

The Commission observes that the pre-revised pay scale of Veterinary Surgeon was Rs. 8000-13500. Corresponding to the pre-revised pay scale of Rs. 8000-13500, 6<sup>th</sup> Central Pay Commission had recommended two pay structures in the revised pay scale and notified by Government of India vide their notification dated 29.08.2008 as under:-

Present Pay Scale			Revised Pay Structure		
Sr. No.	Post/ Grade	Present scale	Name of Pay Band/ Scale	Corresponding Pay Bands/ Scales	Corresponding Grade Pay
16	S-15	8000-275-13500	PB-2	9300-34800	5400
17	New Scale	8000-275-13500 (Group-A Entry)	PB-3	15600-39100	5400

The State Government has revised the pay scale of its employees accordingly as per its notification dated 30.12.2008:-

Existing Functional Pay Scale		Revised Functional Pay Structure		
Sr. No.	Functional Pay Scale	Pay Band	Corresponding Pay Bands	Corresponding Grade Pay
19	8000-275-10200-EB-275-13500	PB-2	9300-34800	5400
20	8000-275-10200-EB-275-13500 (Group A Entry)	PB-3	15600-39100	5400

Since, the post of Veterinary Surgeon is a Group-B post, therefore, the revised pay scale prescribed for this post viz. PB-2, 9300-34800, GP-5400/- with entry pay of Rs. 14880 + 5400 = 20280/- is correct and there is no anomaly in this case. Similar revised pay scale have been given to other Group-B posts carrying pre-revised pay scale of Rs. 8000-13500 viz, Dental Surgeons, AE (SDO) in three wings of PWD, ETO & Asstt Architect etc. Pay of Group- A entry posts viz HCS, ATP, AEE, SDO (in Animal Husbandary Department) etc have been fixed in PB-3, 15600-39100, GP-5400/-

Further, it is incorrect to say that the Veterinary Surgeon appointed before 01.01.2006 have been given revised pay scale of PB-3, 15600-39100, GP-5400/-.

Hence, their claim is devoid of merit.

**vi) Sh. Ashok Arora, Deputy Superintendent**

Sh. Ashok Arora, Deputy Superintendent, Animal Husbandry & Dairying Department in his representation dated 13.03.2015 has raised following demands:-

1. To extend the benefit of proportionate increment to the employees retiring between August to June in terms of FD's Letter no. 6/126/2013-4PR (FD), dated 07.01.2015. Accordingly, a person retired on 31.05.2015 may be granted proportionate increment as under:-  
Basic Pay x 3% x 10 (he availed last increment on 12 01.07.2014 and has served 10 months thereafter upto date of retirement.)

2. Likewise, person retiring before completing 10, 20 and 30/ 8, 16 and 24 years of service may be granted ACP pay scale proportionately for the portion of service he rendered before the due date of 1, 2 and 3 ACP. For

Example, if a person has rendered 9 years of service while retiring and ACP would be available to him after 10 years of service he may be granted proportionate amount of benefit as under:-

Amount of benefit accruing after 10 years of service x  $\frac{9}{10}$

3. Now that State Government has upgraded the GP of Assistants from 3200/- to 3600/- vide order dated 28.08.2014, the GP of Deputy Superintendent may be upgraded to 4800/-w.e.f. 01.09.2014.

The representationist did not attend the meeting dated 03.11.2015, inspite of written communication sent to him through his Administrative Department. Besides, the Administrative Department has not sent its comments in the matter, however, the Commission considered the provision of Government letter dated 07.01.2015, which reads as under:-

***"Subject:- Date of next increment in the revised pay structure under Rule 10 of HCS (RP) Rules, 2008 and Under Rule 20 of HCS (ACP) Rules 2008.***

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*I am directed to draw your attention on the FD's order No. 6/84/2010-4PR (FD), dated 16.04.2012 on the subject cited above. In continuation of above referred order and in exercise of the power vested under Rule 17 and Rule 19 of The HCS (RP) Rules, 2008 and Rule 26 and Rule 28 of the HCS (ACP) Rules, 2008 and all other powers enabling the Government so to do, the Government is pleased to decide that in relaxation of stipulated under Rule 10 of HCS (RP) Rules, 2008 and Under Rule 20 of HCS (ACP) Rules, 2008, with respect to those employees who joined the Government service on or after 01.01.2006, as under:-*

1. *The employees who join on 1<sup>st</sup> January to 30<sup>th</sup> June will get the proportionate increment on 1<sup>st</sup> July of the same year which shall be calculated on the basis of completed number of months i.e. the whole amount of increment shall be calculated and multiply by the completed number of months and divided by twelve. The resultant figure shall be rounded off to the next multiple of Rs. 10/- and added to the pay in pay band of the employee. An employee who joins from 1<sup>st</sup> to 15<sup>th</sup> of any month shall be considered as full month and employee join from 16<sup>th</sup> to end of month shall be ignored.*
2. *The employees who join on 1<sup>st</sup> July to 31<sup>st</sup> December will get the proportionate increment on the 1<sup>st</sup> July of the next year which shall be calculated on the basis of complete number of months i.e. the whole amount of increment shall be calculated and multiply by the completed number of*

months and divided by twelve. The resultant figure shall be rounded off to the next multiple of Rs. 10/- and added to the pay in pay band of the employee. An employee who joins from 1<sup>st</sup> to 15<sup>th</sup> of any month shall be considered as full month and employee join from 16<sup>th</sup> to end of month shall be ignored.

**Example (I):-**

Mr. 'X' joins on 4<sup>th</sup> January, 2008 in the PB\_1, with GP 2400/-, drawing pay of Rs. 9840 (7440 + 2400) amount of increment shall be as under:-

- (i) Completed number of months as on 1<sup>st</sup> July 2008 = 6
- (ii) Total amount of increment =  $9840 \times 3 / 100 = 295.20$
- (iii) Proportionate amount =  $295.20 \times 6 / 12 = 143.60$
- (iv) Rounded of amount = Rs. 150/-
- (v) The amount of Rs. 150/- shall be added to his existing pay i.e. Rs. 7440 + 150 = 7590 + 2400 GP

Therefore, Mr. 'X' will draw 9990 (7590 + 2400) on 1<sup>st</sup> July, 2008.

**Example (II):-**

Mr. 'X' joins on 18<sup>th</sup> October, 2008 in the PB\_1, with GP 2400/-, drawing pay of Rs. 9840 (7440 + 2400) amount of increment shall be as under:-

- (i) Completed number of months as on 1<sup>st</sup> July 2008 = 8
- (ii) Total amount of increment =  $9840 \times 3 / 100 = 295.20$
- (iii) Proportionate amount =  $295.20 \times 8 / 12 = 196.80$
- (iv) Rounded of amount = Rs. 200/-
- (v) The amount of Rs. 200/- shall be added to his existing pay i.e. Rs. 7440 + 200 = 7640 + 2400 GP

Therefore, Mr. 'X' will draw 9990 (7640 + 2400) on 1<sup>st</sup> July, 2009.

Dated, Chandigarh  
The 5<sup>th</sup> January, 2015

-Sd/-  
P.K. Das  
Principal Secretary to Government Haryana,  
Finance Department

The officers of the Pay Revision Branch (Finance Department) who issued this letter also explained the philosophy/ reasoning behind these instructions. They explained that the benefit of proportionate increment is to be granted only to the incumbent appointed after 01.01.2006 for the service rendered between the date of joining to 1<sup>st</sup> July immediate next and this is applicable in case of 1<sup>st</sup> increment. During revision of pay scale as per 6<sup>th</sup> CPC, the Govt. had made following provisions for grant of next increment in the revised pay scale:-

***“10. Date of next increment in the revised pay structure-***

*There will be a uniform date of annual increment, viz. 1<sup>st</sup> July of every year. Employees completing 6 months and above in the revised pay structure as on 1<sup>st</sup> of July will be eligible to be granted the increment. The first increment after fixation of pay on 1.1.2006 in the revised pay structure will be granted on 1.7.2006 for those employees also for whom the date of next increment was between 1<sup>st</sup> July, 2006 to 1<sup>st</sup> January, 2007:*

*Provided that in the case of persons who had been drawing maximum of the existing scale for more than a year as on the 1<sup>st</sup> day of January, 2006, the next increment in the revised pay structure shall be allowed on the 1<sup>st</sup> day of January, 2006. Thereafter, the provision of rule 10 would apply:*

*Provided further that in cases where an employee reaches the maximum of his pay band, shall be placed in the next higher pay band after one year of reaching such a maximum. At the time of placement in the higher pay band, benefit of one increment will be provided. Thereafter, he will continue to move in the higher pay band till his pay in the pay band reaches the maximum of PB-4, after which no further increments will be granted.*

***Note1. -*** *In cases where two existing scales, one being a promotional scale for the other, are merged, and the junior Government servant, now drawing his pay at equal or lower scale of pay, happens to draw more pay in the pay band in the revised pay structure than the pay of the senior Government servant in the existing higher scale, the pay in the pay band of the senior Government servant shall be stepped up to that of his junior from the same date and he shall draw next increment in accordance with rule 10.”*

*The employees appointed after 01.01.2006 between 2<sup>nd</sup> January to 30<sup>th</sup> June were to get increment in next July after a period ranging 13 to 18 months. Such employees had challenged this provision in the Court of Law and the court had also not accepted this concept. So in compliance of the Court orders, the State Government has made the provision of propionate increment vide letter dated 07.01.2015. The benefit propionate increment is not applicable in the case of subsequent increments. The next and subsequent increments shall be admissible on 1<sup>st</sup> July every year subject to fulfillment of other conditions of eligibility.*

*The Commission also considered the provision of Rule 4.7 of CSR Vol-1, Part-I, which reads as under:-*

*“4.7 An increment shall ordinarily be drawn as a matter of course, unless it is withheld. An increment may be withheld from a Government employee by a competent authority if his conduct*

*has not been good or his work has not been satisfactory. In ordering the withholding of an increment, the withholding authority shall state the period for which it is withheld and whether the postponement shall have the effect of postponing future increments.*

*Note 1. With effect from the 1st day of November, 1975, an increment shall be drawn from the 1st day of the month in which it falls due.*

*Note 2. The increment of an employee on leave on the 1st of the month shall be actually drawn from the date of resuming duty on return from leave.*

*Note 3. If an employee has officiated in a par scale for short periods at different times at the same stage of pay, he shall be granted increments from the 1st of month in which it falls due after counting the broken periods equal to one year, provided the employee has also been holding the post from the first of that month to the date on which increment falls due. In case he is not holding the post on the first of the month, the increment shall be granted from the date it falls due.*

*Note 4. Where a normal increment is withheld for specific period and the period of such penalty expires after the 1st of the month increment shall be granted/restored from the date of penalty ceases.*

*Note 5. Advance/enhanced increments which are allowed as a result of passing of certain examination, will be governed by the relevant rules and orders issued from time to time."*

In the instant case, the increment is not due to him on the date of his retirement viz. 31.05.2015. It would be admissible to him 01.07.2015 had he remained in service. Therefore, his demand for proportionate increment is not covered in Government rules/ instruction on the subject. It is further mentioned that in a similar case Sh. Jai Narayan and other had filed CWP No. 16471 of 2014 in Hon'ble Punjab & Haryana High Court. On the instance of Hon'ble Punjab & Haryana High Court, Finance Department has passed speaking order dated 02.07.2015 denying the proportionate increment at the time of retirement stating that the employee on the due date of increment was not in service. However, the Commission suggests that Government may issue clarificatory instruction in the matter to avoid confusion.

**2. Regarding grant of proportionate benefit of ACP, the Commission considered the provisions of HCS (ACP) Rules 2008:-**

**(i) Objectives:-**

*The objective of these rules is to provide two categories of assured career progression schemes for the government servants of Haryana –the first category of scheme is cadre-specific Assured career progression schemes for some cadres/posts prescribing time scales. The second category of scheme is primarily to remove stagnation in service, in the form of a general assured career progression scheme. The second category scheme seeks to ensure that all government servants, whose cadres are not covered by any cadre-specific assured career progression scheme, get at least three financial upgradations, including financial upgradation, availed by such Government servants as a consequence of functional promotion during his entire career. It also seeks to ensure that no government servant stagnates without any financial upgradation for more than ten years unless he has already availed three financial upgradations in his career.*

**(ii) Eligibility for Grant of ACP grade Pay under the general ACP scheme. -**

- (1) Every Government servant covered under the general ACP scheme shall, for the purposes of drawal of pay, be eligible for the first ACP grade pay (given in column 4 of Part II of Schedule I in respect of the functional pay scale or pay structure of his post) if he has completed 10 years of regular satisfactory service and has not got any financial upgradation in these ten years with reference to the functional pay structure of the post to which he was recruited as a direct entrant. Financial upgradation in this context includes functional promotion in the hierarchy or further revision/ modification of the pay structure for the same post after 1.1.2006.*
- (2) Every Government servant covered under the general ACP scheme shall, for the purposes of drawal of pay, be eligible for the second ACP grade pay (given in column 5 of Part II of Schedule I in respect of the functional pay scale or pay structure of his post) if he has completed 20 years of regular satisfactory service and has not got any financial upgradation in the last ten years. Financial upgradation in this context includes functional promotion in the hierarchy or further revision/ modification of the pay structure for the same post after 1.1.2006.*



- (3) *Every Government servant covered under the general ACP scheme shall, for the purposes of drawal of pay, be eligible for the third ACP grade pay (given in column 6 of Part II of Schedule I in respect of the functional pay scale or pay structure of his post) if he has completed 30 years of regular satisfactory service and has not got any financial upgradation in the last ten years and has not got more than two financial upgradation so far. Financial upgradation in this context includes functional promotion in the hierarchy or further revision/ modification of the pay structure for the same post after 1.1.2006.*
- (4) *In case of a Government servant who gets promoted, he will be considered for the next ACP grade pay after he completes 10 years of regular satisfactory service in the promotional post without any financial upgradation and will be entitled to the next ACP grade pay with reference to the grade pay of the promotional post he holds :*

*Provided that a Government servant shall not be entitled to avail ACP upgradation if, he has already availed of three financial upgradation of any kind in his career.*

**Note.-** *For the purpose of these rules, “regular satisfactory service” means continuous service counting towards seniority under Haryana Government, including continuous service in Punjab Government before re-organization, commencing from the date on which the Government servant joined his service after being recruited through the prescribed procedure or rules etc. for regular recruitment, in the cadre in which he is working at the time of being considered his eligibility for grant of ACP pay band and grade pay under these rules and further fulfilling all the requirements prescribed for determining the suitability of grant of ACP pay structure.*

**Explanation.-** *The ACP pay structure upgradation in the form of first ACP grade pay will come into play only if a Government servant has not got the benefit of at least one grade pay upgradation within the prescribed period of first 10 years. Similarly, the second and third ACP grade pays will come into play only if a Govt servant does not get two upgradations after twenty years of service and three upgradations after thirty years of service. If within 10 years of service, the Government servant has already got at least one financial upgradation or within 20 years of service, the Government servant has already got atleast two financial upgradations, or within 30 years of service, the Government servant has already got at least three*

*financial upgradations, benefit of these rules will not be extended to such employees save if otherwise provided in these rules.*

**(iii) Other general conditions of eligibilities of ACP pay structure :-**

*The following general conditions shall also be fulfilled by a Government servant for availing benefit of ACP :-*

- (a) after completing the respective prescribed period for eligibility for the grant of ACP pay structure the Government servant should be fit to be promoted to the next higher post in the functional hierarchy in his cadre, but could not be functionally promoted due to lack of vacancy in the promotional post in the hierarchy to which he is eligible to be promoted;*
- (b) if such promotion involved passing of any departmental test or other test etc., such condition should also be fulfilled by such Government servant.*

**(iv) Grant of Assured Career Progression grade pays.-**

- (1) The rule 7 and 8 only prescribe eligibility conditions for placement in the relevant ACP pay structure and does not authorize automatic placement in ACP pay structure in which Government servant is eligible to be placed under these rules. The authority competent to grant promotion in case of a Government servant shall be required to pass suitable orders for grant of ACP pay structure under these rules, authorizing the placement of a Government servant in the appropriate ACP pay structure. Before passing such order*
  - (a) the authority competent shall ensure that if there is a Departmental Promotion Committee, such Committee should consider the cases for grant of ACP pay structure as if these were cases for determining the suitability for promotion and that its recommendations are considered in the manner as considered in case of functional promotions;*
  - (b) the authority competent shall ensure that the conditions and provisions laid down in these rules or any other order/ instructions etc. issued under these rules or otherwise with this purpose, are strictly adhered to;*
  - (c) the authority competent shall ensure that the number of financial upgradations granted to a Government servant is counted with reference to the pay scale or pay structure of the post to which the Government servant was inducted as a direct recruit fresh entrant. For this purpose, each promotion,*

*each grant of ACP grade pay or any other upgradation will be counted as one upgradation. The benefit of ACP shall not be extended to a Government servant if he has already availed three financial upgradations in his career by way of ACP or otherwise ;*

- (d) the authority competent shall also ensure compliance with the provision of these rules or any other rules or instructions issued by Government ;*

**Explanation.-** *The “authority competent” for the purpose of this rule would mean the authority competent in case of promotion for the respective categories of posts.*

- (2) The ACP pay structure so granted shall be effective from the date it is due and not from the date on which the orders are issued by the competent authority, if the orders so issued by the competent authority has been issued on a date which is different from the due date of eligibility :*

*Provided that the Government servant shall draw his pay only after the orders for granting such pay structure are issued by the competent authority in the relevant ACP pay structure.*

- (3) In case of Government servants who are drawing pay in a pay scale other than the functional pay scale of the post held by them on or before the date of notification of these rules, there shall be no need to pass any orders under the provisions of sub-rules (1) and (2) above and they shall be entitled to draw their pay in the ACP pay structure corresponding to the pay scale in which they are drawing their pay :*

*Provided that this deemed grant of ACP pay structure will not affect his entitlement for revised pay structure in which he will be placed as a consequence of application of these rules. Such Government servants shall be placed in the appropriate revised ACP pay structure as per their eligibility under these rules for the purposes of fixation of pay as a consequence of application of these rules.”*

*In the instant case, the incumbent had not been assessed fit for promotion/ ACP due to being in-eligible at this stage, therefore, his claim has not arisen and hence his demand for proportionate benefit is not covered under HCS (ACP) Rules, 2008.*

3. In his demand for upgradation of grade pay of the post of Deputy Superintendent, he has not supported any reason/ justification except that Government has upgraded the pay scale of feeder post Assistant from 3200 to 3600. The Commission considered the provisions of letter dated 28.08.2014 and observed that while upgrading the grade pay 3200 to 3600, Government has also upgraded the Grade pay of all

posts from 3600 to 4000, therefore, the grade pay of Dy. Supdt. has simultaneous been upgraded from 3600 to 4000 w.e.f. 01.09.2014. It is also observed that the functional grade pay of Supdt. is at present 4200/-. The demanded grade pay scale is higher than that of the promotional post. Hence, there is no justification for any further upgradation in the grade pay of Dy. Supdt. from 4000 to 4800.

## **2.4 ARCHITECTURE DEPARTMENT**

### **Meeting held on 13.07.2015**

#### **i) Architectural Assistant/ Senior Draftsman / Junior Draftsman/ Assistant Draftsman.**

The Draftsmen of this department have represented that while there is some benefit permitted to the Assistant Draftsman on promotion as Junior Draftsman, the post of Senior Draftsman and that the Junior draftsman have the same grade pay and thus on promotion, Junior Draftsman does not get any benefit. The Commission felt that the GP of Rs. 4200/- can be considered for Senior Draftsman, as well as the Architectural Assistant to provide them some relief.

### **Meeting held on 20.10.2015**

#### **ii) Haryana Association of Architects.**

Haryana Association of Architects has made a demand for getting complete parity between directly recruited Asstt. Architects and Engineers of the PWD(B&R) Deptt. The request is for grant of 3<sup>rd</sup> ACP w.e.f. 1.1.2006 instead of 24.2.2012 and also for removal of the rider of percentage of cadre strength for selection grade. It was found that there was a similar demand of Engineers to get parity and the Hon'ble Punjab & Haryana High Court has passed some interim order dated 09.04.2015. The Architects have requested that whatever decision is taken in the case of Engineers of PWD (B&R) may be applied to them. The Commission took note of this request.

## **2.5 CHIEF SECRETARY TO GOVERNMENT HARYANA (POLITICAL AND PARLIAMENTARY AFFAIRS)**

**Meeting held on 20.10.2015**

### **Haryana Ministerial Staff Association**

Haryana Ministerial Staff Association, representing the departments both in the field as well as Chandigarh, has requested for granting of pay scales at par with those prevailing in Punjab. Starting with the level of Group-D and including the categories of Clerk, Steno Typist, Asstt. Dy. Supdt. and Superintendent. The main demand for granting the pay scales is that Haryana was part of Joint Punjab and same Rules and Regulations are being followed even today in most cases. It was further pointed out that it was a long pending demand, which was not considered by the Govt. The Association further pointed out that State Govt. has not adopted the pay scales of the Govt. of India in TOTO and has been adopting a pick and choose policy while implementing the revision of pay scales on Central Pattern.

It was felt that a comparison with Punjab, with regard to pay scales, will have to be done, keeping in view the nomenclature of the post, qualification, mode of recruitment and other relevant factors. The Commission after a careful comparison of scales prevailing in both the states has made detailed observations separately.

## **2.6 COOPERATION DEPARTMENT**

### **Meeting held on 15.07.2015**

#### **i) Audit Officers**

The Audit Officers of Cooperation Deptt have requested for parity with AO of FD and RAO of Local Audit Department on the following grounds:-

- i) The qualification is much higher than those of the Finance Depart and Local Audit Deptt. The Jr. Auditor has a qualification of B.Com and Sr. Auditor of M.Com. They are thus better qualified than SAS cadre of FD.
- ii) The nature of duties performed by them are also equally rigorous since they audit large number of organizations in the Cooperation Deptt. involving huge public funds. The Audit wing of the Co-operative Deptt comes under an organised cadre of Accounts and Audit and has its own service rules and there is every justification for giving them parity with similar posts of LAD/ FD.
- iii) The counter parts in Punjab State are in PB-2 with GP 5400/- whereas Audit Officers of Haryana Cooperation Deptt. have been paid GP 4200/-. Thus their GP is even less than that of Section Officer whose GP is 4600/-, whereas S.O. is Group 'C' post. The request has, therefore, been made that there is a case for modification of GP of Audit Officer from 4200/- to 5400/-.

The Commission has carefully considered this matter. The Audit Officer is in the hierarchy of Deputy Chief Audit Officer, Joint Chief Audit Officer, just as ARCS has higher levels of Deputy Registrar, Joint Registrar and Additional Registrar on the general side. On the Audit side the post of Chief Audit Officer is manned by a general line Additional Registrar. The levels of Deputy CAO, and Jt. CAO on the Audit Side have matching scales with Deputy Registrar and Joint Registrar on the general side. The ARCs on the general side are a part of the allied service and have a grade pay of Rs. 4600/- . The Audit Officer can therefore be given the same scale as ARC at the most. There is no justification for considering the demand for Rs. 5400/- GP which will completely upset the balance between the Audit and the general side. The Commission therefore recommends GP of Rs. 4600/- for Audit Officers of the Cooperation Department.

### **Meeting held on 03.11.2015**

#### **ii) Smt. Poonam Nara, Additional Registrar Cooperative Societies**

Smt. Poonam Nara, Addl. RCS has represented for upgradation of present pay scale at par with her counterpart in the Punjab Govt. Within the state of Haryana, comparison has been made with similar level officers in the Deptt. of Employment/Excise & Taxation/Industries/Local Audit/Supplies & Disposals etc. It has been claimed that in all these departments, the officer, who is at No. 2 in the hierarchy after the Head of the Deptt. has a GP Rs. 8000/- or above. The hierarchy of officer in the Deptt. of Cooperation is Asstt. Registrar, Dy. Registrar, Jt. Registrar and above them Addl. Registrar. The recruitment of the post of Asstt.RCS is through HCS and Allied Services Exam held by HPSC. It has been claimed that in 1986 the pay scale of ARCS was at par with other allied Services namely ETO, DFCS, Tehsildar, Treasury Officer, but in subsequent pay revisions, the pay scale of ARCS has been downgraded to GP Rs 4600/-, whereas in the other categories it is Rs. 5400/-. This has reflected in the pay scale of higher posts of Dy, RCS, Jt. RCS and Addl. RCS.

After careful consideration of the matter, the Commission finds that w.e.f., 1.12.2011, the ARCS has GP of Rs 4600/-, DRCS 5400 and Jt. RCS has GP 6400/-. The Addl. Director Employment , Addl. Director Agriculture and Addl. Director Industries have a grade pay of Rs.8000/-. It would be, therefore, appropriate to fix the GP of Addl. RCS at 8000/-.

### **Meeting held on 19.11.2015**

#### **iii) Lecturers in Centre of Cooperative Management Rohtak.**

The above category of employees have requested for parity with Lecturers of School cadre in Education Deptt. in terms of pay scale. They have requested for a GP Rs. 5400/- instead of present Rs. 4000/-, which is effective from 1/9/2014. After listening to their arguments, the Commission does not find much merit in the demand. The State Govt. has never accepted or treated the Lecturers of this Institution at par with the Lecturers of the School cadre. In the Institution Inspector level officers are functioning as Lecturers who do not have any parity with the Lecturers of School Education Deptt. in terms of qualification, duties performed. They are not also part of a hierarchy and in many cases have qualification of Matriculation.

The analogy of performance of School Lecturer on the basis of results of students does not apply in the case of these officers of the Cooperation Deptt. and therefore, the argument for parity with Lecturers in the School Education Deptt. has no basis. The Commission does not find any justification for improving their GP from existing Rs.4000/- to Rs.4800/-.



### **Meeting held on 29.12.2015**

#### **iv) Audit Wing Association Haryana**

The Audit Wing consisting of Sub Inspector( Junior Auditor) Auditor, Sr.Auditor have represented that the benefit of upgradation given vide Govt. letter dated 28-8-2014 has not been given to the Audit Cadre of the Cooperation Department. In the case of Auditors the grade pay of Rs.3200/- was revised to 3300+60 Rs. Special pay but if they had not got this upgradation they would have benefitted from the order dated 28-8-2014 revising their grade pay from Rs.3200 to 3600. In the case of Sr. Auditor the demand is for a grade pay for Rs.4000/- instead of the existing grade pay of Rs.3600+100/- Spl pay.

The Commission after a careful consideration finds that in the case of Auditor there is a sound reason for the grievance of the Department that the upgradation from grade pay 3200/- grade pay 3300/- has deprived than of the benefit of upgradation given by order dated 28-8-2014.

The Commission, therefore, recommends that the auditor be given a grade pay of Rs.3600/- As regards Sr. Auditor, the pay has been revised correctly and there is no justification for further revision demanded by the department.

## **2.7 DEVELOPMENT & PANCHAYAT DEPARTMENT**

**Meeting held on 15.07.2015**

### **DDPO & BDPO Association**

#### **i) DDPOs.**

The DDPOs have sought parity in pay scales with that of Revenue Officers on the following grounds:-

- i) They also exercise powers of AC 1<sup>st</sup> Grade
- ii) They work as Executive Magistrates for maintaining Law and Order.
- iii) They perform Protocol duties and also work as Returning Officers and Asstt. Returning Officers in Assembly and Parliamentary Election similar to Revenue Officers.
- iv) They are given responsibilities for enforcement of Law and Order during bunds and protests and also supervision during wheat and paddy procurement.
- v) They deal with the various problems arising during disaster management including flood, famine earthquake etc.

After discussion, it was felt that DDPOs of the Development Deptt. are discharging important responsibilities and their work has increased a lot in the field development. However, various duties referred to above were performed only on specific occasions and not as a matter of routine. The question of equating them with DRO will have to be considered in the context that they are promoted from BDPO, who are part of the allied services. Any increase in the scale of pay may lead to representations from other categories in the allied services like Excise & Taxation, Employment and Food & Supplies whose rank is above to that of the BDPO in the allied services.

#### **ii) BDPOs.**

The BDPOs of the Development Deptt. have sought parity with the Tehsildars of the Revenue Deptt. in terms of pay scales on the following grounds:-

- i) Role of the BDPO has become very important since he is a Project Officer for various programmes of Govt. of India like MGNREGA, SVSY, NBA, T.S.C. MPLAD etc. They are also Executive Officers of Panchayat Samitis which is an important 2<sup>nd</sup> tier of the Panchayati Raj. They assist administration in preparation of Voter Lists and enrolment of Adhaar Cards, apart from being Nodal Officer for distribution of Social pension, execution of food security programme etc. Their role has become much more

important as compared to Tehsildar who mainly remains busy in Revenue and administrative matters.

- ii) In the context of increasing responsibilities of the role of BDPO, there is a case of improving his scale of pay. However, the impact of the decision on departments like Food & Supplies, Excise & Taxation and Employment who are part of the allied services and rank above the BDPO will have to be considered by the State Government. However, the issue is one of improvement of grade and not of anomaly and it is upto the Govt. to take a suitable decision.

**iii) Principal, Rajiv Gandhi State Institute of Panchayati Raj and Community Development, Nillokheri**

The Principal of this Institution has asked for the pay scale of GP 6600/- instead of existing pay scale of GP 6000/- on the following grounds:-

The Institution which has been established in 1954, is engaged in imparting training on Rural Development to Viz. BD & POs (HCS Allied) SDOs (Panchayati Raj), etc. as well as Accountants, Assistants, Gram Sachivs and other Block and Village level officers/officials of department concerned with Rural Development Programmes. It is also conducting training of National Programmes like Indira Awas Yojana, Swachh Bharat Abhiyan, NRLM, IWMP on the guidelines issued by the Govt. of India, Ministry of Rural Development. The post of Principal is a group 'A' post and in the similar type of Institutes i.e. Gram Sewak Trg Centre, Nabha and Community Development and Training Centre Batala in the State of Punjab the Principal has the same Nomenclature and Qualifications but has been given better pay scales. The Commission took notice of the fact that the pay scales in the State of Punjab were higher even prior to revision. In addition this post has parity in Haryana with the post of School Principal where grade Pay was upgraded from GP 5400 to GP 6000/- in 2014. Any unilateral increase in the pay of this solitary post is bound to lead to a similar demand from the School Principals of the State. There is no force in this demand.

**iv) Instructress in Rajiv Gandhi State Institute of Panchayati Raj Community Development, Nilokheri.**

Two employees working as Instructress in the Institution have requested for grade pay of 6000/- at par with DRO, Tehsildars and BDPO's on the following grounds:-

- i) The Institute is engaged in imparting training to Class I and Class II Officers/officials of Development and Panchayat Deptt and Panchayati Raj. The Institute is also conducting

training programmes on various National Programmes as per the instructions /guidelines issued by the Ministry of Rural Development, GOI.

- ii) The pay scales of DROs and Tehsildars in 1979 were much lower as compared to the post of instructors and after the pay revision the financial gap has increased.
- iii) A request has been made that keeping in view the pay scales available in similar institutes functioning at Nabha and Batala in Punjab State, they should be given the grade pay 6000 at par with DRO and Tehsildar.

After Discussion, it was found that the Grade Pay of the Instructress was modified by FD vide order dated 12.12.2011 subject to the condition of Qualification is improved to the extent that the person must have obtained at least 55% marks in Post Graduation. By virtue of this notification, one incumbent is enjoying the modified pay scale with GP 4800/-, whereas the other instructress who does not possess that qualification is in the GP 4200/-. This was on the analogy of School lecturers in the department of Education with whom the above posts are enjoying parity. There is no case of equaling these posts with DROs, Tehsildars and BDPOs keeping in view the difference in the nature of duties performed. The demand has no force and is liable to be rejected.

#### **Meeting held on 28.09.2015**

##### **v) Gram Sachiv Welfare Association, Haryana**

The Gram Sachiv Welfare Association has represented that the existing pay scale of GP 1900/- should be upgraded to GP 2400/-. The main reason given for this demand is that the Gram Sachivs under the provisions of the Panchayati Raj Act are shouldering more responsibilities than the Accountants, but getting lesser pay scales. The former are enjoying the pay scales with GP 3200/-. Comparison has also been made with that of Revenue Patwaris and it has been claimed that Gram Sachivs have higher responsibilities as compared to the Revenue Patwaris. The Deptt. has however pointed out that the Accountant is a promotional post from Accounts Clerk, who has same pay scale as Gram Sachiv. The post of Gram Sachiv is filled up by direct recruitment whereas, the post of Accountant is filled up by promotion from that of Accounts Clerk. The Deptt. has recommended that pay scales of Gram Sachiv may be revised to 2400/-.

The Deptt. has admitted that there is no pay anomaly but it is a question of amendment /revision of pay scales of Gram Sachiv. This is a question of improvement in pay scales which is not in the jurisdiction of this Commission.

## **Meeting held on 27.11.2015**

### **vi) Legal Officers**

The Legal Officers of Development & Panchayat Deptt. have represented for parity with the Asstt. Distt. Attorney of Prosecution Deptt. in terms of pay scale w.e.f. 1.1.2006 on the following grounds:-

1. The qualification for direct recruitment for the post of Legal Officer in this deptt. is at par with the qualification prescribed for recruitment of ADA in the Prosecution Deptt. In fact, in the case of Legal Officer of Panchayats, it is mandatory to have 5 years experience as Advocate or in the same capacity. Thus in some respects, the qualifications required for direct recruitment are even higher than for the post of ADA.
2. The nature of duties performed in the case of ADA/LO of Panchayats are similar and in fact, while the ADA in Prosecution Deptt. attends to only one designated Court the L.O., Panchayats has to attend to all the courts at Distt. Head Quarter including all Civil Courts and Revenue Courts. Litigation with regard to Panchayati Raj Institutions is to be defended and this includes all the Civil Courts in the Distt., Courts of Collector, Commissioner as well as Director, Panchayats. He also has to appear before the Secretary of the Panchayat Deptt. to defend appeals. In addition, he prepares written statements to be filed in Courts, tenders Legal Opinion on departmental matters in addition to other Administrative and Office work. Under these circumstances, representation for complete parity of Legal Officer, Panchayats with that of ADA, Prosecution Deptt. with GP 4600/- was fully justified.

After careful consideration of the matter, the Commission feels that there are not enough grounds to treat both the posts at par. In the case of L.O., Panchayats, 25% recruitment is by departmental promotion, whereas, in the case of ADA, Prosecution Deptt. the entire recruitment is direct. Their job profile is also not identical, since, the ADA has to deal with all kinds of cases pertaining to various enactments which come up before the Distt. Courts. In the case of LO, Panchayats, he deals only with the enactments pertaining to Panchayat Deptt. The GP of 4600/- has been given to ADA on the basis of Govt. of India recommendations based on the qualification of degree in Law in case of direct recruitment. In the case of LO, Panchayats, there is also a provision of promotion from below from the post of Legal Asstt. Thus in terms of qualification and duties performed, it is not possible to equate these two posts. In addition, there are similar posts in other departments with the same qualification

of Law. After acceptance of this demand of LO, Panchayats, similar demands from those departments are likely to come up. Under these circumstances, the Commission does not find any reason to give parity with ADA of Prosecution Deptt. However, this category can benefit by the general recommendation of the Commission made in similar cases.

## **2.8 ELECTION DEPARTMENT**

**Meeting held on 17.07.2015**

### **Naib Tehsildars**

The Naib Tehsildars of the Election Deptt. have demanded parity with their counterparts in the Revenue Department. During the discussion it was found that the duties performed by the NT in the Revenue Department are quite different from the NT of the Election Department which is a Group C post., whereas the NT in the Revenue Department is a Group 'B' post. The NT in the Revenue Department performs multifarious duties in comparison to NT of the election department whose activity is limited to conduct of elections. In addition NT of the Revenue department is a part of the allied service and thus demand for parity in pay scales has no merit. (However, some relief is being suggested in separate recommendations by the Commission).

## **2.9 EMPLOYMENT DEPARTMENT**

### **Meeting held on 18.09.2015**

#### **i) Superintendents**

The Superintendents of the Employment Department have asked for parity with Distt. Employment Officers and increase of GP from 4200/- to 4800/- on the ground that prior to revision there was parity between the two posts.

The demand cannot be accepted for the following reasons:-

- i) The GP of 4200/- is the case with Superintendents of different departments both at Headquarters as well as in the field. A overall view, therefore, has to be taken for examining this request.
- ii) There is no ground for treating Superintendents at par with the DEOs since DEO is promotional post from the AEO who is part of the allied Services.

The Commission has, however made a separate recommendations giving relief in such cases which will apply to this case as well.

#### **ii) Representation of Assistant Employment Officers for proper fixation of entry level pay.**

As regards the demand of AEO about wrong fixation of pay it was explained that pay has been fixed correctly as per the standard formula of Govt. and there is no anomaly.

### **Meeting held on 03.11.2015**

#### **iii) Shri Sarjeet Singh and Shri Jagdish Gill, Assistants**

The above employees have requested for grant of 3<sup>rd</sup> ACP w.e.f. 1.9.2014 to those Assistants who have been granted upgraded GP of Rs 3600/- after 30 years of service. It was brought to the notice of the Commission that w.e.f. 1.9.2014 all employees whose GP was Rs. 3600/- were upgraded to Rs 4000/-. The representation is against denial of ACP benefit to those categories of employees, on the basis of ACP Rules which bars this benefit to those posts which were upgraded after 1.1.2006. The Commission find that this is a matter of grievances in many other departments and after proper examination it has suggested separately some relief covering all such cases. The same relief would apply in this case as well.



## **2.10 ENVIRONMENT DEPARTMENT**

**Meeting held on 17.07.2015**

### **i) Scientists Grade-I/ Senior Scientists**

Two Scientist Grade –I of the Environment Deptt. who are at present in PB III with GP 6400/- have requested upgradation of GP to Rs. 6600/-. No specific grounds have been given for this demand. It has been mentioned that the promotional post of Sr. Scientist with GP of Rs. 6600/- is lying vacant at present. The Deptt. has commented that there is no anomaly at present and the demand is only for upgradation without any justification. In addition, if the demand is accepted, the feeder post and promotional posts will have identical pay scales and GP which is bound to create an anomaly.

The Commission, after careful consideration, finds no merit in this demand.

### **ii) Private Secretary**

A demand has been made that the Private Secretary posted in the office of Directorate of Environment may be given the pay scale at par with that existing in the Secretariat, since the same nature of duties are performed by the incumbents with qualification also remaining the same.

It was found that the issue raised is also concerned with similar posts existing in some other Departments from where similar demands have been raised. After taking a composite view of the issue, the Commission has made separate recommendation in this regard applicable to all such categories.

## **2.11 EXCISE AND TAXATION DEPARTMENT**

### **Meeting held on 17.07.2015**

#### **i) Haryana Excise and Taxation Officers Association**

Excise and Taxation Officers have demanded parity with HCS (Executive) in the State since such parity existed at the time of revision of pay scales of the third, fourth and fifth Pay Commissions. It has also been mentioned that Excise and Taxation Officers are recruited through a joint competitive examination held for allied services by the HPSC. Two posts namely ETO and AETO are recruited through HPSC and both are class II posts. AETO gets promoted to the post of ETO and remains in class II in PB-II. The request has been made while AETO continuing in PB-II, ETO should be placed in PB-III with grade pay of Rs. 5400/- as HCS Executive has been placed in PB-III. Attention has also been invited that there is disparity in granting ACP as in the case of HCS after service of 5,10,15 years where as in the case of ETO it has been given after service of 7, 12 and 17 years.

It has further been submitted that department is responsible for collection of State Taxes and duties. Officers of this department have to exercise quasi judicial powers by assessing tax and imposing penalty. The officers have to be keep abreast with ever changing taxation laws, Court judgments, accounting practices and policies of the State Government relating to trade, industry and business. A request has therefore been made for giving parity with HCS and granting PB-3 with grade pay of Rs. 7600/ to DETC, PB-4 with grade pay of Rs. 8700/- to JETC and Addl. ETC in PB-4 with grade pay of Rs 10000/-

The Commission has considered the demand carefully. The proposal of the department to declare the post of ETO as Class I (A) has been turned down twice at the level of the Chief Minister. They already enjoy the facility of cadre specific ACP, and have a time scale where elevation to the next higher post is automatic on the basis of years of service and not depending upon the existence of a vacancy. They are already much better placed compared to other allied services like Food & Supplies, Development & Panchayats, Employment etc. Reasons separately have been given as to why HCS cannot be compared to any other service in the State in the matter of pay scales, ACP etc. Under these circumstances, the Commission does not find any merit in this demand for parity with HCS.

**ii) Representation regarding removal of anomaly in revised pay scale of ex-cadre post of Joint Director (Legal) in the department.**

Sh. M. K Dutta, Sh. S.K. Saini and Sh. N.K. Gupta in their representation dated 10.04.2015 addressed to Excise & Taxation Commissioner, Haryana, Panchkula had stated that:-

*"It is respectfully submitted that realizing the importance and need of proper and effective State's representation in litigation before the Sales Tax Tribunals, three ex-cadre posts of Joint Director (Legal) were created in the year 1996 by upgrading three posts of Excise & Taxation Officer. These posts were created in the pay scale of Rs. 4100-5300+Rs. 400/- as special pay, vide memo No. 1644-ET1-96/11707 Chandigarh dated 13-05-96 of the Financial Commissioner & Secretary to Government. Haryana prohibition, Excise & Taxation Department and the following qualifications were prescribed:-*

- 1. Graduate from the recognized University.*
- 2. Professional degree of three years in LLB.*
- 3. Minimum ten years experience of Class-II or Class-I and II posts in the Excise & Taxation Department.*

*Sir, at that time the officers in the rank of ETO, DETC, Jt. ETC and AETC were working in the time scale, Senior scale and selection grade which were as under:-*

- (i) Rs. 2200-4000 (time scale) for all ETOs.*
- (ii) Rs. 3000-4500 (Senior Scale) for ETO having completed 7 years of satisfactory service.*
- (iii) Rs. 4100-5300 (selection grade) for ETO having completed 14 years of satisfactory service available to 25% officers of the total cadre strength.*

*Thus it would be clear from the above that the scale of 4100-5300 was a selection grade for other officers in the department whereas the post of Joint Director (Legal) carried the original scale of Rs. 4100-5300.*

*Sir, it is humbly submitted that in the year 1996, the pre-revised pay scales of Joint Director (Legal) and that of the Addl. Excise & Taxation Commissioner were as under:-*

- |                                 |                                       |
|---------------------------------|---------------------------------------|
| <i>1. Joint Director(Legal)</i> | <i>4100-5300 Functional pay scale</i> |
| <i>2. Addl. ETC</i>             | <i>4100-5300 Selection grade</i>      |

*After revision of pay scales in 1998 (w.e.f. 1996) the revised pay scales of the Joint Director(Legal) and that of the Addl. Excise & Taxation Commissioner were as under:-*

- 1. Joint Director(Legal) 13500-17250 Functional pay scale*
- 2. Addl. ETC 12000-16500 Selection grade*

*Subsequently a selection grade of 14300-18300 was given in place of 12000-16500 to some top officers (10%) on their representation when the selection grade initially given was projected as an anomaly. However, in the case of Joint Director (Legal) functional scale remained the same i.e. 13500-17250 instead of being revised to 14300-18300 simultaneously. Joint Director (Legal) in this way received the first set-back.*

*Now after revision of pay scales in 2008 (w.e.f. 2006) the officers in the pay scale of 13500-17250 have been placed in the pay scale of 15600-39100 (3<sup>rd</sup> pay band) whereas the officers in the pay scale of 14300-18300 have been placed in the pay scale of 37400-67000 (4<sup>th</sup> pay band). The difference of Rs. 800/- which had come after 5<sup>th</sup> Pay Commission has now increased to Rs. 21800/- resulting in a serious anomaly much to the prejudice of Joint Director (Legal). On the other side the duties of Joint Director (Legal) have increased manifold.*

*It would not be out of place to mention that Joint Directors (Legal) who were, scale-wise at par with Addl. Excise & Taxation Commissioners in the year 1996 have now been equated with officers of the rank of ETOs in the department. Hence, the very purpose of up-gradation of the post of ETO has been defeated and there is hardly any incentive left for officers for moving to the post.*

*We may submit that officers on the legal side both in public and private sector are enjoying very attractive perks and benefits but the present revision of pay scale in respect of Joint Director (Legal) has done just the opposite, causing incalculable harm and injury to the morale of the incumbent officers.*

*A detailed representation (copy enclosed) in this regard, stands already submitted in February 2009. Though the representation has been recommended/endorsed by the worthy HOD, But the matter has not been resolved so far, hence this representation.*

*Lastly, it is prayed that we may be allowed an opportunity of hearing so that we may place our case in proper perspective and offer further clarification, if required."*

The Administrative Department in its comments has stated that:-

*"In this regard, Excise & Taxation Commissioner, Haryana has submitted that Government has upgraded three posts of Excise & Taxation at Head Quarters to that post of three posts Joint Director (Legal) in 4100-5300+Rs. 400/- as special pay. The post of Joint Director (Legal) is ex cadre post and pay scale of this post are different from the pay scale of ETO's and another Sr. Officers of the department.*

*Keeping in view of position explained above, it is stated that after examinations of the matter, the representation seems to be on the sound footing. Three ex-cadre post of Joint Director (Legal) were first created in the year 1996 in the pay scale of 4100-5300 with a view to attract talented and well qualified officers with good legal acumen and dedication to the post who can defend and safe guard the interest of Government revenue in the Hon'ble Supreme Court, the High Court and the Tax Tribunal. This is important because cases decided in these courts have precedence value and their decisions become law of the land which affects Government revenue not only in those particular cases but also in future. The last pay revision has brought an anomalous and discouraging situation so far as the Joint Director (Legal) are concerned. Now the Joint Director (Legal) have been placed in PB—3 whereas the above mentioned (10%) officers have been placed in PB-4, thus creating a wide gap. The result is that the very purpose of creating the ex-cadre post of Joint Director (Legal) in the higher pay scale has been defeated and there is hardly any incentive left for the officers for moving to the ex-cadre post.*

*They further submitted that appointment on this post is made after taking willingness of the officers in the respective scale of Joint Director (Legal) as revised by the Government. time to time and now the pay scale of Joint Director (Legal) is 15600-39100+8000 grade pay which is more than the scale of Excise & Taxation Officers in the department.*

*All the Joint Director (Legal) have been retired S/Sh. Nagesh Gupta and S.K. Saini are working on contract basis after their retirement as JDL. They forwarded the representation of S/Sh. Nagesh Gupta and S.K. Saini, JDL to Government for taking further necessary action in the matter being competent.*

*Keeping in view of the position explained above, if agreed, may refer the case to the Pay Anomalies Commission, Haryana regarding anomaly in revised pay scale for their consideration."*

2. The Commission heard the representationists and HOD/ Administrative Department on 17.07.2015. The Commission observed that:-

- I) The representation/ demand is from retired officers who are re-employed on contractual basis. The issues of retired/ persons appointed on contractual basis are not covered under the terms of reference of this Commission.
- ii) The department proposes to upgrade the pay scale of this post as a measure to attract officers of general side by giving incentive in the form of better pay scale as no officer is willing to opt posting on this ex-cadre post because their parent cadre (general side) has already opportunity of better pay scale after 17 years of service in the form of promotion as Addl. Director.
- iii) The Commission further observed that the recruitment is basically made in general side and thereafter the department appoints officers Group-B or A with 10 years experience and having Degree of Law on the ex-cadre post of Joint Director (Legal). Since, the Degree of Law is not essential at the time of recruitment in general side, meaning thereby, the person/ incumbent having Degree of Law would be fortuitous to find opportunity of getting appointment as Joint Director (Legal) in a higher pay scale of GP-8000/-. Otherwise, in general side he would be getting GP of Rs. 6000/- at this stage of service. Besides, there may be possibility that no officer with 10 years experience and having Degree of Law is available in general side for posting as Joint Director (Legal) since Degree of Law is not essential for recruitment in general side.
- iv) The Commission observes that it is not an ideal solution to the problem. The department may create a separate hierarchy starting from ETO (Legal) onwards to Addl. Director (legal), so that a well-trained team of legal professionals is available. If the department intends to continue with existing system, it would be appropriate that these ex-cadre posts are merged in main cadre and the percentage of 3<sup>rd</sup> ACP is increased from 10% to 12%, so that 4 numbers of more officers are available in PB-4, 37400-67000, GP\_-8700/- with 17 years of service. This way, the

department would get more experienced/ competent persons for posting in legal side with desired pay scale.

**Meeting held on 18.09.2015**

**Non Gazetted Employees Association**

**iii) Excise & Taxation Inspectors**

The Excise & Taxation Inspectors have demanded GP of Rs.4200 against the existing Rs. 4000/-While making this demand, comparison has been made with Inspectors of Income Tax Deptt. of the Centre as well as Central Excise Inspectors in Govt. of India. It is claimed that there was parity with those scales upto 2004 but after the revision of their pay scales disparity has crept in. Mention has also been made that in Punjab GP Rs.4200 /- has been allowed w.e.f. 2011. It was argued that avenues of promotion in the department are very limited and in view of the importance of this deptt. for government revenues, an increase upto Rs. 200/- in GP for a cadre strength of 750 will not make much difference in term of financial liability.

The Commission finds that acceptance of this demand will upset the parity with similar posts in the departments of Labour, Industries etc. and therefore cannot be accepted.

**iv) Superintendents**

Superintendents of the Excise & Taxation Deptt. have requested for GP 4600/- by giving analogy of Coach, Sr. Librarian etc. This comparison is not relevant and Supdts. in all the departments both at the Headquarter and at the field have the GP of 4200/- and an overall view will have to be taken while examining this demand. The Commission after due consideration has given separate recommendations applicable to all such cases.

**v) Shri Jai Singh Chouhan, Taxation Inspector (Retd.)**

The issues raised in the representation are of general nature concerning alleged, inconsistencies in the ACP rules of 1998 and 2008 and which need to be revised. Similarly, objection has been raised to prescribing mandatory educational qualification for promotion in the service rules. These are issues related to Service Rules, ACP Rules etc., which concern specific departments and the Finance Deptt. and cannot be termed as anomalies which require consideration by this Commission.

**vi) Sh. Ram Singh Verma, Assistant**

*“निवेदन है कि मेरी नियुक्ति लिपिक के पद पर स्थायी रूप में दिनांक 31.12.1990 को पे स्केल रु0 950-1500 में हुई थी। इसके उपरांत दिनांक 01.01.2001 को प्रथम ए.सी.पी. 4000-6000 तथा द्वितीय ए.सी.पी.5200-20200+3200 ग्रेड पे का लाभ 01.01.2011 से मिला इसके उपरांत मेरी सहायक के पद पद पदोन्नति*

दिनांक 17.06.2013 को वेतनमान रू0 9300-34800 समान ग्रेड पे रू0 3200/- पर हुई जिसमें मुझे कोई अतिरिक्त लाभ नहीं मिला।

इसके बाद दिनांक 01.09.2014 को वित्त विभाग के पत्र क्रमांक 1/98/2013-2पी.आर.(एफ.डी.) दिनांक 28.08.2014 (प्रति संलग्न) के आदे गों के तहत वेतनमान रू0 9300-34800 में कार्यरत सभी कर्मचारियों का ग्रेड पे रू0 3200 से 3600 रू0 सं गोधित कर दिया गया।

हरियाणा सरकार के आदे 1 पत्र क्रमांक 1/83/2008- 1पी.आर.(एफ.डी.) दिनांक 04.03.2014 (प्रति संलग्न) के अनुसार मैंने अपना तृतीय ए.सी.पी. का केस मुख्यालय को भेजा क्योंकि मेरी 24 वर्ष की स्थायी सेवा दिनांक 31.12.2014 को पूर्ण हो चुकी है तथा तृतीय ए.सी.पी. दिनांक 01.01.2015 से देय बनता है। मुख्यालय द्वारा मेरा केस यह कह कर वापस भेजा गया कि कर्मचारी को तीन नच. हतंकजपवदे दी जा चुकी है तथा कर्मचारी को तृतीय ए.सी.पी. का लाभ नहीं दिया जा सकता।

1. प्रथम ए.सी.पी. दिनांक 01.01.2001
2. द्वितीय ए.सी.पी. दिनांक 01.01.2011
3. द्वितीय ए.सी.पी. का सं गोधन (3200 से 3600) दिनांक 01.09.2014 (प्रति संलग्न)

इस संबंध में मेरा प्र न यह है कि ए.सी.पी. स्वीकृत होने पर 3: की अतिरिक्त वेतन वृद्धि के साथ ग्रेड पे का लाभ भी दिया जाता है कि परंतु मेरे केस में ऐसा नहीं किया गया क्योंकि मुझे 01.09.2014 से दिये गए सं गोधित ग्रेड पे के लाभ को तृतीय का लाभ मानते हुए दिनांक 01.01.2015 से तृतीय ए.सी.पी. का केस रद्द कर दिया गया।

इस संबंध में मैंने संपादक मै0 गर्ग एंड कं0 169, एडवोकेट एन्क्लेव, सैक्टर 43ए0 चंडीगढ़ के पास अपने केस से संबन्धित सभी कागजात भेजकर राय मांगी थी जोकि उन्होंने मेरे पक्ष में दी है जिसकी एक फोटोकापी आपको पुनः अवलोकन एवं आव यक कार्यवाही हेतु भेजते हुए अनुरोध पूर्वक प्रार्थना करता हूं कि मेरे केस में नियमानुसार तृतीय ए.सी.पी./अतिरिक्त वेतन वृद्धि जो भी देय बनता है कि स्वीकृती अपने स्तर पर देने की कृपा करें।

अतः मेरा आपसे अनुरोध है कि मेरे वेतन नियतन मामले को अवलोकन करने हेतु वित्त विभाग को भेजने का कष्ट करें क्योंकि न तो मुझे मेरी पदोन्नति पर कोई वेतन वृद्धि का लाभ दिया गया और न ही मुझे अब 24 वर्षों की रेगुलर सेवा पूर्ण होने पर हरियाणा सरकार के आदे 1 दिनांक 04.03.2014 के अनुसार तृतीय ए.सी. पी. का लाभ दिया जा रहा है। ताकि इस मामले का समाधान हो सके। अन्यथा मुझे मजबूर होकर न्यायालय की भारण लेनी पड़ेगी। ”

During the hearing, it was revealed by various employees/ union(s)/ Association(s) that their pay scales were further upgraded by the Government for removal of anomaly or disparity, which should have been settled w.e.f. 01.01.2006 but Government in the name of further upgradation, upgraded their pay scales/ grade pay prospectively. This upgradation has resulted into financial loss to most of the senior employees instead of any benefit. In number of cases, their 1<sup>st</sup> or 2<sup>nd</sup> ACP was due after few days/ months of upgradation of their pay scale. Had their grade pay not been upgraded, they would have got this upgraded grade pay alongwith one increment in the form of ACP. Now that the Government has upgraded their functional pay scale / grade pay before



the due date of ACP, the benefit of increment/ ACP has been denied stating that the ACP Rules does not permit this benefit after upgradation of pay scale/ grade pay subsequent to 01.01.2006.

The Commission was apprised of the relevant provisions of HCS (ACP) Rules, 2008. Rule 7 of HCS (ACP) Rules, 2008 is reproduced as under:-

***"7. Eligibility for Grant of ACP grade Pay under the general ACP scheme. -***

- (i) *Every Government servant covered under the general ACP scheme shall, for the purposes of drawal of pay, be eligible for the first ACP grade pay (given in column 4 of Part II of Schedule I in respect of the functional pay scale or pay structure of his post) if he has completed 10 years of regular satisfactory service and has not got any financial upgradation in these ten years with reference to the functional pay structure of the post to which he was recruited as a direct entrant. **Financial upgradation in this context includes functional promotion in the hierarchy or further revision/ modification of the pay structure for the same post after 1.1.2006.***
- (ii) *Every Government servant covered under the general ACP scheme shall, for the purposes of drawal of pay, be eligible for the second ACP grade pay (given in column 5 of Part II of Schedule I in respect of the functional pay scale or pay structure of his post) if he has completed 20 years of regular satisfactory service and has not got any financial upgradation in the last ten years. **Financial upgradation in this context includes functional promotion in the hierarchy or further revision/ modification of the pay structure for the same post after 1.1.2006.***
- (iii) *Every Government servant covered under the general ACP scheme shall, for the purposes of drawal of pay, be eligible for the third ACP grade pay (given in column 6 of Part II of Schedule I in respect of the functional pay scale or pay structure of his post) if he has completed 30 years of regular satisfactory service and has not got any financial upgradation in the last ten years and has not got more than two financial upgradation so far. **Financial upgradation in this context includes functional promotion in the hierarchy or further revision/ modification of the pay structure for the same post after 1.1.2006."***

*The Commission further considered the provisions of Rule 13 of HCS (ACP) Rules, 2008, which reads as under:-*

***“13. Special entitlement for ACP scales.-***

*Where the functional pay structure of the promotional post in the hierarchy is inferior to the ACP pay structure entitlement of the Government servant, had he not been promoted, as per his eligibility and entitlement on completion of prescribed length of service for the 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> ACP pay structure entitlement, as the case may be, the Government servant shall be entitled to be placed in the 1<sup>st</sup> or 2<sup>nd</sup> or 3<sup>rd</sup> ACP pay structure as the case may be after completing the prescribed period of service for being placed in the 1<sup>st</sup> or 2<sup>nd</sup> or 3<sup>rd</sup> ACP pay structure;*

*Providing that such functional promotion to a post with such inferior pay structure shall not be counted as a financial upgradation for the purposes of these rules.”*

In totality of the circumstances and facts of this case, the Commission observes that the further upgradation of the pay scale/ grade pay appears to have been made by the State Government owing to certain reasons including removal of disparities. Even if, it is by way of incentivizing any employee or class of employees, it cannot be disadvantageous to the employee concerned. Therefore, Government may consider allowing ACP corresponding to pay scale/ grade pay subsequently upgraded after 01.01.2006. If the Government is not inclined to do so for any administrative reason, the protection clause i.e. Rule 13 of HCS (ACP) Rules, 2008 as mentioned above needs to be interpreted with open mind, holistically and as much of pay may be granted to the employees/ category of employees which would have been available to them on grant of ACP had their pay scale/ grade pay not been upgraded subsequent to 01.01.2006. Meaning thereby, if the employee has got the grade pay which would have been admissible to him under ACP Rules, he may be compensated with the incremental loss arising out of denying of ACP in such cases.

## **2.12 FINANCE & PLANNING DEPARTMENT**

### **Meeting held on 08.09.2015**

#### **i) Haryana Accounts Services Welfare Association**

The above association has requested for giving higher pay scales in the case of Principal, Accounts Training Institute and Joint Controller Food Accounts. No specific justification has been given for demanding higher pay scales and this does not come in the definition of an anomaly. In the case of Chief Accounts Officer, the higher GP of 8700/- has been requested on the analogy of Sr. Town Planner, SEs (PWD) and Chief Architect. Mention has also been made about CAOs in power Utilities like HVPNL, Haryana Power Generation Corporation, UHBVN and DHBVN who are in the higher pay scales as compared to the Chief Accounts Officers. The same argument has been given in case Sr. Accounts Officers, AOs and SOs.

It was found that this section of FD has already been given liberal pay scales which has been generally quoted as an example by so many other departments for demanding better pay scales. There is no sound argument for demanding higher pay scales and comparison with Power Utilities has no relevance. The representation does not have any merit.

#### **ii) Senior Auditors of SAS (LAD) at par with counterpart Section Officers of SAS (OB).**

Sh. Sameer Vats, Sh. Randeep Singh and Sh. Jai Bhagwan, Senior Auditors of Local Audit Department in their representation dated 23.04.2015 have stated that their pay on promotion from Auditor to Senior Auditor has been fixed allowing one increment in existing pay which is less than that admissible to a fresh entrant Senior Auditor/Section Officer.

The minimum initial pay admissible to a fresh entrant Senior Auditor (SAS (LAD)) is Rs. 12090 + 4600 = 16690/-. The Finance Department (in FA Br.) has allowed the pay of Rs. 12090 + 4600 = 16690/- to the Section Officer (OB) vide their letter No. 14/59/93-1FA, dated 09-09-2011.

The Administrative Department has also recommended that the Senior Auditors of SAS (LAD) may be allowed minimum entry pay of Rs. 12090 + 4600 = 16690/- on their promotion from Auditor to Senior Auditor.

The Pay Anomalies Commission considered this matter in detail and observed that the pay of Senior Auditor (SAS (LAD)) is fixed in accordance with the Rule 13 of HCS (RP) Rules, 2008 allowing one increment in existing pay. However, the entry pay of fresh recruit Senior

Auditor SAS (LAD) is Rs. 12090 +4600=16690/- as per Government letter dated 16.12.10 (Sr. No. 23 (i) of Part A).

Proviso (i) to Para No. 6 of instruction dated 16.12.2010 provides that:-

*“If as a consequence of these orders the senior promotee employee draws less pay than that of his junior direct recruit employee in the same cadre, the pay of the senior promotee employee may be stepped-up equal to the pay in pay band of junior direct recruit employee from the date of such event and his date of next increment shall also be same. However, if the pay of senior promotee employee becomes equal/more than that of his junior direct recruit employee on his usual date of next increment on promotional post the stepping up of the pay shall be restricted to that date and his date of next increment will be as per rules.”*

The Commission observed that in case of Section Officers (SAS (OB)) in T&A Department, the employees of Boards & Corporation of the State on passing SAS exam are appointed as Section Officer and they are treated as fresh entrant in Government service, so, they have been allowed entry pay of Rs. Rs. 12090 +4600 = 16690/-. However, the employees of Government Departments after passing SAS exam are treated to be promoted on appointment as Section Officer, so their pay is fixed under Rule 13 of HCS (RP) Rules, 2008. The pay of such promotee senior Section Officer is being stepped up at par with junior fresh entrant of Boards & Corporations. On the other hand, in case of Senior Auditor (LAD) only departmental candidates on passing of exam are promoted as Senior Auditor, therefore, their pay is fixed under Rule 13 of HCS (RP) Rules, 2008 and no junior fresh entrant is available for stepping up of pay. There is no disparity in the pay fixation of Section officer (SAS (OB)) and (SAS (LAD)). The only difference is that in case of (SAS (LAD)) no junior fresh entrant is available. Their main grievance is to fix their pay equal to that prescribed for fresh entrant Senior Auditor vide instruction dated 16.12.2010 without imposing condition of stepping of pay at par with junior.

This issue has been raised by number of other employee union(s)/ Association(s) and the Commission is making detailed recommendation separately in this regard. The grievance of Senior Auditor (SAS (LAD)) will be fully addressed in those recommendations.

### Meeting held on 18.11.2015

**iii) Demand of Treasury Organization for granting PB 3, with GP Rs. 6000/- as personal measure to the incumbents Treasury Officers who will be promoted to the post of Deputy Director.**

This case has been referred to the Pay Anomaly Commission by the department vide their Dairy No. 17754, dated 09-03-2015. No representation has been received from T.O. organization in this Commission.

The department in its proposal has mentioned that the post of Deputy Director in the department is filled by way of promotion from amongst the Treasury Officers as well as from Superintendent. The pre-revised pay scale of feeder post and promotional posts were as under:-

Sr. No.	Name of feeder post	Pay Scale before 01-01-2006	Name of promotional post	Pay scale before 01-01-2006
1.	Treasury Officer	6500-10500	Deputy Director / Sr. Accounts Officer	8000-13500
2.	Superintendent	6500-10500	Only Deputy Director	8000-13500

During revision of pay scale w.e.f. 01-01-2006 as per recommendation of 6<sup>th</sup> CPC, the Government has revised the pay scale of these posts as under:-

Sr. No	Name of feeder post	Pay Scale w.e.f. 01.01.2006	Name of promotional post	Pay scale w.e.f. 01.01.2006	Remarks
1.	Treasury Officer	8000-13500 revised PB-2, 9300-34800, GP 5400	Deputy Director	8000-13500 Revised PB-2, 9300-34800, GP 5400	The pay scale of TO and Sr. A.O. were upgraded being part of organized accounts cadre as per recommendation of 6 <sup>th</sup> CPC.
			Sr. Accounts Officer	PB-3, 15600-39100, GP 6000	
2.	Superintendent	6500-10500 revised PB-2, 9300-34800, GP 4200	Only Deputy Director	8000-13500 Revised PB-2, 9300-34800, GP 5400	The pay scale of Supdt. and Deputy Director were not upgraded and given normal revision as per other posts.

The representatives of Treasury Organization were heard by the Commission in its meeting held on 18-11-2015. It was explained that TO has two lines of promotions viz Deputy Director and Sr. A.O. After revision of pay scale w.e.f 01-01-2006 the pay scale of TO and Deputy Director has become identical. Therefore, there is no benefit on promotion and no TO is interested in getting promotion as Deputy

Director. On the other hand for promotion as Sr. A.O. Government has amended the service rules in 2013 and laid condition of passing SAS Exam before promotion. They further pointed out that this case was considered by the Pay Anomaly Committee in its meeting held on 06.04.2010 and the then incumbent Dy. Director was granted pay scale of PB-3, 15600-39100, GP-6000/- as a measure personal to him. After vacation of this post by him, again this post has come in its original pay scale of PB-2, 9300-34800, GP-5400/-.

The representative of the department also explained that the department is considering for opening of promotional avenues for the Supdt. in their own line like Establishment Officer or Deputy Director Establishment. The designation of existing post of Deputy Director will be modified as Deputy Director (Treasury) and the distinction in the pay scale of SAS cadre and Ministerial cadre will be set-right. Till such arrangement is made by the department, the incumbent T.O. to be promoted as Deputy Director may be allowed pay scale of PB-3, 15600-39100, GP 6000 as a measure personal to him on the pattern as given to Sh. O.P. Pasricha on the recommendation of Pay Anomaly Committee, so that this post is filled and the work of department may not suffer.

The Commission observed that this is an administrative matter. The department may take up the matter with Government (Administrative Department/ Finance Department) for promoting the senior most eligible T.O. and allow him the pay scale of PB-3, 15600-39100, GP 6000 as a measure personal to him on the pattern as given to Sh. O.P. Pasricha on the recommendation of Pay Anomaly Committee. While the department is already considering for opening of separate line of promotion for Supdt., the issue of pay scale of the post of Dy. Director may be taken up simultaneously. Since there is already a channel of promotion from Supdt. to Dy Director, the revision of pay scale of Dy. Director in PB -3 with GP 6000/- must be preceded by doing away with the channel of promotion from Supdt. Since it will be too much of a jump from GP 4800/- to GP Rs. 6000/-. This has to be done by amending the service rules.

**iv) ADSO/ARO/APO of ESA Deptt.**

The above officers of the ESA Organisation who are presently in PB-2 with GP 4200/- have requested for improvement in GP to Rs. 4600/-. Mention in this connection has been made of the position in the States of Punjab, HP and Uttrakhand . Reference has also been made to some other posts in the State like Asstt. Geologist, Asstt. Geophysicist and SOs in T&A Deptt. who have a higher GP of Rs. 4600/- with lesser qualification compared to them.

After careful consideration of the matter, the Commission does not find any merit in this representation. The analogy of other

departments where the functions performed are different to that of ESA organisation is not relevant. In the State of Haryana example of ESA organisation has been quoted by other departments for improvement of their pay scales. Thus there is no merit in this representation.

## **2.13 FISHERIES DEPARTMENT**

**Meeting held on 20.07.2015**

### **i) Sectional Officers**

Sectional Officers of the Fisheries Department have requested for parity with the junior engineers of the Engineering departments in the matter of pay scale for the following reasons:

The qualification prescribed for the posts are similar and they perform similar functions even though the nomenclature in the Fisheries department is Sectional Officer instead of Junior Engineer. A request has been made that they should be treated at par and given the same pay scale as Junior Engineer in the Engineering Department and after 10, 18 years of service given the grade pay Rs 4000 and Rs.5000 and also given designation of additional SDE. It was felt that as regard functional GP of Rs. 4000/- it was a legitimate grievance and the solution lay in re-designating the post of sectional officer as Junior Engineer by the department. However, demand for cadre specific ACP at par with counterparts in Engineering Department is not justified.

### **ii) Fishery Officers/ APO/ Extension Officers**

The above category of officers have sought parity with officers in the Horticulture department of comparable seniority on the following grounds.

The Fisheries Department has a difficult task to perform in the sense that people have to be motivated in this regard since it is not a popular occupation for farmers in Haryana. Lot of efforts have to be made by FO by way of motivating the people to take to this occupation in the villages. Because of efforts of the department, Haryana has stood second in the Country in production of fish per hectare. Panchayats have also earned additional income by putting fish seed in village ponds and leasing them out. A request has therefore been made that the FOs whose qualification in B.Sc with one year training should not have a grade less than the equivalent post in the Horticulture Department.

The officer of FD /APO / Extension Officer who are in the grade B should have minimum grade pay of Rs 5200/- and should be categorized as group B.

### **iii) District Officers/ DFO/ DFO-cum-CEO, Deputy Director and Joint Director**

This is a grade B post and should have a grade pay of Rs 6000/- equal to DEO as against the present Rs.4200/-.

The Commission has carefully considered the representation. There has been no historical parity between Fisheries Department and the Horticulture Deptt./ Agriculture Deptt. in the matter



of pay scales. In addition, the pre-revised scales in the two Departments were not identical. Posts below the Distt. level in the Fisheries Deptt. are Group 'C' posts which is not at par with the Horticulture Deptt. of comparable posts.

The Commission, therefore, finds no merit in the demand for parity. However, the DFO with grade pay of Rs. 4200/- will get a grade pay of Rs. 4600/- on the basis of general recommendation made by the Commission separately as thus his grade pay will equal that of DHO of the Horticulture department which is a Distt. Level post. The demand of higher grade pay for the posts of Deputy Director and Joint Director has no merit.

**Meeting held on 18.11.2015**

**iv) Hatchery Technician.**

A representation has been made by the Hatchery Technicians of the Fisheries Deptt. to grant them GP of Rs. 3600/- instead of GP Rs. 1900/-. It has been claimed that the post of Hatchery Technician is a technical post and should be given the GP accordingly.

After going through the facts of the case, the Commission finds that the post of Hatchery Technician has no professional qualification with only simple matric as a basic qualification. The nature of duties performed by this official cannot also be categorised as technical. Under these circumstances, existing pay scale in GP 1900/- allowed after the revision of 6<sup>th</sup> CPC is in order. The representation, therefore, has no merit.

## **2.14 FOOD & SUPPLIES DEPARTMENT**

### **Meeting held on 20.07.2015**

#### **i) DCLM, ACLM and ILM**

The department has pointed out that the Controller of Legal Metrology is an IAS Officer and below him the senior most departmental officer is DCLM. It has been claimed that the duties of DCLM are similar to that of Additional Director/ Joint Director of the other departments and he should have grade pay of Rs.6600/- against the present Rs. 4000/-. As regards ACLM (Class-III non gazetted) it has been pointed out that after 1.9.2014 the grade pay of ILM as well as that of ACLM have both become Rs. 3600/-. Thus after promotion grade pay remains the same.

It has been claimed that the ACLM is equivalent to Assistant Director in other departments with much more area of operation. The ACLM/ITM are responsible for enforcement of work related to weights and measures. A request has therefore been made that ACLM grade pay should be Rs. 5400/- and ILM should have grade pay Rs. 4000/-

After a careful consideration of the claims made, the Commission finds that the comparison of various categories within organisation which is a part of the Food & Supplies Department should be with the Inspectorate staff of general line in the same department. The post of ILM is equivalent to Inspector in the department, ACLM to that of AFSSO which are group 'C' posts and DCLM to that of DFSSO which is a Group 'B' post. However, the grade pay of DFSSO was revised from Rs. 4000/0 to Rs 4600/- since it was part of allied services.

The Commission, therefore, finds no justification for the increase in pay scale demanded in the representation. Any decision as demanded will also upset the balance within the department.

#### **Food & Supplies Employees Association (HQ) & Food & Supplies Field Staff Association:**

#### **ii) Superintendent/ Deputy Superintendent/ Assistant/ A.F.S.O/ Inspector/ Sub Inspector**

The department has asked for higher pay scale for Supdt /Deputy Supdt.on the pattern of Accounts Officers on deputation from FD. It has been pointed out that the Pre- revised scales of Supdt. was higher than the post of DFS and SO in 1966 where as these have been given higher grade pay. Now Supdt. being a post of higher responsibilities should be given grade pay Rs.5400/- at par with Accounts Officer (FD). Similarly the Dy. Supdt. should be given grade pay at par with Section Officer grade pay of Rs. 4600/-. Private Secretary on the pattern of Supdt.

In the case of Assistant, being a promotional post from Auditor higher pay scale has been demanded. Higher grade pay has been requested for SSS/ Sub Inspector/ Inspector etc on the same analogy. Comparison has been made with Inspectors of other departments like Excise and Taxation, Industries, Labour etc.

It was felt that the comparison of posts with those in the Finance Department cannot be accepted since such arguments are being advanced in the case of other departments also on the same analogy revision of pay scales of Private Secretary, Assistant, and SSS can also be not accepted.

The Commission feels that there is no parity with Inspectors of Excise & Taxation, Labour and Industries, because there is no parity in qualifications and the job profile is also very different. In the other departments, Inspectors are promoted from Assistants, whereas in the Food & Supplies Department, they are promoted from the Sub Inspectors which is of the level of Clerk. The Inspectors of Food & Supplies Department do not oversee the implementation of so many laws Central and State as compared to the Inspectors of Excise & Taxation and Labour departments. There is no comparison and the Commission finds no merit in the representation.

## **2.15 FOREST DEPARTMENT**

**Meeting held on 07.08.2015**

### **i) Haryana Forest Service Officers Association**

The Haryana Forest Service Officers Association has demanded parity of scales with the Haryana Police Service officers on the following grounds:-

- a. Entry level qualification for direct recruitment of both the services are similar where as in the case of forest service it is graduation with science and with atleast 2<sup>nd</sup> division .
- b. Haryana Forest Service officers are selected by a separate competitive examination held by HPSC.
- c. The training in the case of Forest Officers is much more rigorous in duration as compared to the police service.
- d. The Government of India have always equated both the services in terms of remuneration.

During discussions it transpired that CS Haryana had conveyed his advice in 1984, that Haryana Forest Service Officers may be declared as Class-I after four years of service namely after two years of training and after successful completion of their probation period of two years. In the case of promoted officers also it was advised that they may be declared Class-I officers after 4 years of satisfactory service in Haryana Forest Service. Suggestion was also made that the then existing pay scale of Rs. 800-1600 may be improved to Rs. 900-1700 with the concurrence of FD. It was found that the Department has still not implemented this suggestion of CS. In case this suggestion is implemented with the concurrence of FD the pay scale of HFS officers will automatically be at par with Haryana Police officers. It would therefore be proper to advise the department to finalize this matter which will take care of the anomaly pointed out by them. The pay anomaly committee also did not agree for parity with the Police Service.

### **ii) Private Secretary.**

The Private Secretary posted with the PCCF has requested for granting of scale equal to that of the Private Secretary posted in the Civil Secretariat on the following grounds:-

Before 2006 the scale of Private Secretaries were similar, both in the Haryana Civil Sectt. as well as the Department. Attention has also been drawn to the fact that in a few Major departments, the post of Private Secretary has been created.

It has to be noted that any decision to equate the Private Secretary of the Forest Department with the PS of Civil Sectt. will bring in the issue of giving the same parity in scale to Private Secretaries in other

departments. It is also a fact that any decision to equate the Private Secretary in different departments to those of civil Secretariat will also bring in similar representations with regard to people working as PA, Asstt, Dy Supdt. and Supdts in the departments asking for parity with similar posts in the Civil Sectt.. In fact representations, from some of these categories of employees working in different departments for treating them at par with the Haryana Civil Sectt. has already been received in the commission. Under these circumstances a composite view needs to be taken on the subject. The Commission has considered this issue of parity in a separate chapter and given its recommendations

**iii) Range Forest Officers**

The department has requested that the pay scale of Range Forest Officers should be equated with that of the Inspectors of Police Department on the following grounds:-

- i) The entry level qualification for direct recruitment for the Range Forest Officers is different from Inspector of Haryana Police and the training is also of much longer duration. Attention has been drawn to a report of Govt. of India, which had suggested that the Range Officer should have a grade pay at par with the Inspector of Police/ Revenue Tehsildar.
- ii) The range Officer is at the Sub Divisional Level and should not therefore be equated with the Sub Inspector of Police as done by the State Government.

It was found that the post of constable was equated to the Forest Guard, the post of Deputy Range Officer equated to that of Assistant Sub Inspector and Range Officer to that of Sub Inspector. Accepting the request of the department for parity with Police Inspector may amount to going over and above the recommendation of the Sixth Pay Commission. There is no merit in this representation.

**Meeting held on 20.10.2015**

**iv) Haryana Forest Employees Welfare Association.**

The Haryana Forest Employees Welfare Association has requested for granting parity between some posts like Forest Guard, Head Forest Guard, Forester and Range Officer to the comparable levels in the Police Deptt. like Constable, Head Constable, ASI and SI. It was claimed that the parity which existed earlier was disturbed at the time of 6<sup>th</sup> Pay Revision i.e. from 1.1.2006. This issue of parity has been separately dealt with while considering a similar representation of officers concerned.

**v) Representation of shri Ishwar Singh SA of Principal Conservator of Forests for removing anomaly in ACP pay structure.**

Shri Ishwar Singh has represented that the grade pay of Research Investigator which was 3200/- was revised to Rs 3600/- and the grade pay of Statistical Asstt. which is a promotional post was revised from Rs. 3300/- to 3600/-. Thus the pay scales of feeder cadre and promotional cadre have become identical. He has requested that his GP be revised to Rs. 4000/-.

The Commission finds that it is not possible to accept this request. There have been many cases where feeder cadre and the promotional cadre have identical scales after revision. However, he can get some relief on the basis of general recommendation being made separately by the Commission to compensate those employees who have been denied ACP because of the upgradation.

## **2.16 HARYANA CIVIL SECRETARIAT**

**Meeting held on 15.09.2015**

### **i) Under Secretaries**

The Under Secretaries of Haryana Civil Sectt. have requested for granting GP 6600/- on the basis of Govt. of India pattern.

It has been pointed out that in the case of Deputy Secretaries, the parity has been maintained. However, it is a fact that pay scales of the post of Under Secretary was different in Haryana Civil Sectt as compared to Govt. of India even prior to revision. Any increase on the analogy of Govt. of India will have repercussions on other posts in the Secretariat. The demand has no force and the Commission feels that replacement scale has been correctly given.

### **ii) Smt Aarti Chadha, Librarian**

Smt. Aarti Chadha, Librarian has represented for treatment at par with Supdt. In Haryana Civil Sectt on the following grounds:-

- i) She is highly qualified with Post Graduation in Masters of Library Sciences from Punjab University.
- ii) In December, 2004, she became Librarian in the pay scale of 6500/- equivalent to that of the Supdt. Of Haryana Civil Sectt.
- iii) The post of Librarian in Haryana Civil Sectt. has always been considered equivalent to that post of Superintendents since 1980-81, which continued till the implementation of the recommendation of the 6<sup>th</sup> Pay Commission.
- iv) After the 6<sup>th</sup> Pay Commission the Superintendent's Grade Pay was revised by the Finance Deptt. to Rs. 4800/- for the first four years and Rs. 5400/- thereafter, which benefit has been denied to her. On her request, the Pay Anomaly Committee took action and she was given GP Rs 4600/- w.e.f. 23.2.2012.
- v) An ACP which was due after 8 years of service was also denied to her on the grounds that her post has already been upgraded.
- vi) There is a precedent of equating the post of Librarian with that of Supdt. on the analogy of Shri Jagdish Chander, former Librarian who was also promoted as Under Secretary in June, 1987 and Deputy Secretary in January, 1989. After the retirement of Shri Jagdish Chander, Smt. Vimal Vyas became the Librarian on 26.5.1998 in the pay scale of Superintendent.

It appears that while revising the scale of employees of Haryana Civil Sectt. and particularly that of Superintendents on the pattern of Govt. of India, the post of Librarian was left out since it was not part of any recognized cadre. However, on her representation insisting for fixation of GP at Rs. 4800/-, it was fixed as 4600/- and it was also termed as an upgradation thereby denying her ACP which was due. There is a strong case for giving her the pay scale of Supdt. with GP 4800/- and after 4 years 5400/- at par with the Superintendent w.e.f. 1.1.2006. It is also not fair to specify her case as up-gradation and denying her the grant of first ACP. The Commission, therefore, makes recommendations accordingly.

**iii) Smt. Anita Devi, Assistant Librarian**

Smt. Anita Devi, Asstt. Librarian has represented for granting her the GP 4000/- at par with Assistants of Haryana Civil Sectt. on the following grounds:-

There was parity between both posts during the year 1986 as well as 1996. This parity was disturbed after the 6<sup>th</sup> Pay Commission when the Assistants were given GP of Rs.3600/-, and Asstt. Librarian was given GP 3300/- which was further revised on her request as personal measure with GP 3600/- vide FD letter dated 24.2.2012. Instead of treating her case as an anomaly, it was termed as an up gradation and ACP which was due to her after 8 years of service in November, 2014 was also denied to her. Subsequently w.e.f. 1.9.2014, the Assistants were given the grade pay of 4000/- but she continued to remain on the GP 3600/-. The Govt., however, rejected her representation for parity with that of Assistant for reasons which are not clear.

It appears that she has suffered because of not having been part of any cadre and the post of Assistant Librarian in terms of job contents and responsibilities is not less important than that of an Assistant. Thus, there was no justification to deny her the benefit of parity with Assistant for revision of scales in 2006 and subsequent revision in 2014. She is entitled to scale at par with that of Asstt. with GP 4000/- and ACP which was due in 2014. Any decision in her favour is not likely to create any complication since it is a standalone post and not a part of any cadre. The Commission, therefore, makes recommendation accordingly.

**iv) Smt. Sangeeta Sharma, Sr Translator (now Supdt. Press Br.)**

A request has been made for granting parity to Sr. Translator of Haryana Civil Sectt. (which post Smt. Sangeeta Sharma was holding prior to her promotion as Supdt. Press Br.) with that of Sr. Translator of Haryana Vidhan Sabha on the following grounds:-

The pay scale of Sr. Translator, Haryana Vidhan Sabha as well as Haryana Civil Sectt remained the same in 2007. On the acceptance



of Writ Petition of Sr. Translator of Haryana Vidha Sabha on the basis of Court order dated 14.12.2005, Sr. Translators of Vidhan Sabha were allowed parity with that of Assistants in terms of pay scales of Assistant w.e.f. 1.4.1996 but the Sr. Translator of Haryana Civil Sectt. have not been given this benefit. The Deptt. has supported the representation and has recommended for grant of pay scales for parity between the post of Sr. Translator of Haryana Vidhan Sabha as well as Haryana Civil Sectt.

The pay scales of Assistant on notional basis can be allowed from 1.4.1996 and on actual basis w.e.f. 30.3.2007 the date it was allowed in the case of Sr. Translator of Haryana Vidhan Sabha. It is also a fact that Smt Sangeeta Sharma has already been promoted as Superintendent and the cadre of Sr. Translator in Haryana Civil Sectt is a diminishing cadre and the post of Jr. Translator has already been converted to that of Clerk. In the case of Sr. Translator the post is likely to be converted to that of Asstt. The Commission recommends accordingly.

**v) Assistants**

Assistants of Haryana Civil Sectt. have pointed out that those who were promoted on or after 1.1.2009 have been allowed the pay of Rs. 12900/-, where as those who were promoted on or after 1.1.2006 upto 31.12.2008 have been allowed pay @ 13830/-. It has been pointed out that the employees working on the same post, performing same duties, cannot be granted different pay which is an anomaly. There was no such discrimination at the time of pay revisions after 4<sup>th</sup> and 5<sup>th</sup> Pay Commission reports. It has been pointed out that there are two Writs pending before Pb & Haryana High Court and a legal notice under Section 80 CPC from some Assistants is also pending in the FD (in Pay Revision Br.). The point has also been raised about fixation of pay of employees appointed on fresh recruitment after 1.1.2006 and of promoted employees.

After detailed discussion it was found that a solution has to be found for this problem which has occurred in many departments by following the prescribed suggestions of the Govt. of India which has been received by the State Govt. in July, 2014, on which action is yet to be taken. It may require amendment in the Haryana Civil Servies Pay Revision Rules. The Commission has dealt with this matter in a separate chapter and has suggested a solution.

**vi) Haryana Civil Secretariat Employees Association for granting of pay scales on the pattern of Punjab.**

It has been pointed out that the grade pay of Asstt. has been fixed in PB 2, 9300-34800. GP 4000/- w.e.f. 1.1.2006 but considering this scale as up gradation, ACP after completion of 8 years of service has been denied to them. Request has been made that ACP should be allowed as

per rules. The demand of employees for giving parity with that of Punjab has not been supported by the AD. However, AD has supported the demand for granting ACP.

The question of granting pay scales equal to Punjab has to be considered in the context of mode of recruitment and responsibilities performed in the two states. It is also a fact that Haryana has never followed Punjab in the matter of pay scales. In Haryana, the State Govt. has adopted the pay scales of the Central Pay Commission with suitable modifications. Thus, the issue of following Punjab pattern in the matter of pay scales requires careful consideration since the demand seems to be restricted to only some category of employees of some departments and not uniformly across the state. The commission has dealt with this issue in a separate chapter and given its detailed recommendations.

**vii) Haryana Government/Semi Govt. Drivers Association for grant of 3<sup>rd</sup> ACP, GP 4200/- at par with Govt. of India.**

A comparative picture of pay scales of Drivers between State of Haryana and Central Govt. brought out the following facts:-

In terms of pay scales, GP and ACP structure, the position in Haryana is much better as compared to Govt. of India. While there is a system of grading of Drivers in Govt. of India, there is no such system in the State. By their own admission, the drivers have pointed out that there is disparity between the pay scales only with regard to 3<sup>rd</sup> ACP. In the case of Govt. of India, GP Rs.4200/- is allowed after 28 years for 5% posts of the cadre, whereas, the 3<sup>rd</sup> ACP in the State is after 24 years with GP 4000/- with no limit on percentage of the cadre. The demand for GP of Rs. 4200/- after 24 years does not have any merit in the circumstances mentioned above and the AD has also not supported this demand.

**viii) Smt. Kiran Lekha Walia, Financial Advisor, HBPE.**

Smt Kiran Lekha Walia, Financial Advisor has requested for grant of pay scales at par with Management Consultant of the same organisation on the following grounds:-

- i) The work distribution between two posts is identical and the responsibilities are comparable.
- ii) The Management Consultant joined in August, 1989 in the pay scale of 3000-5000 and the post was up-graded to 3700-5000 on 1.8.1994. In the case of Smt. Kiran Lekha Walia, she joined as Financial Adviser in April, 1993 in the same pay scale of 3000-5000, but the scale was not upgraded alongwith that of Management Consultant in 1994. After her representation, financial benefit had been given in February, 2014 in the pay scale of 37400-67000/-

with GP 8700/- as a personal measure. While Management Consultant got ACP in 2006 and she got ACP in 2011.

- iii) The Member Secretary, HBPE had also recommended in the year 1996 to the then Chairman, Pay Anomaly Commission for removal of anomaly in the pay scale of Financial Advisor. It has been clarified in the representation that the job requirement for the two posts, nature of work and status of the posts are similar in all respects. The recommendation was made for revising the pay scale of the post of Financial Advisor at par with the pay scale of Management Consultant w.e.f. 1.8.1994.

It appears that this recommendation was not considered since, the Pay Commission was wound up and this issue was not examined. Further the FD in the year 2014 decided to give her the pay scale of 37400-67000 with GP 8700 as a personal measure. The State Government vide order dated 21<sup>st</sup> May 2015 made the modification of pay structure effective from 12.9.2013 instead of 25.2.2014. The Commission feels that necessary relief has been provided to her. The Action of the department in upgrading the functional pay scale of the post of Management Consultant w.e.f. 1.8.1994 does not appear to be correct as the up gradation must have been done as a personal measure to the incumbent. This lapse was rectified in the case of the post of the Financial Advisor. The commission is therefore of the view that no further relief is due to her in this case.

#### **Meeting held on 03.11.2015**

#### **ix) Grant of pay scale to AROs/ ROs/ SROs of Haryana Civil Secretariat on the pattern of Punjab and Govt. of India.**

The Research Officers of Haryana Civil Secretariat have requested for parity in pay scales with that of Punjab Govt. as well as Central Govt. The ARO has requested for GP of Rs.4600/- in place of present GP Rs.4200/- and for RO GP Rs.5400 in place of existing Rs.4800/-. This has been requested on the analogy of the position prevailing in the Punjab Govt. as well as Central Govt. The Sr. Research Officer posted in HBPE has requested for a scale of pay in PB-3 with GP 6000/- as against the present PB-2 with GP Rs.5400/-. He has given reference to the order dated 28.7.2014, which applied, to ARO, RO and Sr. R.O. in Haryana Civil Sectt. to make his claim. There is no post of Sr. R.O. in Haryana Civil Secretariat.

The Commission finds that there was no parity with the Central Govt. even before revision. Apart from this, the State Govt. did not adopt the Central pattern in toto. The ARO/RO of Haryana Civil Sectt. is already getting the pay scale at par with ARO/RO of the ESA organisation

and there does not seem to be any justification for raising it further. As regards, Sr. R.O. of HBPE, the demand for GP of Rs.6000/- should be considered on the analogy of the post of Dy. Director in ESA, where the GP is Rs 6000/-. The post of Dy. Director in ESA is a promotional post from RO and Sr. R.O. of HBPE is also a promotional post from R.O. On this analogy he could be treated at par with the Dy. Director of the ESA Organisation and given a grade pay of Rs 6000/-.

## **2.17 HARYANA VIDHAN SABHA SECRETARIAT**

**Meeting held on 28.09.2015**

### **i) Law Officer, Liaison Officer and Committee Officer**

These categories who are working in Haryana Vidhan Sabha have requested for parity with the post of Superintendent in their own Secretariat after the revision of pay scale w.e.f. 1.1.2006. It has been claimed that these officers enjoyed parity with post of Superintendent before 1.1.2006, but subsequent to the revision, these officers were placed in GP of 4200/- whereas, Superintendents were given the GP 4800/- and Rs. 5400/- after 4 years of service. It has been claimed that the responsibilities of these officers are not less than that of Superintendents and thus there is no justification to disturb the parity with the post of Supdt. after revision. It has also been claimed that these posts are stand alone posts and do not form part of any cadre and thus any decision taken with regard to these posts will not have any effect elsewhere. Reference has also been made that the post of Superintendent (Legal) in the office of LR having the same qualification of the Law Officers getting GP of 4600/- and similar GP in case of ADA of the Prosecution Deptt.

The issues raised in the representation have some force. However, it is a fact that the above officers are promoted from the ministerial cadre and cannot be equated with Supdt.(L) and ADA as the latter have law degree as a qualification and are directly recruited. However the official could be given the G.P. of Rs 4600/- on the basis of a separate formula worked out by the Commission for such cases of hardship

**Research Officer, Accounts Officer and Resident Assistant-cum-Care Taker, Haryana Vidhan Sabha.**

### **ii) Research Officer**

It has been pointed out that RO in HVS is a promotional post from that of Superintendent, PS and Editor of Debate with 3 years experience. The post of RO is thus of higher status and responsibilities than other posts mentioned. However, w.e.f. 1.1.2006 while Grade of Superintendent has been revised to GP of 4800/- and after 4 years to GP of 5400/-. The pay scale of RO has been retained at 4200/-. Thus in HVS, the junior employee like Superintendent is drawing higher GP as compared to the RO, which post is of higher responsibilities, who is drawing GP of 4200/-.

The Commission noted that the incumbent R.O. has already been promoted as Under Secretary and there is no grievance left to be rectified. The department has no intention of filling up this post and hence no further action is required.

### **iii) Accounts Officer**

The post of AO was equal to that of Superintendent but subsequently while AO has the GP of 4200/- and Supdt. has been given GP 4800/-. It has been claimed that AO is the post of higher level with higher responsibilities and thus the GP should be the same as Supdt. . After consideration of the matter, the Commission finds that there are similar posts in other departments who are making similar claims and it would be difficult to consider this demand. The scale of the post of Supdt. in the Secretariat, Vidhan Sabha, LR office, Raj Bhawan & FC Office was revised on the basis of revision made by GOI. This analogy cannot be made applicable to other posts. There is no merit in this demand. However, he will get some relief by a separate recommendation made by the Commission.

### **iii) RA-cum-CT**

It has been claimed that the post of RA-cum-CT in HVS is a promotional post from that of Asstt. However, in most of offices including Haryana Civil Sectt., the post of CT is equal to that of Asstt. and is not a promotional post. It appears to be a unique case in Haryana Vidhan Sabha. There should be no difficulty in accepting the request to the extent of GP to be made equal to Rs. 4000/- at par with the Asstt., since the next promotional post of Dy. Supdt. has GP of Rs. 4200/-.

### **iv) Reporters**

It has been claimed that category of reporters is unique in HVS and no such category exists in any other Deptt. of the State. This post is of highest calibre in Stenography category having minimum academic qualification of Graduation after having qualified shorthand test of highest speed of 140/160 words per minute. It has also been pointed out that the technical qualification of the post of Reporters of HVS is more than that of Reporters of Lok Sabha/Rajya Sabha (Parliament). Comparison has also been made to the pay structure of Reporters in other Assemblies as well as Parliament. It has also been pointed out that the promotional avenues of Reporters are very poor as compared to neighbouring States like Punjab as well as H.P. Vidhan Sabhas. Further being an isolated cadre, the pay scales of Reporters of HVS were not upgraded alongwith PA/PS of Haryana Civil Sectt as well as Haryana Vidhan Sabha, FC Office, Raj Bhawan, and LR office. Thus the benefit of revision on Central Pattern was denied due to the special nomenclature of the post. Attention has been drawn to the earlier discussion held and communications exchanged between the offices of FD, Chief Secretary and Hon'ble Speaker and request made by the Reporters for giving of pay scales as existing in other Assemblies. It has been claimed that inspite of a very comprehensive reference of the Hon'ble Speaker, the Government only slightly revised the pay structure of the Reporters.

After a careful consideration of the demand the Commission does not find any merit in it. This category has already benefitted by way of two revisions after 1.1.2006 once from G.P. of Rs. 4000/- to Rs.4200/- and then again to G.P. of Rs.4600/-. Their claim for parity with the Private Secretary in the matter of pay scales has no justification in terms of their job profile. The Private Secretary reaches his post after 15 to 20 years from the post of Stenographer, PA etc. whereas the Reporters are directly recruited. The Private Secretary discharges responsibilities of a higher order all through the year compared to the job of the Reporter which is confined to a couple of months in a year. In addition, with the introduction of modern system of Audio recording of the proceedings of the house the utility of reporters is diminishing day by day. They also have been provided a channel of promotion to the post of Under Secretary from Editor of Debates and subsequently compete with the general cadre for the posts of Deputy Secretary & Secretary. Under these circumstances, the Commission finds no justification in the demand for improvement of grades, as there is no anomaly.

**v) Junior Engineers (E) HVS**

It has been pointed out that there are three posts of Technical Supervisors in the Haryana Vidhan Sabha Secretariat carrying PB 2, with GP 3300/- which was revised to 3600/- w.e.f. 24.02.2012. The Government of Haryana decided to upgrade the functional pay structure of all the posts carrying GP 3600/- as on 1.1.2006 to GP 4000/- w.e.f.1.9.2014. While the GP of all JEs. in Haryana Govt. departments was upgraded from 3600/- to 4000/- but the JEs of the HVS were not given this benefit. Thus, in the entire State, all JEs. are getting GP 4000 but only in HVS the GP of JEs. is 3600/-. A request has also been made that since promotional avenues are very limited in Vidhan Sabha, one post of JE may be upgraded to that of Asstt. Engineer with GP 5400/-.

The point raised by the JEs. for parity with the JEs of the entire state in terms of duties performed and technical qualification has lot of merit. However, the service rules may have to be amended in the Haryana Vidhan Sabha so that the nomenclature of the post is made as JE so that they get the benefit of this category. Upgrading one post of JE, is a matter for the Administrative Deptt. to consider as it is not a case of Pay Anomaly. However, this case also gets covered in the proposal separately suggested by the Commission to give relief to these affected by the Govt. circular dated 28.8.2014.

## **2.18 HEALTH DEPARTMENT**

**Meeting held on 22.07.2015**

### **i) State Ayurvedic Officers**

AMOs have requested for parity in their scales as well as ACPs with the other systems of health namely Allopathic, Veterinary and Dental Department on the following grounds:-

- i) Basic qualification for admission to the various courses, duration of course and Internship are more or less identical for MBBS, BDS, Veterinary and Ayurvedic Doctors.
- ii) Neighbouring states like Punjab, Himachal Pradesh, UP and Delhi are giving the pay scales to Ayurvedic Doctors identical to Allopathic doctors in their States.
- iii) The Central Council of Indian Medicines as well as the Department of Health, Govt. of India have always insisted that Allopathic and Ayurveda Doctors should be treated at par.
- iv) The Ayurveda Doctors take part in all the National Programmes of the Health Department and are now posted in all PHCs in the State.
- v) Ayurvedic Doctors are posted in interior villages where working conditions are much harder as compared to allopathic doctors.

A request has finally been made that Ayush doctors should be given parity at least with the Vety. Doctors in the State. The ACP is given to the HCMS Doctors after service of the 5, 10, 15 years respectively and in case of Veterinary doctors after the service of 5,11,17 years respectively, where as in the case of Ayurvedic doctors it is given after the service of 7,12,20 years and also restricted to 20% of the cadre. A final request has been made that the same pay scales and ACP applicable to veterinary Doctors with reference to FD letter dated 2.12.2013 should at least be given to Ayurvedic doctors.

The Commission has considered this matter carefully and finds that the State Govt. has never accorded parity to Ayurvedic doctors with their counterparts in the Health Department. This has been the situation for the last 3 decades when the recommendation of the 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> Central Pay Commissions were implemented in the State. Under these circumstances, the Commission finds no justification for giving them parity at this stage. As regards giving this parity with the Animal Husbandry department, the same argument applies and there has been no previous parity. Thus the Commission does not find any merit in this representation.



## ii) District Ayurvedic Officers

DAOs of Ayush have claimed parity with similar officers placed in the HCMS on the following grounds:-

- i) They have been placed at the District level with large numbers of Ayurvedic doctors under them, whereas SMOs who are much junior to the civil surgeon and who do not have control of the district have been given better pay scales.
- ii) The system of ACP has been so designed that at some stage the DAO which is a promotional post from AMO gets much lesser pay than the AMO which is humiliating.
- iii) The ACP structure should be similar to the Health/ Veterinary Departments

For the reasons already mentioned above, the Commission finds no merit in the claim for parity with the HCMS. However, the defect in the ACP structure pointed out is quite genuine and the Commission recommends as under:-

The District Ayurveda Officer Association in their representation dated 12.05.2015 has mentioned that there is an anomaly in the ACP pay structure of direct recruit District Ayurveda Officer (DAO). They have represented as under:-

*"We, the DAOs of Department of AYUSH, Haryana State most respectfully submit that in Department of AYUSH, Haryana there are about 570 Doctors of AYUSH with different nomenclatures such as DG AYUSH (An IFS Officer on Deputation from Forest Department), Director AYUSH (An officer from Ayurvedic Discipline), Joint Director AYUSH (An HCS Officer on Deputation), one Dy. Director AYUSH (An officer from Ayurvedic discipline), one Assistant Director, Ayurveda [at State Level, HQ], 21 District Ayurvedic Officers at District-HQ (50% direct+ 50% by promotion), 10 Physician/ Resident Physician (Ay), 496 AMOs, 19 UMO, 21 HMOs.*

*We are highly thankful to your good self that Doctors of AYUSH Deptt. have for the first time been granted Specific 1<sup>st</sup> and 2<sup>nd</sup> ACPs while implementing the 6<sup>th</sup> Pay Commission report in Haryana whereas the DAOs have been ignored from this benefit. The pay scale of the post of DAO is 9300-34800+GP 5400 (PB-2) treated in general side for the benefit of ACP after completion of 8,16,24 years service. It is pertinent to mention here that most of DAOs have got his promotion near his retirement and most of the promoted DAOs generally retire after 1 to 3 years of service after getting promotion. The pay scale for the post of DAO which is promotional post of AMO/ UMO/ Physician/ Resident Physician is 9300-34800+GP 5400 (PB-2) is very low from the post of AMO/ UMO/ Physician/ Resident*

Physician as compared to those who get the 2<sup>nd</sup> ACP Scale Rs.15600-39100+ GP 6000 (PB-2) (20% of cadre posts) after completing 12 years and ACP scale 15600-39100+ GP7600 after completing 20 years as mentioned below:-

	<b>Functional Scale of AMO/UMO/HMO/ Physician etc.</b>		<b>Functional Scale of DAOs</b>
Scale in PB-2	9300-34800+ GP 4800+NPA	Scale in PB-2	9300-34800+ GP5400 +NPA
After 7 yrs. 1st ACP in scale PB2	9300-34800+ GP 5400+NPA	After 8 yrs. 1st General ACP in scale PB-2	9300-34800+ GP 6000+NPA
After 12 yrs. 2 <sup>nd</sup> ACP (20% of sanctioned cadre) in scale PB-3	15600-39100 + GP 6000+ NPA	After 16 yrs. 2nd General ACP in scale PB-2	9300+34800+ GP6400+NPA
After 20 Yrs. 3 <sup>rd</sup> ACP (20% of sanctioned cadre) in scale PB-3	15600-39100 + GP 7600+ NPA	After 24 yrs. 3 <sup>rd</sup> General ACP in scale PB-2	9300-34800+ GP 6600+NPA

Whereas the post of DAO being promotional post from Ayurvedic/UMO/ Physician. The directly recruited as DAO has lost the benefit of 2<sup>nd</sup> ACP i.e. 15600-39100+GP6000 (PB-3) and 3<sup>rd</sup> ACP pay scale 15600-39100+GP7600 as AMO which is injustice to the direct recruited DAO.

It is also pertinent to mention here that after 1<sup>st</sup> ACP DAO will work in the pay scale 9300-34800+GP6000 (PB2). 2<sup>nd</sup> ACP of DAO will work in the pay scale of 9300-34800+GP6400(PB-2) whereas the AMO/UMO/ Physician who after getting the 2<sup>nd</sup> ACP pay scale is working in the pay scale 15600-39100+6000GP and 3<sup>rd</sup> ACP scale is working in the pay scale 15600-39100+7600GP. The ACP structure of DAO is lower than the AMO ACP structure which is a big anomaly.

Being in the lower pay structure, the DAO cannot put forward his views properly in the meetings of officers having higher pay structure and is a humiliation for the DAO which is an administrative post.

It is respectfully submitted that the DAO is the incharge of AYUSH Department in a district as Civil Surgeon in Health Department, Dy. Director in Animal Husbandry etc. However, the case of Health Department itself even SMO/MS/Dy. Director/ DPOs and Senior Dental Surgeon who are not the incharge of the district and as such having a lower status than a District Officer have been placed in

*higher pay band as compared to the DAO who is the incharge of a district.*

*The duties and responsibilities of DAO is also higher than the post of SMO/DPO and SDs are equal to that of Civil Surgeon in the district.*

*It is specially submitted that the post of SMO/MS/Dy. Director/ District Programme Officer and Sr. Dental Surgeon have been placed in the initial pay band of 15600-39100+GP7600 and after having completed 3yrs of service in the said post they are placed in the pay band of 37400-67000+8700GP (PB-4). On the other hand a DAO who is promoted as such from the post of AMO/UMO/ Physician after putting in the serving of 30-35 years is placed in the pay band 9300-34800+5400GP(PB 2). Similarly, the direct recruited DAO is also placed in the same pay band and always remains in the same pay band without any avenue of further promotion. Moreover, both SMO and DAO considered for direct recruitment after 8 yrs of service as MO/AMO respectively, but the pay band and grade pay of both posts are different.*

*In view of the submissions made above it is humbly requested that DAO may kindly be placed in the initial pay band of 15600-39100+7600 GP (PB3) with time bound ACP structure as in health department 37400-67000+8700 GP (PB4) after completion of 3yrs service as DAO like SMO/ Medical Suptd./ Dy. Director/ District Programme Officers and Sr. Dental Surgeon and remove the big anomaly created in AYUSH Deptt.*

*It is respectfully prayed that our request may kindly be considered sympathetically as the earliest w.e.f 1.1.2006."*

The Commission considered the hierarchical structure, functional pay scale and ACP pay structure available for the Ayush Doctors as given below:-

**Hierarchical structure, functional pay scale of of Ayush Doctors**

AMO/UMO/HMO/ Physician/ Resident Physician (552 Nos.) (Group-B)

PB-2, 9300-34800, GP-4800/-

Distt. Ayurveda Officer (21 Nos.) (Group-B)

PB-2, 9300-34800, GP-5400/-

Asstt. Director (1 Nos.) (Group-B)

PB-3, 15600-39100, GP-6000/-

Deputy Director (1 Nos.) (Group-A)

PB-3, 15600-39100, GP-7600/-

Director (1 Nos.) (Group-A)

PB-4, 37400-67000, GP-8700/-

Director General

IAS/ IFS in his own pay scale

**ACP pay structure of Ayush Doctors as per order dated 29.08.2014**

Name of Post	Existing ACP Pay Structure			Modified/ Revised ACP Pay Structure		
AMO/ HMO/ UMO	9300-34800 (entry level pay band)	PB-2	4800	9300-34800 (entry level pay band)	PB-2	4800
	9300-34800 (after 7 years of regular satisfactory service in the cadre)	PB-2	5400	9300-34800 (after 7 years of regular satisfactory service in the cadre)	PB-2	5400
	15600-39100 (after 12 years of regular satisfactory service limited to 20% of the cadre post)	PB-3	6000	15600-39100 (after 12 years of regular satisfactory service limited to 20% of the cadre post)	PB-3	6000
	do not exist			15600-39100 (after 20 years of regular satisfactory service limited to 20% of the cadre post)	PB-3	7600

During the hearing on 22.07.2015, the representatives of DAO Association as well as HOD and AD revealed that the DAO has not been included in the cadre specific ACP order dated 29.08.2014 and as a result of that the pay scale/ ACP grade pay of AMO after 12/ 20 years of service exceeds that of DAO. It was further revealed that the promotee DAOs are being granted benefit of cadre specific ACP under Rule 13 of HCS (ACP) Rules, 2008 which reads as under:-

***“13. Special entitlement for ACP scales.-***

*Where the functional pay structure of the promotional post in the hierarchy is inferior to the ACP pay structure entitlement of the Government servant, had he not been promoted, as per his eligibility and entitlement on completion of prescribed length of service for the 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> ACP pay structure entitlement, as the case may be, the Government servant shall be entitled to be placed in the 1<sup>st</sup> or 2<sup>nd</sup> or 3<sup>rd</sup> ACP pay structure as the case may be after completing the prescribed period of service for being placed in the 1<sup>st</sup> or 2<sup>nd</sup> or 3<sup>rd</sup> ACP pay structure;*

*Providing that such functional promotion to a post with such inferior pay structure shall not be counted as a financial upgradation for the purposes of these rules."*

However, the direct recruit DAO cannot be covered under this provision and therefore, they get general ACP. A direct recruit DAO will get next ACP grade pay of Rs. 6000/- after 8 years, whereas the promotee DAO or the AMO will move to next ACP grade pay of Rs. 6000/- after 5 years of service in grade pay of Rs. 5400/-. Further, the direct recruit DAO will get 2<sup>nd</sup> ACP grade pay of Rs. 6400/- after 16 years and 3<sup>rd</sup> ACP grade pay of Rs. 6600/- after 24 years. Whereas, the promotee DAO and AMO will move to 3<sup>rd</sup> ACP grade pay of Rs. 7600/- after 8 years in service in GP of Rs. 6000/-. The Commission observes that it is an aberration and case of anomaly. However, before making suitable recommendations for removal of this anomaly, the Commission considered the ACP pay structure of some other cadres where ACP pay scale/ grade pay of feeder cadre is higher than functional pay scale of promotional post and the mechanism to adjust the ACP pay structure of feeder and promotional post to avoid such anomaly. Such cadres and their ACP pay structure are given below:-

**APC pay structure of Veterinary Surgeon and its promotional posts viz. SDO and Dy. Directors as per order dated 22.08.2012**

Name of Post	Existing ACP Pay Structure			Name of Post	Modified/ Revised ACP Pay Structure		
Veterinary Surgeon	(a) 9300-34800 (at entry level)	PB-2	5400	<b>Veterinary Surgeons/ SDO (AH)/ Deputy Director</b>	9300-34800 (entry level pay band for Veterinary Surgeon Group-B)	PB-2	5400
	--	--	--		15600-39100 (entry level pay band for SDO (AH) Group-A)	PB-3	5400
	(b) 15600-39100 (after 5 years)	PB-3	6000		15600-39100 (After 5 years of regular satisfactory service after entry as Veterinary Surgeon/ SDO (AH))	PB-3	6000

	(c) 15600-39100 (after 11 yrs limited to 20% of the cadre post)	PB-3	7600		15600-39100 (After 11 years of regular satisfactory service after entry as Veterinary Surgeon/ SDO (AH) and limited to 25% of the total cadre post in the categories of Veterinary Surgeon/ SDO (AH) and Dy. Director)	PB-3	7600
	Not Existing	-	-		37400-67000 (After 17 years of regular satisfactory service after entry as Veterinary Surgeon/ SDO (AH) and limited to 20% of the total cadre post in the categories of Veterinary Surgeon/ SDO (AH) and Dy. Director)	PB-4	8700

**ACP pay structure of AE, AEE and XEN in three wings of PWD order dated 19.08.2009**

SDEs/ AEs/ AEEs/ XENs/ SEs in three wings of PWDs (B&R, Irrigation and P.H.)	Entry level pay scale for AE/SDE (Group-B) in three wings of PWDs.	PB-2 (9300-34800)	5400
	Entry level pay scale for AEE (Group-A) in three wings of PWDs.	PB-3 (15600-39100)	5400
	After 5 years of regular satisfactory service after entry as SDE/AE/AEE.	PB-3 (15600-39100)	6000
	After 11 years of regular satisfactory service after entry as SDE/AE/AEE and limited to 25% of the total cadre posts in the categories of SDEs/ AEs/ AEEs, XENs and SEs	PB-3 (15600-39100)	7600
	After 17 years of regular satisfactory service after entry as SDE/AE/AEE and limited to 20% of the total cadre posts in the categories of SDEs/ AEs/ AEEs, XENs and SEs	PB-4 (37400-67000)	8700

In view of above, the Commission observes that the anomaly in the ACP pay structure of DAO can be addressed if the ACP pay structure of the Ayush Doctors is devised on the lines of the above cadres and the proposed structure on the above lines would be as under:-

Name of Post	Existing ACP Pay Structure			Name of Post	Proposed/ modified ACP Pay Structure		
AMO/ HMO/ UMO	9300-34800 (entry level pay band)	PB-2	4800	AMO/ HMO/ UMO/ DAO/ Asstt Director	9300-34800 (entry level pay structure of AMO/ HMO/ UMO)	PB-2	4800
	9300-34800 (after 7 years of regular satisfactory service in the cadre)	PB-2	5400		9300-34800 (after 7 years of regular satisfactory service as AMO/ HMO/ UMO)	PB-2	5400
					9300-34800 (entry level pay structure of DAO)	PB-2	5400
	15600-39100 (after 12 years of regular satisfactory service limited to 20% of the cadre post)	PB-3	6000		15600-39100 (after 5 years of regular satisfactory service in GP of Rs. 5400/- (12 years as AMO/ HMO/ UMO or 5 years as DAO) limited to 20% of the cadre post of AMO/ HMO/ UMO/ DAO)	PB-3	6000
					15600-39100 (entry level pay structure of Asstt. Director)	PB-3	6000

	15600-39100 (after 20 years of regular satisfactory service limited to 20% of the cadre post)	PB-3	7600		15600-39100 (after 8 years of regular satisfactory service in GP of Rs. 6000/- (20 years as AMO/ HMO/ UMO or 13 years as DAO or 8 years service as Asstt Director) limited to 20% of the cadre post of AMO/ HMO/ UMO/ DAO and Asstt Director)	PB-3	7600
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The Commission recommends accordingly.

### iii) Ayurvedic Dispensers

The Ayurvedic Dispensers have demanded pay parity with Pharmacists of the Health Department on the following grounds :

- i) The Educational qualification in the case of Ayurvedic Dispenser is either equal or better than the Pharmacist in the Health Department.
- ii) The duties are also identical and the Ayurvedic Dispenser in addition performs duties of dresser, dental technician and visits the homes of old age patients and does also sample collection.
- iii) In Govt. of India the pay scale of Ayurveda Dispenser and Pharmacist are identical.

The Commission noticed that with effect from 1.9.2014 the State Government has upgraded the pay scales of Pharmacists of the Health Department and left out the dispensers on the ground that their pay scales were upgraded after 1.1.2006.

While considering this representation, the Pay Anomaly Committee headed by the Chief Secretary, Haryana noted that there was no parity with the Pharmacists of the Health Deptt. in terms of qualification, services rendered or in importance. The Commission tends to agree with this view and finds no merit in their argument for parity. However, they can be given the relief contemplated for these officials affected by the instruction of Govt. dated 28.8.2014 for which the Commission had separately recommended in this report.

It was understood that instructions of FD dated 28.8.2014 are under review. Similar representation have also been made by certain other categories of employees of other departments and a composite



view will have to be taken in all such cases where anomaly has crept in because of the instructions dated 28.8.2014. Since there is no final word from the Govt. about the review, the Commission decided to make separate recommendations applicable to all persons affected by the instructions

**iv) Private Secretary in the Ayush Department**

Private Secretary posted in the Ayush Department attached with the Head of the department has requested for parity with the pay scale of the PS posted in the Civil Sectt. as well as in the neighboring States like Punjab, Chandigarh and Himachal Pradesh. It has been claimed that the qualification and duties performed are identical and in the case of PS in the directorate, there are no further avenues for promotion available, whereas the PS in the Civil Secretariat has many such avenues.

Similar representations have been received from the Private Secretaries posted in a few other Directorates and a composite view will have to be taken on the subject of giving pay parity with the PS of the Civil Secretariat. Similar demands from other categories like Assistants, Supdts etc. have also been received on the Ministerial side. The Commission has taken a composite view and made recommendation separately on the subject.

**v) Dental Surgeon of Health Deptt.**

The Dental Surgeons of Health Deptt. have requested for parity in pay scales and ACPs with HCMS on the following grounds:-

- i) The basic qualifications required for admission to MBBS/BDS courses are the same.
- ii) The system of education, training and treatment are the same. The dental wing of the Health Deptt. is as important as other departments of medicine. The Govt. of India as well as Central Board of Medicines have also insisted on parity of Dental Surgeons vis-à-vis the Medical cadre in respect of pay scales.
- iii) This parity was continued in the two cadres in Haryana at the time of pay revision of 1986, 1996 as well as 2006, The parity of this category was disturbed in 2009 after the notification dated 20.02.2009 was issued in the case of HCMS.
- iv) Because of the above notification, disparity crept in the pay scale as well as the ACPs between two cadres and ACPs were also restricted to the 20% of the cadre in the case of

Dental Surgeon whereas no such limit was put in case of HCMS.

- v) The Dental Surgeon participates in all the National/State Programmes of Health Deptt. The 6<sup>th</sup> Pay Commission notification issued by GOI, recommended the pay scales at par to both the cadres.

The points raised by the Dental Surgeon have a lot of force. The Commission finds that the parity in pay scales has been maintained between the dental surgeons and their counterparts in the HCMS for the last 3 decades and even while revising the pay scales w.e.f. 1.1.2006 this parity continued. However, with the decision taken by the Govt. in 2009, in the case of HCMS this parity got disturbed. The reason for giving a special treatment to HCMS doctors seem to be the fact that many doctors were leaving the Govt. for better prospects in the private sector, and these incentives were given only with a view to retain them in Government. The exercise was initiated consequent to an announcement made by the then Chief Minister in the Vidhan Sabha that HCMS doctors will be granted pay scales at par with their counterparts in Punjab. The Pay Anomaly Committee also recorded its view that it is conscious of the fact that this special dispensation for HCMS doctors will disturb the traditional parity with some other services as well. But the Committee was of the view that such parities shall not be held sacrosanct for all times and should evolve with changing requirements of society. It further held that claims of other services shall not be entertained merely on the grounds of parity with HCMS doctors.

After considering the representations of HDMS, HVS & Ayurvedic Doctors the Committee formed a view that services provided by HCMS doctors cannot be compared with these services. There is a severe shortage of availability of Medical doctors which has severely affected the delivery of quality health services in the State. Moreover, the rigour of their course of study and the selectivity of admission process cannot be held to be comparable with HDMS, HVS and Ayush Doctors. Thus the Committee rejected the demand of full parity of these services with HCMS. However, with regard to NPA, the Committee recommended parity for these services with HCMS.

After a careful consideration of the issues involved this commission agrees with the stand taken by the Committee and the Govt. Thus it finds no merit in the demand of Dental Surgeons for full parity with HCMS.

**vi) Representation of Statistical Assistant, Junior Statistical Nosologist, and Assistant Director Demography.**

The G.P. of S.A. and that of the promotional post of Junior Nosologist have become identical at Rs.3600/- after revision. The demand is for giving a grade pay of Rs. 4600/- to S.A., Junior Statistical Nosologist a G.P. of Rs. 4800/- and Assistant Director of Demography a G.P. of Rs.5400/-.

The Commission finds that the G.P. of Rs.3600/- of S.A. is at par with the counterpart in the ESA organization. Thus, there is no justification for further improvement. As regards his G.P. and that of JSN becoming identical, this phenomenon has happened in a quite a few departments. However, keeping in view the need to keep motivation alive, the Commission recommends a G.P. of Rs.4000/- to JSN. In the departments of School Education and Welfare of SCs & BCs, the ARO, which is a promotional post of S.A. has a G.P. of Rs.4000/- distinguishing it from the ARO of ESA organization having a G.P. of Rs.4200/-. As regards Assistant Director Demography who has presently a G.P. of Rs.4200/- is likely to get an upgradation to Rs.4600/- in term of the general recommendation being made by the Commission to cover such cases of hardship.

**vii) Haryana Drug Control Officer's Welfare Association**

The officers of the Drug Control Deptt. have made the demand that the pay scales should be at par with their counterparts of other states as well as of the Central Govt. holding equivalent posts. The demand has also been raised that all posts of Drug Officers should be treated as Class I and they should be given Cadre Specific ACP instead of General ACP. The following arguments have been advanced:-

- i) The Drug Control Officer enjoys huge powers as a Regulatory Authority as compared to doctors. They also have prosecution powers, which are not applicable to other categories. The qualification for initial recruitment for the post of DCO is bachelor of degree in Pharmacy and 1 ½ years experience in manufacturing or drug testing. In the case of engineers, doctors/architects etc., there is no provision of experience after obtaining the basic qualification.
- ii) B.Pharma Degree is a technical degree and a common entrance exam is conducted by the AICTE for the Engineering & Pharmacy students.
- iii) All technical cadres in Haryana like Engineers and Doctors are getting Cadre Specific ACP on similar posts. DCO should also be given Cadre Specific ACP.

- iv) On the perusal of the pay scales of this department as on 1.1.2006, it shows that DCO, which is class II post has grade pay of Rs.4000. In Haryana and in other departments, the grade pay of class II officers is not less than Rs.4200/-. The post of DCO and above are Class I in some of the neighboring states and there is a strong case for declaring this post as class I post in Haryana

The demand of the department to declare all the posts of officers as class I is a matter within the purview of the department and the action has to be taken by the deptt. The department is basically a regulatory department and the pay scales have to keep parity with comparable inspectorate staff of other regulatory departments like Labour, Industries etc. Thus the GP of Rs 4000/- for D.C.O. is appropriate and even the comparable posts in Labour and Excise & Taxation Deptt. The G.P. will reach Rs. 4000/- as per recommendation of the Commission. The G.P. of Sr., D.C.O. can be increased to Rs 4600/- as per general recommendation made separately by the Commission. The grade pay of Rs 6000/- for Dy. State Drug Controller is at par with DETC. The Asstt. State Drug Controller with present G.P. of Rs. 5400/- is a Group 'B' post at par with the post of ETO in the Excise & Taxation Deptt. The pay scale of SDC with G.P. of Rs. 7600/- is appropriate with comparable post in the Excise & Taxation and Industries and Labour departments. The Commission, therefore, makes recommendations accordingly.

#### **viii) Haryana Karamchari Talmel Samiti**

The clerical/ministerial cadre like Clerk, Asstt, Dy.Suptd., Suptd and ADOs etc. of the Health Deptt. have requested for parity with the pay scales given in the Punjab Govt. A further point has been raised that on promotion to the post of Budget Officer/AD.O. from the post of Suptd., there is no benefit as the grade pay is similar in both posts.

The question for granting pay scales equal to Pb Govt. in the case of ministerial cadre of Health Deptt. will have to be considered in the context of the larger demand from the people employed in similar posts in Haryana Civil Sectt. and other departments of the State. This matter has been dealt with in a separate chapter of this report by the Commission.

#### **Meeting held on 24.07.2015**

#### **ix) MPHWS and MPHS**

The above two categories of employees have requested parity of pay scales with those existing in Punjab, HP and UT, Chandigarh. Comparison has also been made to the pay scales existing in the year 1979 and revisions made during 1986 and 1996. A request has been made that the grade of MPHWS should be equal to that of Radiographer

and Ophthalmic Asstt. Similarly, the pay scales of MPHS should be equal to that of the staff Nurse and JBT teachers.

The department has supported the demand of the employees, but no recommendations have been made to the specific categories of SMI, AUO, AMO. Comparison has been made with the post of Radiographers, Lab Technician in terms of basic qualification and training period.

After a careful consideration of the matter, the Commission does not find any merit in the demand for parity with the categories of Radiographers ,LT etc. Since the nature of duties performed are quite different. There has been no historic parity between these categories and the Pay Anomaly Committee also rejected this demand but provided some relief by way of increase in some allowances. The Commission is in agreement with this view and finds no justification in the demand. The same argument applies to the case of MPHS where parity with Staff Nurses and JBT Teachers is being sought. As regards the categories of SMI, AUO abd AMO the department has clarified that these posts are being kept vacant and it is a diminishing cadre.

**x) Lab Technician (General)**

The Lab Technician (G) have demanded pay parity with Radiographer in the department on the following grounds:-

- i) The pay scales of LT(G) was better than Radiographer before 1986, equal w.e.f. 01.01.1986, 01.01.96 but during revision of pay scales from 1.1.2006, Radiographers were put in PB -2 with GP Rs. 3200/- and that of LT(G) PB-1 with GP Rs. 2800/-.
- ii) In the neighboring states of Punjab and HP, the pay scales of these categories are much higher.
- iii) The recommendation of the department to review the anomaly was placed before Pay Anomaly Committee on 8.10.2012, but no final decision was taken on the matter and the case was referred back to the department.
- iv) Attention has also been invited to the decision to the Uttrakhand High Court dated 4.6.2014 to maintain parity of Lab Technicians with /Radiographers

The category of Radiographers got the benefit of pay revision twice, once when during pay revision they were given a G.P. of Rs.3200/- as against the normal revision to Rs.2800/- and subsequently to Rs.3600/- as was done in all categories. The category of LT(G) got left out of both these revisions. It has been argued that the justification of exposure to risk given as the reason for improvement in grade given in

the case of Radiographer applies in equal measure to the category of LT(G). Whose quantum of work in a day is much more compared to that of Radiographer. The LT(G) apart from analyzing so many blood samples in a day also prepares the reports based on which the diagnosis of the problem of the patient is made and also the treatment to be given. Thus in terms of duties performed and exposure to risk there is a sound argument for treating LT(G) at par with the Radiographer. The Commission, therefore, accepting the argument of parity recommends the same pay band with grade pay of Rs.3600/- to the category of LT(G).

**xi) LAB TECHNICIAN (Malaria)**

The category of Lab Tech.(M) has requested for parity in the pay scales with LT(G) on the same pattern on the following grounds:-

Employees working on the same post in the same department with the same qualification and the same source of recruitment have been given separate pay scales for which there is no justification. The issue of removal of anomaly of granting different pay scales to the employees working in the same department was considered by the Government and a decision was taken to merge both the categories and create a single cadre of Lab Technician and the department was asked to propose necessary amendment in service rules vide communication dated 31.1.2012. A partial amendment in service rules was also made vide notification dated 3.1.2014 but issue of granting of equal pay has not been addressed.

After discussion, it was clear that there is justification for merging the two cadres and granting them the same pay scales. The process of amendment in service rules has not been completed in full and the department should be asked to take expeditious action in this matter.

**xii) Pharmacists**

The Pharmacist Association of Haryana has requested for pay scales at par with those existing in Punjab on the following grounds:-

- i. It is claimed that before 1.1.2006 the pay scales in Punjab were less than the pay scales which existed in Haryana but subsequently in Punjab, substantial amendment has been made in the pay scale of Pharmacist.
- ii. Reference has also been made to some organizations in Govt. of India, the State of Tamilnadu, U.P. and Uttrakhand in this regard.
- iii. DGHS has also compared the pay scales of Pharmacist with other categories of the department namely Staff Nurse, Nursing Sisters etc.,

It was felt that the analogy of staff nurse is not in order in view of different nature of duties performed.

The Commission also noted the fact that in Govt., of India during pay revision some categories were merged and the G.P. of Rs.4200/- was given to this category. The State of Haryana did not merge the scales as a matter of policy and if G.P. of Rs.4200/- is allowed to Pharmacists, than the problem will arise about giving a suitable G.P. to Chief Pharmacist which is a promotional post. The analogy of pay scales given to Staff Nurses also does not have any force since they were given a higher grade on the specific recommendation of the sixth Pay Commission. The Commission finds that pay scales have been revised correctly during revision as per the policy adopted by the State Govt. and no further improvement is called for.

**xiii) Analyst /Chemist (Smt. Pooja and Smt Pratibha).**

The post of Analyst is a promotional post from that of Chemist. It has been claimed that subsequent to revision of 1.1.2006 and the FD's instructions dated 28-8-2014, the G.P. of both posts have become identical and in addition with 100/-Rs.Spl. pay, the Chemist gets more emoluments compared to analyst who does not get this special pay. A request has been made to set right this anomaly.

The Commission finds that adding a special pay with the post of Analyst may not benefit but on promotion to the post of Analyst from Chemist the incumbent is bound to get benefit in pay fixation. No specific relief is required to be given in this case.

**xiv) Health Education & Media Services Association**

**Family Welfare Extension Educator/ Block Extension Educator**

The HEMS Association has requested for better pay scales for the above category by comparing with the scales of MPHS who allegedly cover much lesser population of only 30,000. It has also claimed that the scheme of Family Welfare Extension Educators was originally a Centrally Sponsored Scheme and now funded by the State Govt. The qualification for this post was also increased to Graduation with two years experience in Family Welfare & Community Education in the year 1978 as compared to the qualification of Matric prior to 1978. However, in 1979, the pay scales of this category was reduced and this process continued in 1986,1996, and 2006. Attention has been drawn to the duties performed at the block level as Extension Educators and a request for suitable up-gradation has been made by keeping in view the pay scales given to MPHS category.

It was felt after discussion that the role of the Family Welfare Extension Educators of the Health Deptt. and the duties

performed by them vis-a-vis MPHWS/MPHS workers needs to be considered. The Extension Educators are expected to promote family planning in the field. The programme of family planning has long since become voluntary and the public has become very aware of the issues involved. The department during the interaction with the Commission could not justify the argument of treating them at par with MPHWS/MPHS. The duties performed by MPHWS/MPHS are quite different and the Commission is not convinced with the argument for giving them a better pay scale.

**xv) District Family Welfare Education Officer/District Mass Education Information Officer**

The above posts are 100% centrally sponsored. The post of DFWEIO is a promotional one from that of Educator, and the second one is senior to DFWEIO. The demand is for upgrading these scales with GP of Rs.5200/- and Rs.5400/- respectively from the existing Rs.4000/-. No specific ground has been given for demanding this upgradation except that the work load has increased.

The Commission finds no justification for this upgradation especially in the context of the view taken in the case of Family Welfare Extension Educators. It is clearly a case of improvement in pay scales and not of anomaly and falls in the purview of the State Govt.

**xvi) Haryana State Biologists**

The Haryana State Biologists Association of the Health Deptt has made a representation for better pay scales, keeping in view the duties performed by them which have been reportedly extended from urban towns to the whole of the district and have also compared the qualification and pay scale with similarly placed officers viz. SSO of FSL Madhuban and Scientists of the Pollution Control Board. Comparison has also been made with the counterparts of other neighbouring states like U.T. and Rajasthan. They have also claimed that they need to be treated at par with the Medical Officers, Engineers, Dental Surgeons and Nursing cadre.

It was found during the discussion that out of sanctioned posts of 17 Biologists in the State of Haryana, only 9 are filled up and 8 posts are lying vacant. The argument for parity with FSL Madhuban and scientists of Pollution Control Board has no basis since the nature of duties performed are quite different. The exact role performed by these Biologists viz. a. viz. the Distt. Malaria Officer with a big establishment also was not clarified to the Commission. It also transpired that the department was in the process of creating some promotional avenues for this category. The argument for treating them at par with Medical Officers and Engineers has no force since they are not part of an organized cadre.



The Pay Revision Committee, keeping in view their qualifications, has already improved their G.P. to Rs.4600/- from Rs.4200/-. There is no justification for giving them GP of Rs.5400/- as demanded.

**Meeting held on 18.09.2015**

**xvii) Haryana Radiographer's Association**

The Radiographers of the Health Deptt. have requested for enhancement in their GP from Rs. 3600/- to Rs.4200/- on the following grounds:-

1. This category has the GP of Rs 4200/- in the Central Govt.
2. The qualification for the post (both Technical and Educational) is identical in the Central Govt. as well as State Govt. of Haryana.
3. The Category of Staff Nurse, who are technically less qualified have been given the GP of Rs. 4200/- on the recommendation of the 6<sup>th</sup> Pay Commission.

After a careful consideration of the matter, the Commission does not find much justification in the demand. As per normal revision, the GP of this category would have been Rs. 2800/-, but keeping in view the risk factor involved in the job profile of this category, the Pay Revision Committee decided to enhance the GP. To Rs. 3200/-. Subsequently, by a general decision taken by the Govt. which was applicable to various categories/posts, the GP. of Radio Graphers was enhanced to Rs. 3600/- from Rs. 3200/-. Thus, this category of employees has already got the benefit of 2 enhancements, which has not been the case of certain other categories of employees belonging to Health Deptt. like Lab Technicians etc. In fact, there is a demand from other categories like MPHWS and Lab Technicians for giving them the GP at par with the Radiographers. The Commission feels that keeping in view the risk factor involved in the Job Profile of the Radiographers, the GP has been correctly fixed at Rs. 3600/-. As regards the GP of this category in the Central Govt., this is due to the fact that a large number of scales of pay were merged by the Central Govt. which was not adopted by the State Govt. This has happened in a large number of posts belonging to the different departments, since the State Govt. did not adopt the Central pattern in toto after revision of pay scales. As regards, comparison with Nursing staff, this was a special dispensation given to the Nursing Staff on the specific recommendation of the 6<sup>th</sup> Central Pay Commission which did not make any such recommendation in the case of Radiographers.

In a nutshell, the Commission does not find any merit in the representation for enhancement of GP from Rs 3600/- to Rs. 4200/-.

### **Meeting held on 28.09.2015**

#### **xviii) Ayurvedic Medical Officers**

Ayurvedic Medical Officers have pointed out that in the revision of pay scale w.e.f. 1.1.2006 and subsequent letter dated 31.8.2010 of FD, the Entry Pay of those who joined the department between 18.8.2009 to 31.8.2010 has been fixed differently causing them financial loss. Request has been made that entry pay of Rs 13950/- should be fixed from 1.1.2006 instead of 1.9.2010. Another point which has been raised is about allowing DA @24% on the existing NPA at the time of revision of pay scales from 1.1.2006.

It was pointed out that the problem regarding entry level pay has occurred in other departments also especially in the case of school lecturers. The State Govt. had to take certain measures to ensure that there is not a disproportionate difference in the entry level pay depending upon the date of joining the service. This was common to certain other departments and not peculiar to AMOs. It is not possible to accept this request since the only purpose is to claim arrears of pay. As regards the 2<sup>nd</sup> issue, since freshly recruited Medical Officers did not have any existing NPA, the issue of allowing DA @ 24% does not arise.

### **Meeting held on 20.10.2015**

#### **xix) Haryana Health Analytical Staff Welfare Association (Food and Drug Administration)**

The category of Analytical staff in the Food & Drug Administration of Health Department have asked for improvement of their pay scales and parity with those prevailing in the department as well as in the departments like Public Health, Industries, Biologist of the Health Deptt. and Forensic Science Lab at Madhuban (Police Deptt.). The Association has pointed out that the qualification prescribed at various levels is M.Sc. Chemistry and in the Central Laboratories and other labs of Haryana Govt. with the same qualification, the Analytic Staff are getting better pay scales. After discussion, the Commission found that in the department of Food & Drugs Administration, there are 4 levels starting from Junior Analytical Assistant to Assistant Public Analyst. Three lower levels are having the same pay scale with GP Rs. 3600/-. It was argued that there was a lot of stagnation and suitable enhancement of pay scales will have to be done keeping in view the qualification for the post.

It was felt that while deciding this matter, the case of other departments where Post Graduation is a qualification, will also have to be kept in mind since there are already representations from those departments for improving their scales of pay. It is also a fact that even prior to the revision, there was no parity of these categories with those in the Central Govt. or other State Govt. Departments. It was also felt that in

the laboratory, there were too many levels (4) of Analysts which serves no real purpose. The department was advised to amalgamate the first three categories with a GP of Rs. 3600/- and this can bring benefit to those who are stagnating. The Asstt. Public Analyst is already having a G.P. of Rs. 4000/-. The next promotional post of Distt. Public Analyst who has a G.P. of Rs. 4200/- at present will get a G.P. of Rs. 4600/- by virtue of a general recommendation being made by the Commission.

#### **Meeting held on 18.11.2015**

##### **xx) Haryana Dental Mechanic Association**

Haryana Dental Mechanic Association has represented that they should be given the GP Rs. 2400/- instead of existing GP Rs. 1800/-. During discussion it transpired that their present GP is Rs. 1800/- and the department was already taking steps to revise it to GP Rs. 1900/- as is applicable to all such categories in Group 'C'. In fact the Dental Mechanic Association is seeking parity with the Operation Theatre Assistant in terms of pay scales and grade pay.

The Commission finds that in terms of qualification as well as the nature of duties performed the argument for parity has no force. It was further brought to the notice of the Commission that this matter was agitated by the employees and as per directions of the Supreme Court, the department was asked to pass a speaking order. This was done by the Secretary Health who rejected the demand for parity and the Writ against this order has also been dismissed. Under these circumstances, the Commission is in no position to give any relief.

#### **Meeting held on 01.12.2015**

##### **xxi) Sh. Madan Lal Bansal, Retired Dental Surgeon.**

Dr. Madan Lal Bansal has requested for grant of Pay scales and allowances at par with Medical Officers of Haryana State w.e.f. 01.01.2006. He has pointed out that there has been parity in pay scales between Medical Officers and Dental Surgeons for the last 20 years, which was disturbed by revising the pay scale/benefits of HCMS unilaterally by the Govt.

The Commission has already considered this matter on the basis of representation received from the Association of Dental Surgeons in the said department and suitable recommendation have been separately made in this regard.

##### **xxii) Sh. R.K. Aggarwal, Pharmacist, Ambala.**

Shri R.K. Aggarwal, Pharmacist, Ambala has requested for upgradation of pay scale of Pharmacist from GP of Rs. 3200/- to Rs. 4200/- on the pattern of Central Govt. A similar demand was earlier made by the Pharmacists of the department through their Association. It

has been brought to the notice of the Commission that the upgraded G.P. of Rs 4200/- was given by the Central Govt. after merging of scales. This was not done in the State of Haryana. In the case of Pharmacist, the original GP of Rs. 3200/- was subsequently revised to GP Rs. 3600/-. There is no ground for asking parity with the Central Govt. in view of the different pattern adopted by the State Govt. while revising the scales. Any improvement in the scale of the Pharmacist will have to be followed by suitable increase in the pay scale of promotional posts like Chief Pharmacist. There is no justification for these demands.

## **2.19 HIGHER EDUCATION DEPARTMENT**

### **Meeting held on 20.07.2015**

#### **i) Lascars, 15, Haryana Battalion, NCC, Jind of Higher Education Department.**

The Lascars of the above Department have represented that while they are classified as Group 'C' employees by the Staff Selection Commission, the G.P. has been fixed at Rs.1400/- as in the case of Group 'D'. They have represented that their G.P. be fixed at Rs.1900/-.

The Commission finds that even though Lascars have been classified as Group 'C' the qualification prescribed for the post is middle pass. This is the reason their G.P. and scales of pay has been fixed at par with group 'D'. The department is advised to adopt the following course of action.

- (1) Service rules be amended to make matriculation as the qualifications for this post. After amendment in the rules, the G.P. may be revised to Rs.1900/-.
- (2) As regards existing Lascars who are not matriculates, their G.P. may be revised as a personal measure after amendment in Service Rules.

### **Meeting held on 18.11.2015**

#### **ii) Haryana Govt. College Typewriting Instructors Association.**

The Haryana Govt. College Typewriting Instructors Association has represented for grant of PB 2 with GP Rs. 4800/- w.e.f. 1.1.2006 against the existing GP Rs. 3200/-, on the ground that they have additional qualification due to inception of Computer subject instead of existing Typewriting subject in Commerce faculty.

After a detailed and careful discussion, it transpired that this is a diminishing cadre since computers have replaced typewriters in Govt. since long. These instructors have never been considered as part of the regular teaching cadre in the State Govt. Their initial GP was fixed at Rs. 2400/-. It was subsequently improved to Rs. 3200/-. In fact the Association is asking for parity in scales & allowances with Lecturers in PB 2 with GP Rs. 4800/- which has, no justification. The norms of performances which are applicable to the Lecturers do not apply to this category of Typewriting Instructors. They cannot be treated at par with lecturers for parity of pay scales and there is not merit in this representation.

**iii) Sh. Om Parkash, Retired Clerk**

Sh. Om Parkash, Clerk has requested for grant of 3<sup>rd</sup> ACP by not treating the promotion on the post of Clerk in the same scale. It was explained to Sh. Om Parkash that his pay fixation has been done correctly and there is no grievance to be rectified.

**iv) Haryana Rajkiya Mahavidhyalya Paryogshala Karamchari Association.**

In their representation dated 02-03-2015, they have mentioned that the pre-revised pay scales applicable w.e.f. 01-01-1986 were as under:-

Sr. No.	Name of Post	Pay Scale
1.	Lab Attendant (C)	950-1500
2.	Junior Lecturer Assistant (JLA)	1200-2040
3.	Senior Lecture Assistant (SLA)	1400-2600

They had demanded pay scale of 1400-2600 for JLA and the department had also recommended for the same vide its letter No. 3/3-90 C (II) dated 04-11-1991. However, this was not decided by the Government. Likewise, during revision of pay scale w.e.f. 01-01-1996 and 01-01-2006 their pay scale has been revised as under:-

Name of Post	Pay Scale w.e.f. 01-01-1986	Pay Scale w.e.f. 01-01-1996	Pay Scale w.e.f. 01-01-2006
Lab Attendant (C)	950-1500	3050-4590	PB-1, 5200-20200 GP 1900
Junior Lecturer Assistant (JLA)	1200-2040	4000-6000	PB-1, 5200-20200 GP 2400
Senior Lecture Assistant (SLA)	1400-2600	5000-7850	PB-2, 9300-34800 GP 3200

They have also mentioned that Government has abolished the post of SLA and now the JLA is performing the duties of SLA therefore, their claim for the pay scale of 1400-2600 / 5000-7850/ 9300-34800 GP-3200/- may be considered.

The Director, Higher Education (HOD) vide his letter No. 21/74-2015ME(II), dated 10.06.2015 has sent his comments stating that the issue of revision/upgradation of pay scale relates to Government, therefore, Government may decide the matter at its own level. However, comments of Administrative Department are still awaited in the matter.

The Commission considered their demand in light of their qualification, job profile, hierarchical structure and pay scale revised from time to time.

<b>Name of Post</b>	<b>Qualification</b>	<b>Pay Scale w.e.f. 01-01-1986</b>	<b>w.e.f. 01-01-1996</b>	<b>w.e.f. 01-01-2006</b>
Lab Attendant (C)	a) Matric with Science for direct b) Matric and 5 years experience as Peon, Chowkidar and other Group D post (50:50)	950-1500	3050-4590	PB-1, 5200-20200, GP 1900/-
Junior Lecture Assistant (JLA)	Matric with 5 years experience in college for direct and same for promotion (50:50)	1200-2040	4000-6000	PB-1, 5200-20200, GP 2400/-
Senior Lecture Assistant (SLA)	Matric with 2 years experience as JLA for direct and same for promotion (50:50)	1400-2600	5000-7850	PB-2, 9300-34800 GP 3200/-

The Commission observed that the qualification for entry post i.e. Laboratory Attendant is Matric for which applicable pay scale of 950-1500/ 3000-4590/ PB-1, 5200-20200, GP-1900 is fair enough. The revision has also been made correctly as per State notification from time to time. Hence, there is no anomaly in their pay scale or in revision. This is not a case of pay anomaly. Rather, it is a demand for betterment of pay scale for which no justified reasons have been given and which in any case is not within the purview of this Commission.

## **2.20 HOME DEPARTMENT**

### **Meeting held on 03.08.2015**

#### **i) Representation of HPS officers for parity of pay scales as well as ACP with HCS officers:-**

The HPS officers of Haryana have requested for complete parity both in terms of pay scale as well as ACP with cadre of HCS on the following grounds:

- i) The process of selection of both officers is the same namely both go through the competitive examination conducted by the HPSC. The candidates of HPS are equally intelligent like HCS. In some cases, they preferred to join the Police Services as compared to HCS.
- ii) From the very beginning, there was pay parity between two officers at the time of revision of pay scales considered by the various Pay Commissions.
- iii) In the advertisement issued by the HPSC in 2009 for Combined Competitive Main Examination for Haryana Civil Services (Executive Br.) and other Allied Services, the Pay Scale of HCS and HPS has been shown to be the same.
- iv) The action of the State Govt. for granting the 2<sup>nd</sup> ACP after 11 years and 3<sup>rd</sup> ACP after 17 years to the HPS officers whereas in the case of HCS officers these two ACPs are granted after 10 years and 15 years, is highly discriminatory.
- v) In the neighboring states of Punjab, UP, HP as well as UT, Chandigarh, after the 6<sup>th</sup> Pay Commission report, the pay scales of Police and Civil Services officers are identical. There is no difference at any stage.
- vi) The Committee constituted by the State Govt. for implementation of the 6<sup>th</sup> Pay Commission report gave a step-motherly treatment to HPS officers by fixing the entry level pay scale in pay band 2 whereas in case of HCS they were placed in pay band 3. This raised a large discrimination in implementing the recommendations of the 6<sup>th</sup> Pay Commission.
- vii) The HPS at the entry level is a Group 'A' post whereas the scale given in pay band 2 is alongwith non-gazetted employees like Inspectors and Sub Inspectors. The State Govt. vide notifications issued in 1973 and 1970 has already declared HPS and HCS services as Class-I officers.



- viii) This anomaly between the two officers was discussed in the meeting of Haryana Police Board held in June, 2013 under the Chairmanship of the then Hon'ble Chief Minister, where it was agreed that the State Govt. may be requested to remove the disparity. However, no further action has been taken on the recommendation.

The Commission has carefully considered the points raised in the representation. The contention that pay scales of the two services were always identical does not seem to be correct. The functional pay scales were identical but time scales were not. The contention that Haryana Police service at entry level is a class 'A' post is also not correct. In fact, the service rules provide that after 2 years of service the officer will be classified as Group 'A'. The presumption therefore is that at entry level it is group 'B' and hence pay has been fixed in pay band II correctly. On the contrary in the HCS, they are always appointed against posts which are classified as Group 'A' as per the relevant service rules applicable to the department. Hence, at entry they have been given pay band III. A HCS officer works in variety of situations, circumstances departments organizations at relatively important levels of hierarchy. As SDO/D.C. they are the face of the Civil Administration and the general public look upto them seeking inter departmental redressal & public grievances at the sub divisional/District level. Hence there cannot be any perceived or institutionalised parity between any other State Civil Service and HCS. It is upto the Police Department to amend their service rules and declare the entry level post in the service as group 'A' in which case their pay will be fixed in pay band III.

As regards the notification of 1970 and 1973 which have allegedly declared HPS at entry level as a class-I service, in the meeting held with the Commission even the Administrative Secretary was not aware of this fact. These notifications have not been referred to earlier in any discussions at Govt. level or before the Pay Anomaly Committee. It is upto the Administrative Department to take whatever action it wants to if these notifications are still in force.

The question of parity between HCS and any other Civil service in the State is a policy decision at the State level as the State Govt. is the competent Authority to grant this parity keeping in view, the responsibilities discharged qualification, relative importance of the service etc. and it is not for this commission to bring about this parity. The commission is therefore, unable to accept this request of the department for according complete parity with HCS, in the matter of pay scales and ACP.

**ii) Constables/ Head Constable/ASI and Sub Inspectors**

- i) No formal representation has been received from this category because of the reason that no association exists in the Police Services.
- ii) However, the DGP, Haryana as well as Home Deptt. have made a request for giving the pay scales at par with those existing in the neighboring states. Subsequently, HP as well as UT, Chandigarh have also revised pay scales at par with Punjab.
- iii) It has been argued that in the interest of keeping parity in the region, Haryana needs to give the same pay scales that are existing in the neighboring states. It has, however, been admitted that some allowances given by the Haryana Govt. are much higher than those given by the other states. But in the over all pay package, there is a huge disparity between Haryana and the other states which needs to be rectified.

During the discussions, it came to the notice that in the case of freshly recruited constables in Punjab, no DA is given in the first two years and no increment is also allowed, whereas, in the case of Haryana, apart from the pay, DA and increments are also allowed to the newly recruited staff. It has further been pointed out that during the period of two years after entry into service, this amount works out nearly Rs.5.00 lac or more in the case of a constable apart from the cumulative benefit of grant of increments through out his service. The Commission has considered these issues while carrying out a comparison between the pay scales of Haryana and Punjab.

**iii) Attorneys of Prosecution Department**

The officers of the Prosecution Deptt. have requested for considering their three demands namely:-

- 1. Up-gradation of entry level pay scale/functional pay scale
  - 2. Grant of cadre specific ACP.
  - 3. Grant of NPA
- i) The officers have pointed out that they are professionally qualified and need to be treated at par with other professional cadres like Engineers, Doctors, Vety. Surgeons etc . in the matter of granting of pay scales. ADA is Group-B post and officers of this category like HCMS, AE/ SDE/ have been granted higher pay scale of PB-2 with Grade Pay 5400/-. It has also been mentioned that in the case of posts like AO, RAO, TO, Nursing Supdt.etc. in other departments

who were earlier in the same pay scale as ADA have now been given higher pay scales. In the case of DDA, a claim has been made to give him pay band -3 with GP 6000/- at par with School Principal, SAO, DD Employment, sports and LAD, Reader (Shree Krishna Ayurvedic College, KKR). Similarly, in the case of DA parity has been demanded with the pay scales of CAO, JCFA, Jt. Director LAD, Animal Husbandry etc.

- ii) It has been mentioned that the pay scales of ADA/DDA/DA were not revised suitably, whereas the posts having equal pay scales prior to 2006 were revised after 1.1.2006.
- iii) Attention has been drawn to some reported judgments of Supreme Court and it is pointed out that the Public Prosecutors are the officers of the court and should be equated with the Judge. Reference has also been made to the 24<sup>th</sup> report presented in Rajya Sabha, where Parliamentary Standing Committee in 2008 is alleged to have pointed out that the defence counsel are paid exorbitant fees by the accused who are wealthy and mighty and Government counsel should also be paid the best incentive so that they are motivated to put the best efforts and maintain high professional standards. The request has therefore been made that ADA should be given a GP of 4800/-, DDA GP-5400/- and DA GP 7400/- as is available in the case of Punjab Govt.

#### **Cadre Specific ACP**

Laying stress on the argument that DAs are professional with Law Degree a demand has been made that they should be given Cadre Specific ACP as given to various professional cadres in Haryana as well as to the HCS officers. Attention has also been drawn to the fact that both ADA/DDA are class-II posts and very few ADAs get the chance to reach the level of DA because the ADA gets promotion to the post of DDA normally after 22 years and DDA is also a Class II post. DDA is promoted to the post of DA after 10 years. In the interest of motivation of this professional class, Cadre Specific ACP Scheme of HCS should be made applicable in that case also.

#### **Non- Practicing allowance:-**

The officers of this department have requested for grant of NPA on the analogy of Health Deptt. and Vety. Deptt. It has also been pointed out that NPA is granted to the Doctors in lieu of ban of private practice, availability of less promotional avenues and late entry in the service. The officers of the Prosecution Deptt. pointed out that all the

three above conditions applied in their case also. There are thus grounds for granting them NPA.

The Home Secretary as the Administrative Secretary to the Prosecution Deptt. separately supported the claim of the officers of the Deptt. both with regard to Pay Grade(Pay scales as well as grant of ACP ) and grant of NPA/

The Commission has considered the representation carefully. As regards grant of Non practicing allowance, it is understood that this allowance has not been granted in any State, Centre or Union Territory. Even otherwise granting of allowance is a decision to be taken by the State Govt. and such a demand cannot be made under the ground of anomaly. As regards, the demand for cadre specific ACP, the Commission has separately observed that the State Govt. needs to fix some criteria for this purpose based on sound principles of administration. Every service has been demanding cadre specific ACP, and it is very difficult to examine this demand in the absence of prescribed criteria for this purpose. The Commission has already suggested on the need of the State Govt. to look into this matter and come up with norms for allowing cadrewise ACP in a particular service under these circumstances, the Commission is unable to accept the demand for cadre wise ACP made by the officers of the Prosecution department.

As regards the demand for upgradation of entry level pay scale, functional pay scale, the commission does not find any merit in this demand. The ADA has been given a G.P. of Rs.4600/- at entry level keeping in view his technical qualification of degree in law. Otherwise in the normal course his G.P. would have been Rs. 4200/-. The pay scale of higher levels of DDA & DA have also been correctly fixed. The question of stagnation is an issue which has to be addressed by the department and the Commission cannot come up with any readymade solution to improve the chances of promotion. It in any case cannot be termed as an anomaly. As regards various categories referred whose pay scales were improved, this was done as per the recommendation of the 6<sup>th</sup> Pay Commission, for specific reasons like being part of an organized cadre, the reason to promote certain activities and services etc. and cannot be a ground for asking for improvement on the same lines.

**iv) Ministerial Cadre and personal staff of Advocate General, Haryana**

The staff of the office of Advocate General, Haryana have claimed parity of pay scales with those existing in the office of Punjab as well as Punjab and Haryana High Court on the following grounds:-

- i) Since the reorganization of State of Punjab the office of AG, Haryana became a part and parcel of Hon'ble Punjab and

Haryana High Court. At the time of reorganization of Jt. Punjab While the staff was bifurcated in the ratio of 40:60, but after reorganization, the pay scales of Haryana, were much less than that of Punjab.

- ii) The officers and staff of AG, Haryana have to work on Saturday(holiday in the State of Haryana) because of the working of the Punjab and Haryana High Court.
- iii) The only argument advanced by the department for higher scale is to have parity with Punjab and Haryana High Court.

After a consideration of the matter, the Commission finds no substance in the demand. The ministerial staff of the office of A.G. Haryana do not contribute in legal matters and look after only the establishment of A.G.'s office. The departments prepare the briefs and replies which are vetted by the Law Officers of the A.G. 's office. Thus there is no merit in the demand of the staff of Advocate General office to give them scales at par with those obtained in the High Court.

**v) Scientific Staff of FSL, Madhuban**

Dr. Surjit Kumar and Shri Sandeep Kumar, both senior Scientific Assistants have represented that on promotion to their present posts from that of Scientific Assistant, their emoluments have become less as compared to a directly recruited Senior Scientific Assistant. Similarly, Shri Virender Kumar, Smt. Saroj Bala and Smt. Achala Sharma, Scientific Assistants have represented that on promotion to their present posts from that of Lab Assistants, their emoluments have become less compared to a directly recruited Scientific Assistant.

The Commission after a careful consideration of the matter finds that such a problem of disparity between the emoluments of directly recruited employee and a promotee had arisen in a few other departments as well. The Commission has separately recommended a course of action to deal with such cases of disparity and the same will apply to this case also. The Commission recommends accordingly.

**vi) Haryana State Legal Services Authority**

The Law officer posted in the Haryana State Legal Service Authority has asked for pay parity with the ADA of the Prosecution Deptt. Reference has been made also to the revision of pay scales of the post of Law Officer (FD) vide order dated 18.12.2014 w.e.f. 1.1.2006. The Commission has also been asked to clarify whether the above order dated 18.12.2014 is applicable to the officers working in the Authority.

During the discussion Home Secretary, who is the Administrative Secretary of the Department pointed out that the State Legal Service Authority is a Society and does not come under the category

of a Govt. Department. Under these circumstances the Pay Anomaly Commission is not concerned with the case of the State Legal Authority who should seek necessary clarification with regard to the applicability of order dated 18.12,2014 from the State Govt./FD and not from the Commission.

**Meeting held on 28.09.2015**

**vii) Superintendent, Dy. Superintendent, Prisons and Warder Staff**

The employees of prisons Deptt. have sought parity with their counter parts in the Police Deptt. as well as Punjab Govt. The parity according to the representation starts from the level of Warder in the Prisons Deptt. comparable with constable of the Police Deptt. and extends upto the Superintendent, Jails/ Supdt. of the Distt. Police. It has been contended that before 1.1.2006 there was parity at various levels with Police Deptt., but subsequent to 1.1.2006 especially in case of Police Deptt. further revisions were made and this upset the parity with the Prisons Deptt. Comparisons have also been made with other States namely Punjab, U.P. and Maharashtra to bring home the point of lack of parity.

The Home Secretary-cum- Administrative Secretary strongly supported the argument for parity with their counter parts in the Police Department, as they have to perform very sensitive duties.

However, with regard to Superintendent, Jails at the Distt. Level, in the Police Deptt. IPS officers are appointed as incharge of the districts. The question of parity has, therefore, no relevance since IPS officers have their own grades. With regard to higher post of IG and DG, Prisons, these are mostly IPS officers and again the question of parity has no relevance.

The Commission has carefully considered the matter. The question of parity if it existed was purely incidental. Even after revision parity exists upto three lower levels but even in case of warder the grade pay is Rs.1900 as against the grade pay of Rs.2000/- for the Police Constable. There is truth in the representation that the parity was mainly disturbed because of improvement in scales effected in the case of Police Department. This was done on the specific recommendation of the sixth Pay commission, which made no such recommendation in the case of the Prisons Department. The clubbing of scales is a phenomenon which has happened in many departments and was existing even prior to revision. Some categories may get some relief on the basis of some general recommendation made by the Commission to cover such cases of hardship. Even otherwise the question of parity with the Police Department is a decision for the Government to take consciously and the Commission can not decide this matter of policy.

**viii) Company Commander, Home Guard.**

Company Commanders have represented that they have always enjoyed parity with the Inspectors of Police Deptt. which continued till 1.1.2006. However, subsequent to the revision w.e.f. 1.1.2006, an anomaly has been created with the Inspector of Police getting 4600 GP whereas Company Commanders have been given 4000 GP. The net result is that Company Commander has been given emoluments three steps down to that of Police Inspectors. The request is therefore for restoring the parity which existed earlier.

The Commissions finds that the parity if any which existed was incidental. The pay scales of Police personnel including Inspectors were improved on the specific recommendation of the sixth Pay commission. If this has resulted in disturbance of the parity which existed, there is nothing the Commission can do about it. There were no specific recommendation for improvement of scales in the case of Home Guards from the Central Pay Commission. However the Company Commander category may get some relief on the basis of a general recommendation made by the Commission to cover such cases of hardship.

**Meeting held on 27.11.2015**

**ix) Sh. Om Parkash, Supdt. (Retd), FSL Unit**

Sh. Om Parkash, FSL, Madhuban has represented for Grant of GP of Rs. 4800/- and after four years Rs 5400/- on the pattern of Superintendent, Haryana Civil Sectt. He has argued that the jobs performed are identical and there is no reason to deny the same scale at par with the Supdt. in the Secretariat.

After consideration of the demand, the Commission found that similar requests have come from the category of all Superintendents in different Departments/Directorates who have asked for parity with the Superintendent of Secretariat. There is no reason to treat this case differently. The Commission has separately recommended some relief to the employees of the different departments and the same relief shall apply in this case as well.

**Meeting held on 03.12.2015**

**x) Ahlmad-cum-Clerks, O/o Distt. & Session Judge, Sonapat.**

The representationists have requested for parity in the pay scales between Graduates and non-Graduates Ahlmad.-cum-Clerks. They perform the same kind of duties and therefore should be given the same pay scales. It has also been pointed out that both kind of Clerks-cum-Ahlmad in Punjab and Haryana High Court have been given identical pay scales. Thus, there is no reason to differentiate in pay scale in the case of subordinate Courts.

After careful consideration, the Commission has found that both the High Court as well as Supreme Court, have settled the issue of different pay scales for graduate and non-graduate Ahlmad-cum-Clerks which has been held to be legal. The Commission, therefore, finds that it is not possible to re-open an issue, which has been judicially settled by the Courts. However, the issue raised with regard to the position obtained in the Punjab and Haryana High Court is to be examined by the State Govt. in the Home Deptt. and due recommendations have to be sent to the Commission which have not been received so far. It was decided therefore to refer the case to the Home Deptt. for seeking their comments which are still awaited. However, the Commission feels that the issue of Ahlmads of Punjab and Haryana High Court is not before it for decision. Any alleged disparity in treatment between Ahlmads of subordinate Courts and the High Court is for the affected party to settle by approaching the High Court/Supreme Court or the Govt. initiating action in the matter.



## **2.21 HORTICULTURE DEPARTMENT**

**Meeting held on 13.07.2015**

### **i) Haryana Horticulture Development Officers Association**

#### **HDO/ APO/TA/DHO/SMS/Trainer and Equivalent posts**

HDOs have pointed out that after the pay revision on 22.5.14, the post of HDO and TA have been merged into one cadre and thus the feeder post and the promotional post have the same pay scale. It takes a substantial period of almost 25 years for HDO to get promoted to the post of APO/TA. There is, therefore, a lot of stagnation in the department and a suggestion has been made that the posts namely HDO/ APO/ TA/ DHO etc. may be merged in one Grade Pay and recruitment may be made only to the feeder post of HDO and time scale may be granted on the analogy of the department of Animal Husbandry. An additional point has been raised that the benefit of ACP has been denied in those cases where the pay structure of the cadre was modified/revised before ACP became due.

After detailed discussion, it was found that the suggestion given by the association for merging all categories in one cadre was not acceptable and the department did not favour this proposal. Hence, the Commission was not in the favour of this suggestion. As regards the points raised regarding the ACP, The Commission has made some suggestions to give relief in all such cases of different departments. The demand for parity with Animal Husbandry Deptt. has no merit since the Horticulture Deptt. is an off shoot of the Agriculture Deptt. with a common AD. The parity of DHO is with the SDAO of the Agriculture Deptt. and not with Deputy Director, Agriculture, which is a group 'A' post. The relief sought in the representation will, however, be available by virtue a general recommendation being made by the Commission for various categories.

### **ii) Budget Officer**

The Budget Officer of Horticulture Deptt. has represented that the post of BO which is a promotional post from that of Supdt. and after revision both have the same pay scales and Grade Pay of Rs. 4200/-. Thus, the promotion has become meaningless. He has requested that he should be treated at par with the Supdts. of Haryana Civil Secretariat and may be promoted as Under Secy. after 5 years of experience as is done in the Secretariat. A request has therefore been made that his pay scale should be as that of Under Secy. with GP Rs. 6000/-

After consideration, it was felt that treating the Supdts in the directorate at par with the Secretariat will not be proper. Such representations have been received from several other directorates also and on this issue, separate recommendation has been made by the

Commission. As regard the hardship caused to the incumbent officer with the promotional cadre and feeder cadre having become identical, the commission has separately suggested GP of Rs. 4800/- to cover this as well as similar case in PWD(B&R), L.R.office,PH Engineering etc.

**Meeting held on 28.09.2015**

**iii) Sh. Satbir Singh, Establishment Officer**

The Establishment Officer of the Horticulture Deptt. has claimed that the post of Supdt. as well as the promotional post of E.O. have got identical scales after revision. However, on promotion he was allowed one increment vide pay fixation order dated 23.11.2009. He was also allowed the 3<sup>rd</sup> ACP from 1.3.2008. He has claimed that since he was drawing more GP as such he was not given benefit of any promotion. He has also made a representation that since no promotional post is available since 1998 he is working in the same pay scale and has stagnated for the last 17 years. Comparison has also been made that DD and Jt. Dir. of the Deptt. who were in Class III when he was promoted as Supdt are enjoying better pay scales whereas he has been stagnating in GP 4200/-. A request has been made that he should be promoted to the post of Deputy Secy. and given better pay scales.

The question of stagnation raised by the officer is a matter for the Administrative Deptt. to consider and find a way out. He may be given some relief from the stagnation. On the analogy of the relief suggested in the case of Budget Officer of this department the grade pay of E.O. can be raised to Rs.4800/-.

## **2.22 HOSPITALITY DEPARTMENT**

**Meeting held on 20.07.2015**

**i) Haryana Rajya Satkar Sangathan Department Karamchari Association**

The Employees of Hospitality Department involved in various technical nature of jobs have demanded higher pay scale for one reason or other. The Commission considered the hierarchal structure of various disciplines of technical nature of work and the pay scale of these posts applicable in the department are as under:-

Waiter (D) -IS 4440-7440, GP-1650	Store Helper (D) -IS 4440-7440, GP-1300	Halwai Helper (D) -IS 4440-7440, GP-1300	Cook Helper (D) -IS 4440-7440, GP-1300  Tandooria (D) -IS 4440-7440, GP-1650
Pantryman (D) -IS 4440-7440, GP-1650	Assistant Store Keeper (D) -IS 4440-7440, GP-1650	Halwai (C) PB-1, 5200-20200, GP-1800	Indian Cook/ Chinese Cook (C) PB-1, 5200-20200, GP-1800
Butler (C) PB-1, 5200- 20200, GP- 1800	Addl. Store Keeper (C) PB-1, 5200- 20200, GP-1800		English Cook (C) PB-1, 5200-20200, GP-1900
Steward (C) PB-1, 5200- 20200, GP- 1900			

Considering their group of service, job profile, demand and recommendation of Administrative Department thereon, the commission makes following recommendations.

- A. i. As regard Cook Helper, it is a group D post. Apart from cooking line department has more helpers in other disciplines viz. store helper, general helper, Halwai Helper and Pantry Helper. All these posts are in same scale. It is an entry level post of Group D and unskilled one. The pay scale of this post in all the department of the State is same. Moreover, there is no comparison between the job profile of Cook Helper and Tandooria. Tandooria is a semi-skilled post who takes several decision with application of mind at his own level viz. preparation of Tandoor, Atta making, Roti Making, Naan making etc. whereas the Cook Helper simply helps his superiors and does not take any decision/action at his own level, hence, there is no comparison between Cook Helper and Tandooria. Since, it has a horizontal and vertical impact therefore, there is no justification in the demand for upgradation in pay scale of Cook Helper.

- ii. Waiter and Pantryman are Group D post. Rs. 1650/- is highest-grade pay for Group D post. Therefore, there is no scope for any further increase in the grade pay of Pantryman in spite of the fact that it is a promotional post for waiter.
  - iii. Butler is a Group C and promotional post of Pantryman. It is a 3<sup>rd</sup> level post in the hierarchy. In other disciplines, Peon Group D post in grade pay of Rs. 1300 is promoted as Clerk in GP of Rs. 1900. Therefore, there is a justification in upgradation of grade pay of Butler from Rs. 1800 to Rs.1900/-.
  - iv. Steward:- it is a Group C and promotional post of Butler. As per exiting practice, its grade pay should be one-step higher to that of Butler. Therefore, there is justification for upgradation of grade pay of Steward from 1900 to 2000.
- B. The job profile of Store cadre is of non-technical nature. Store Helper is promoted as Assistant Store Keeper, Assistant Store Keeper is promoted as Addl. Store keeper and Addl. Store Keeper is promoted as Clerk in general line. Therefore, there will be an horizontal /vertical impact, if the pay scale of this cadre is improved /changed.
- C. i. As stated above A(i) above, there is no justification in upgradation of pay scale of Cook Helper. Likewise, the grade pay of Tandooria which is a Group D post is already adequate and there is no scope for any further improvement therein.
- ii. Indian Cook/Chinese Cook are Group C posts and their present grade pay is equal to that of Butler, therefore, there is justification of upgradation of grade pay of these posts from Rs.1800/- to Rs.1900/- on the pattern of Butler as stated above.
- iii. English Cook is a Group C post and its existing grade pay is equal to that of Steward. Therefore, there is justification for upgradation of its grade pay from 1900 to 2000 on the pattern of Steward as mentioned above.
- D Grade pay of Halwai Helper is already at par with his counterpart in other streams of the department. However, its next promotional post is Halwai which is in Group C. Its existing grade pay is Rs. 1800, which is at par with Butler /Indian Cook/Chinese Cook. Therefore, there is justification for upgradation of its grade pay from 1800 to 1900 on the pattern of Butler /Indian Cook/Chinese Cook as mentioned above.

## **ii) Supervisor, Deputy Superintendent and Asstt. Director.**

The department has explained that the responsibilities of Asstt. Director Hospitality are very high and he is responsible for arranging hospitality at important state functions where dignitaries like Governor, Chief Minister are present. There are no specified working hours for him and he has to tour frequently and ensure that proper arrangements are made. A demand has been made that against the

existing G.P. of Rs.4200/- he should be given a G.P. of Rs.4600/- Deputy Superintendent and Supervisor are the feeder cadre for the post of Asstt. Director and have G.P. of Rs.4000/- and Rs.3600/- respectively. The demand is to raise them to Rs. 4200/- and Rs.4000/- respectively.

The Commission after a careful consideration recommends upgradation of G.P. of Supervisor from 3600/- to Rs.4000/-. As regards G.P. of Deputy Superintendents , it is already Rs.4000/- and at par with many departments having a similar post. Hence no improvement is possible. As regards Asstt. Director who has by virtue of a general recommendation being made by the Commission for such category, will get a grade pay Rs.4600/-

## **2.23 INDUSTRIAL TRAINING DEPARTMENT**

**Meeting held on 05.08.2015**

### **i) Finance and Planning Officer**

Finance and Planning Officer of the Industrial Training Department has requested for parity with pay scale of ROs in the ESA organization and FD on the following grounds:

1. This post of group B has much better qualification of MBA as compared to the qualification existing in ESA organization as well as FD.
2. This officer has a huge workload dealing with preparation of plan and non-plan schemes in the ITI department.
3. Attention has been drawn to various other responsibilities of this officer, which are normal with such posts in other departments also.

After consideration in the matter, it was felt that giving parity with the officers of ESA and FD may bring similar demands from such officers posted in some other departments of the State Government. The only consideration on which, some benefit could be given is on the basis of higher qualification of MBA prescribed for this post which is not generally the case in any other department. However, this post was created after 1.1.2006 sometime in 2008, and the department/government created the post with a definite scale of pay and qualification. The officer joined the post fully knowing these details. Thus, there is no question of anomaly because of revision w.e.f. 1.1.2006 since on this date the post did not exist. Actually, the representation is for a better scale of pay, which is for the Govt. to decide.

However, the Commission has made a separate recommendation that the posts carrying pre-revised pay scale of 6500-10500, revised PB-2, 9300-34800, GP-4200/- as on 01.01.2006 and whose pay scale/ grade pay has not been further upgraded, their grade pay may be upgraded from Rs. 4200 to 4600. Although, the post of Finance and Planning Officer in the Department of Industrial Training came into existence on 04.02.2008 i.e. after 01.01.2006 but it was created in the pre-revised pay scale of 6500-10500 as the revised pay scale were issued vide notification dated 30.12.2008. Since, all similar posts in the pre-revised pay scale of 6500-10500, revised PB-2, 9300-34800, GP-4200/- are being recommended to be upgraded to grade pay 4600/-. Therefore, the grade pay of this post may also be upgraded to Rs. 4600 /-

**ii) Employees Welfare Association of ITI Department for modification of ACP scale for Assistant and Technical Assistant.**

The Association has pointed out that as per rules of ACP notified by the Government in 2008 ACP is not admissible in the pay and grade pay revised prior to the due date of ACP. It has been pointed out that this condition is causing much hardship to the employees.

After discussion it was felt that similar demands from many other departments have been received and some relief needs to be given. The Commission has dealt with the matter separately and given its recommendations covering all such cases.

**iii) Additional Director Technical at Headquarters**

Additional Director Technical has asked for grade pay 8700/- instead of 8000/- on the following grounds:-

- i) The Government of Punjab has also placed the AD(T) in the grade pay of 8700/-
- ii) The Additional Director in the departments of RE, T&A, Prosecution department, Technical Education Department are having Pay Band 4 with the grade pay of 8700/-. AD(T) ITI should therefore be given same treatment.
- iii) The entry qualification of Asstt. Director (Tech.) in the department has Graduate Engineer with minimum 5 years experience and therefore, this post should be considered at par with the Executive Engineer of the Technical Education Deptt. However, after regular satisfactory service of 20 years in that department the officer has been placed in the pay band IV with GP 8700/- but the incumbent is still in PB 3 with GP 8000. On the other hand, Lecturers in TE Deptt. with only graduate in Engineering (without experience) whose GP has been revised to 5400/-.

It has, therefore, been claimed that better qualified/experienced officers in ITI Deptt. have been left far behind in terms of pay scales as compared to the officers of Tech Education Deptt. and this needs to be corrected.

The Commission has carefully considered this matter. The demand for parity with the Technical Education Department at various levels has no basis. There was no such parity even before revision. It is a fact that pay scales in the Technical Education department were revised on the basis of AICTE norms which is not the case with regard to Industrial Training department. There is also no comparison with

Engineers in terms of jobs performed and also with School Education Deptt. in terms of qualification and duties performed.

iv) **Industrial Training Technical Employees Welfare Association**  
**Group Instructors/ Tech. Asstts. / Lecturers/ DD (Tech)/**  
**Jt.Dir.(Tech.)/ Addl.Dir. (Tech.).**

The Association has pointed out that the technical staff of the deptt. of ITI have not been given their due as compared to the TE Deptt. at the time of revision of pay scales. Comparisons have been made at various levels with the Tech.Education Deptt. and Lecturers /Instructors of allied departments. Attention has also been drawn to the School Education Deptt. where teachers have been given better pay scales as per recommendations of the 6<sup>th</sup> Pay Commission. Following demands have, therefore, been made:-

- i) Grant of time-scale promotion.
- ii) Grant of Workshop Allowance.
- iii) Upgradation of the scales of Dy.Director(Tech.), Jt Dir. (Tech.), Controller of Examination etc. As regards Addl. Director, it should be at par with the department of Prosecution/ TE/RE.

After a careful consideration it was felt that the matter required detailed study in the context of the responsibilities discharged at various ranks and Qualification required for each post. It is a fact that the instructors were never considered at par with the teaching faculty of the School Education Deptt.. Their pre-revised scales were also different. Thus this is not a case of anomaly but it is for the State Govt. to take a decision on the importance which has to be given to this department and revise scales accordingly. It is not for this Commission to decide whether they should be treated at par with the School Education Deptt. As regard grant of time scale promotions and sanction of workshop allowance etc., these issues are beyond the purview of this Commission.



## **2.24 INDUSTRIES AND COMMERCE DEPARTMENT**

**Meeting held on 05.08.2015**

### **i) Jt. Director/Addl. Director**

Jt. Director/Addl. Director, Industries have requested for higher Grade Pay for the following reasons:-

- i) The State has made tremendous progress in the field of Industries because of the efforts of the Department.
- ii) Employment opportunities are being provided by industries set up in the State which is promoted by the department. The Deptt. also implements a large number of Central and State Acts which are regulatory in nature. The post of Jt. Director and Addl. Director are technical posts having technical qualification and the pay scales should be compared with the pay scales prevailing in the Engineering Departments. It has been pointed out that while in the department like Excise & Taxation and Engineering Deptt., the pay scales of corresponding posts were much less than the pay scales of Jt. Director, Addl. Director, Industries but after revision this anomaly has crept in. Thus the Jt. Director/Addl. Director in the Industries Deptt. have been given lower GP in PB 3 as compared to Jt. Director in various other departments. Similarly with regard to the post of Add. Director, parity needs to be maintained with the pay scales of Add. Director Prosecution, RE and TE Department. The job of the Industries & Commerce Department is not less important as compared to the departments mentioned earlier. It has, therefore, been requested that Jt. Director, Industries should be given GP 7600/- in PB-3 and Addl. Dir. 8700 in PB-4.

After a careful consideration of the matter, the Commission finds no merit in the argument for parity with Technical Education Deptt. The Industries Deptt. is basically a regulatory Deptt. and its activities cannot be compared with the Technical Education Deptt. The mere fact that Engineering qualifications have been prescribed cannot be a ground for parity in pay scales since the role and nature of duties performed in the two departments are different. The Commission, therefore, finds no merit in the demand of parity.

### **ii) Dy. Director/Asstt. Director in the QMC/ Boiler Organization.**

The officers working on the above posts have pointed out that the revised scales are not commensurate with the qualification and experience prescribed for their posts and a comparison has been made with Engineers of PW(B&R) , Irrigation and Public Health Departments

where fresh Engineering Graduates are appointed as SDE with GP 5400/-. The duties and responsibilities of Asstt. Director in the department of Industries who also has degree in Engineering with 2 years experience, as the qualification and hence should not have a pay scale lesser to SDE in the PWD. The duties performed by the officers in the Industries & Commerce Deptt. are also technical in nature and specialized and their chances of promotion are much less as compared to the Engineering Deptt. It has, therefore, been requested that Dy. Director should be equated with corresponding officers of Engineering Deptt.

After a careful consideration in the matter it was felt that the nature of duties performed by the Asstt. Director in the Industries Department is somewhat different from that of the officers in Engineering Deptt. It may not therefore be appropriate to equate both these categories for giving similar pay scales. In addition, the boiler Organisation is basically a regulatory body and its activities cannot be compared to that of the Engineering departments which perform developmental functions. In view of these factors, the Commission does not find any merit in the demand for parity in pay scales with the Engineering Deptts.

**iii) Technical Assistant**

The Technical Assistants working in the QMC have requested for their GP 4000/- in the PB 2 against sanctioned posts instead of GP 3600/- . Attention has been drawn to PWD(B&R), PH, T&CP etc. where JEs with same qualification and job description are getting better pay scales of 4000/- GP. A request has, therefore, been made for parity with JE of the Engineering Deptt.

After careful consideration, it was felt that duties of JE in the Engineering Deptt. are not the same as Tech. Asstt. in the Industries & Commerce Deptt. Therefore, it will not be feasible to consider parity with Engineering Deptt. for this category.

**Meeting held on 27.11.2015**

**Sh. Rajinder Singh Retd. E.O.(Industries), Gen. Secy. Haryana**

**iv) Inspector Industries Association.**

The Inspectors of the Industries Deptt. have requested for grant of pay scales at par with Block Level Extension Officers of the same department. Earlier while BLEO was a promotional post from that of Inspectors, now both the cadres have been merged and the post is designated as Extension Officer (Industries).

The Administrative Deptt. has clarified that earlier the Block Level Extension Officers were to work in the rural areas whereas the Inspectors of Industries were working in the towns/urban areas. In

the year 2006, subsequent to the merger of two posts the pay scales of all Extension Officers irrespective of the previous designations were made identical and the scope of duties was also identical eliminating the difference between the rural and urban areas. Thus their pay scales also became identical. The Administrative Department has made no specific recommendation and left the matter to the Commission.

After a careful consideration, the Commission has found no substance in the representation of the Inspectors. At present all of them are designated as Extension Officers(Industries) having the same scales of pay in the same pay band. At the time of the merger, the Inspectors benefitted and they are also getting the benefit of ACP. Under these circumstances, there is no grievance which needs to be examined and relief provided.

**v) Representation of Shri D.N. Malik, Asstt. Director(Retd.) regarding fixation of pay.**

Shri D.N.Malik, Asstt. Director (Retd.) has represented for correct fixation of his pay and grant of ACP from due date. The department has pointed out that it is not possible to fix the pay of Shri D.N.Malik (now Assistant Director Retd.) on the basis of higher standard pay scale w.e.f. 1.5.2005. Since, the said scale has been replaced by introducing ACP scale w.e.f. 1.1.1996.

The Commission was apprised that the issue raised by the Officer is regarding the pay scale concerning the 5<sup>th</sup> Central Pay Commission's recommendations and has arisen in the case of other departments as well. Thus the issue is not only peculiar to him and pay fixation has been done in accordance with the Govt. Instructions. The Commission finds that no further relief can be given to him since it is not an anomaly which has arisen because of the implementation of the 6<sup>th</sup> CPC recommendation.

## **2.25 INFORMATION, PUBLIC RELATION AND CULTURAL AFFAIR DEPARTMENT**

**Meeting held on 05.08.2015**

### **i) OSD(CA)**

Department of Information and Public Relation has initiated the proposal for revision of pay scale of the above post to PB2 with GP 4800/- on the following grounds:-

- i) The incumbent has qualification of Master Degree in Theatre Arts.
- ii) Has 10 years experience in the field of Art & Culture after obtaining the academic qualification.

It was felt that this is a stand alone post in the department and keeping in view the qualification prescribed, the proposal can be considered favorably since it is not likely to affect any other department. The Commission has made a detailed recommendation in this regard while dealing with the case of Mr. Shiv Kumar, Cultural Affair Officer of the same department.

### **ii) DIPRO/AIPRO**

The Officers of this department have requested for higher pay scale with GP 4600/- in the case of AIPRO and GP 5400/- in case of DIPRO on the following grounds:-

- i) The department has a very important role in projecting the image of the Govt. and also giving adequate publicity to the various development schemes of the Govt. It is a skilled and professional job and officers like ETO, DFSC etc who were at par with these officers have now have been given higher pay scales after revision. Similarly, the pay scales of AIPROs receded in every subsequent revision rather than be at par with the other officers like AEO, ATO, BDPO etc.
- ii) The essential qualification for direct recruitment of DIPRO is much higher since this post is of class II and with qualification of PG Diploma in Mass Communication and Journalism with 2 years experience. It has, therefore, become a highly professional post and needs to be given consideration specifically in the matter of pay scales. The request has, therefore, been made that the officers of this department should be treated at par with the Engineers, Doctors etc.

The Commission has carefully considered this matter. In 2009, the scale of AIPRO which is a Group 'C' post was revised from Grade Pay Rs. 3600/- to GP 4000/- and in the case of DIPRO (Group 'B' post was

revised from Rs 4200/- to 4800/-. This was done on the recommendation of the Pay Anomaly Committee keeping in view the various factors narrated in the representation. The demand is for further pay revision and no question of anomaly has been made out. The argument for parity with Engineers is misplaced and cannot be accepted.

**iii) Senior Evaluator and Research Assistants**

It has been pointed out that after revision, 4 cadres of JE, SA, RA and SE (All group- 'C' of different nomenclature doing the same kind of jobs) have the same GP of 3600/- in PB2. After 3 levels of promotion there is no benefit with GP remaining at 3600/-. A request has been made that 3 promotional levels of SA, RA, SE they may be given a revised GP i.e. 4000/-, 4200/- 4600/-.

The Commission finds that there are too many posts with different nomenclatures doing more or less similar jobs. The department needs to examine the issue of restructuring the posts to make promotions meaningful. It is not possible to accept the request of revision of scales at all levels as demanded by the department. In fact, the posts of JE and SA have identical pay scales and RA&SE are promotional posts. The post of JE and SA have identical pay scale with the post of SA in ESA organization. The promotional posts of RA and SE are also Group 'C' posts and the demand of the department to give them the pay scales of ARO in the ESA Organization cannot be accepted since the level of ARO and the quality of work in ESA organization cannot be compared with these posts. However, the Commission recommends a G.P. of Rs. 4000/- for these two posts on the analogy of the posts with this G.P. in the departments of Welfare of SCs & BCs and School Education.

**iv) Sh. Rajiv Bhatia, Senior Art Assistant and Sh. Jagdeep Singh, Exhibition Officer.**

In the above case no representation has been received in the Commission from the officers concerned. However, the department has forwarded a pending representation to the Commission for necessary action.

The request is for upgradation of their GP from Rs. 4000/- to Rs 4200/- as they belong to Group 'B'. In terms of Finance Deptt. instructions dated 27.8.2009, the G.P. of ADIPROs who are in Group 'C' has already been revised from Rs.3600 to Rs. 4000/- But no revision has been done in the case of the above officers who are in Group 'B'.

The Commission finds that in terms of general recommendation made by the Commission to cover such cases of hardship the requested relief can be granted in this case. The Commission makes a recommendation accordingly.

**Meeting held on 27.11.2015****v) Sh. Shiv Kumar, Cultural Affairs Officer**

Sh. Shiv Kumar, Cultural Affairs Officer of the department has requested for a Grade Pay of Rs. 4800/-, so that his pay scale is at par with that of DIPRO of the Public Relations Deptt. It was explained to the Commission that keeping in view the exceptional contribution of the officer as Asstt. Cultural Affairs Officer, the Govt. has already decided to upgrade his post to that of Cultural Affairs Officer as a personal measure to him. His request is now for giving him the pay scale with GP 4800/-. The ACS of Deptt. of Cultural Affairs appearing before the Commission has clarified that there are already three persons working against the post of Cultural Officers who have been recruited with GP 4800/-. He further pointed out that the performance of this officer has been exceptional for the last few years and the other three Cultural Officers are enjoying better pay scales while they are working in the same category of post.

The Commission felt that keeping in view, the need to maintain uniformity, it is necessary to accept the request for granting him the GP of 4800/- at par with 3 other officers. The department, however, needs to sort out the different nomenclature between the posts of Cultural Officer and Cultural Affairs Officer. The Commission further noticed that there is a lady officer working as OSD Cultural Affairs who is stated to be on deputation at present and who is senior to Shri Shiv Kumar. She also needs to be given the same pay scale with GP 4800/- from the date it is given to Shri Shiv Kumar.

**Meeting held on 05.01.2016****vi) Sh. Majid Khan, Tabla Performer**

The Department of Information & Public Relations has referred the case of Sh. Majid Khan, Tabla Performer to consider the case of petitioner and redressal of his grievance in compliance of the decision dated 09.08.2010 of Hon'ble Punjab & Haryana High Court.

2. The Commission considered the claim of petitioner, submission of the official respondents (Department) and directions of Hon'ble Punjab & Haryana High Court dated 09.08.2010. The relevant extract thereof has been reproduced here as under:-

**i. Claim of petitioner and its grounds:-**

The petitioner was employed as Tabla Performer in the Department of Public Relations & Cultural Affairs, Haryana at monthly fixed wages in the year 1982. Later on a selection committee regularized appointment of the petitioner on 31.01.1996 and he was placed in the pay scale of Rs. 950-1400. Whereas, his counterpart respondent No. 3

(Sh. Chander Prakash) has been granted pay scale of 1400-2600 (revised 5000-7850) who was also discharging the same duties as were being done by the petitioner.

**ii. Submission of the official respondents (Department)**

It has been averred that before regular appointment of the petitioner, the respondent No. 3 was the only Tabla Performer in the department. His selection was through Subordinate Service Selection Board in the pay scale of 525-900. It is stated that in the State of Haryana at one time Cultural Affairs Department and Public Relation Department were two departments. The petitioner was recruited in the Cultural Affairs Department in the year 1985-86 at fixed monthly wages of Rs. 800, which was subsequently enhanced to Rs. 1800/- w.e.f. 17.08.1989. Whereas, respondent No. 3 (Sh. Chander Prakash) was appointed against a sanctioned post in Public Relations Department in a regular pay scale of 160-400 (revised 525-900) further revised to 1400-2600 and 5000-7850. It is stated that since the pay scales to which initially the petitioner and respondent No. 3 were appointed were different therefore, subsequently, due to revision of pay scales they have been getting different revised pay scales. The stance of the respondent department is that the Public Relations Department had sent a requisition to the Subordinate Service Selection Board on 10.12.1980 for the post of Tabla Performer for which required qualification was:-

- i) Should know Tabla, Dholak and preferably Maridangan and other percussion;
- ii) Should have sound knowledge of folk music;
- iii) Adequate knowledge of Hindi;
- iv) Working experience of three years with folk theater company is important.

It is further submitted that the duty of Tabla Performer in the Public Relations Department was higher in status, therefore he was drawing higher pay scale since the creation of the post. The mode of recruitment for this post is also different. The rural community theater unit in which the post of Tabla Performer held by respondent No. 3 is sanctioned, organizes theater workshops to educate the rural masses in the modern techniques of theater whereas, the duties of the post of Tabla Performer held by the petitioner are merely to play on tabla during the cultural

shows arranged by the Cultural Affairs Department, Haryana from time to time. It is further submitted that the qualifications, experience and duties of the post of Tabla Performer held by respondent No. 3 are higher than those of post of Tabla Performer sanctioned in the Cultural Affairs Department, Haryana held by the petitioner. In view of the nature of duties, qualifications, experience etc prescribed for both the posts no discrimination in the grant of pay scale has been done to the petitioner.

**iii. Findings of the Court and its directions dated 09.08.2010:-**

After the merger of the Cultural Affairs department with the department of Public Relations, it is an admitted fact both, the petitioner and respondent No. 3 have been performing the duty of a Tabla Performer. Thus, in the same department, if the persons holding the same posts are granted different pay scales, it is likely to cause heart burning and affect the efficiency of the employee. However, the Court referred the matter to the Pay Anomalies Committee to consider the case of petitioner for redressal of his grievances.

3. The petitioner as well as some other officers of the department appeared before the Commission on 05.01.2016. The officers of the department failed to clarify as to why the post of Tabla Performer was created in a lower pay scale of 950-1400 in 1996 for regularizing the services of petitioner while another post with same designation existed in the department in a higher pay scale of 1400-2600.

4. The officers of the department explained that apart from the petitioner, some other work charged/ causal/ daily rated employees were regularized in district cadre with designation of Master Player of respective Instrument in the pay scale of 950-1400. However, they failed to explain whether the error was in his designation or in his pay scale. Moreover, Sh. Majid Khan explained that he is working at Head-Quarter (not in district cadre) and he has been performing the same duties as were being performed by Sh. Chander Prakash incumbent on another post of Tabla Performer in the pay scale of 1400-2600. The petitioner and respondent No. 3 have been inter-changing their duties. The petitioner has also participated in theatre workshops and Rural Community Theatre Unit and is equally conversant in Dholak and Maridangan.

5. The officer of the department present in the meeting dated 05.01.2016 failed to clarify whether the petitioner and Respondent



No. 3 (Sh. Chander Prakash) belong to one and same department or they belong to different departments with different sets of service rules/ job profile. Apart from this, there was utter confusion on many other issues also. Therefore, the Commission sought clear comments of the department vide D.O. letter dated 07.01.2016 on the following issues:-

- a) Why the post of Tabla Performer on which the petitioner was regularized was created in a lower pay scale of 950-1400, while another post in the department with same designation was existing in the higher pay scale of 1400-2600. What were the reasons for distinction in the pay scale of the two posts with same designation?
  - b) Whether the designation given to the petitioner viz Tabla performer was correct while other Instrument Players regularized alongwith petitioner in 1996 were given designation of Master Player in district cadre of the department.
  - c) Whether the post of Tabla Performer on which the petitioner and Respondent No. 3 (Sh. Chander Prakash) were working belong to same department or they belong to different departments with different sets of service rules/ job profile.
  - d) The decision of Hon'ble Punjab & Haryana High Court dated 09.08.2010 is more than 5 years old, why the department could not decide this issue as yet and why this issue was not taken up before the then Pay Anomaly Committee constituted by the Government?
  - e) In case, the Commission considers to recommend the pay scale of 1400-2600 for petitioner w.e.f. 31.01.1996 (the date from which the petitioner was regularized as Table Performer) at par with his counterpart in the department then what may be its repercussions, horizontally/ vertically.
6. It was stipulated that the comments on above issues must reach the Commission within 15 days positively falling, which the Commission would make its recommendations on the basis of available facts and the department would be responsible for the aberration if any arising out of it.
7. However, the department has not yet sent its comment on the above said issues. As per the facts of this case available with Commission, it is observed that:-
- i) The department has failed to establish that the post of Tabla Performer held by respondent No. 3 was of higher status in

terms of qualification, duties, responsibilities, and experience than those held by the petitioner. The department also failed to establish that these posts belong to different departments and are governed by different service rules and job profile.

- ii) No justified reason was explained/ available on record as to why the post of Tabla Performer on which the petitioner was regularized was created in a lower pay scale of 950-1400 while another post in the department with same designation was existing in a higher pay scale of 1400-2600.
- iii) No justified reason was explained/ available on record as to why the department could not take the decision on the court order dated 09.08.2010, which is more than 5 years old, and why the issue was not taken up before the then Pay Anomaly Committee constituted by the Government as yet.
- iv) The Commission does not see any horizontal/ vertical repercussions on allowing pay parity to the petitioner at par with counterpart respondent No. 3.

In view of above, the Commission recommends to grant pay scale to the petitioner, which has been granted to the respondent No. 3.

## **2.26 LABOUR DEPARTMENT**

**Meeting held on 07.08.2015**

### **i) Labour Inspector**

The department has requested parity with the Labour Enforcement Officer of Central Government on the basis of qualification and nature of duties performed. It has been claimed that the job of the Labour Inspector in the State is much more arduous since it involves implementation of a large number of Central Laws as well as State Laws numbering more than twenty. The proposal to re-designate the post of Labour Inspector as Labour Enforcement Officer on the pattern of Central Government is being taken up with the State Govt. It has also been claimed that Apart from implementing Labour Laws, The Labour Inspector is also responsible to follow up criminal cases lodged in the court. The department is not interested for parity with other departments i.e. Inspector Excise and Taxation Department. Etc.

### **ii) Assistant Labour Commissioner/ Deputy Labour Commissioner /Jt.Labour Commissioner/Additional Labour Commissioner.**

In this case parity has been requested with similar posts in the Central Government on the following grounds:-

- (i) The qualifications for direct recruitment for the post of Labour Officer/Asstt. Labour Commissioner in the State Govt. are much higher as compared to those prescribed by the Central Government. In Haryana possessing the law degree is a pre-requisite for entry into service. The Department has therefore requested for placing them at Par with the Prosecution Department. The same argument will apply to the post of Labour Welfare Officer/Dy Labour Commissioner etc.
- (ii) The post of Joint Labour Commissioner has been equated to the similar post of Regional Labour Commissioner/ DLCL(Centre). The Higher departmental post of ADDL. Labour Commissioner has been equated to a corresponding post in the central Government.
- (iii) While considering the demand for equating various posts in the Labour department in Haryana to comparable posts in the Central Government, the Commission will have to keep in mind the pay scales of officers discharging equally important responsibilities on the factory side ( Industrial safety), so that there is no disparity created within the department of Labour itself.

Viewed in this context the post of Labour Inspector (which is proposed to be redesignated as Labour Enforcement Officer) which has a Grade pay of Rs.3600/- at present will be upgraded to Rs.4000/-G.P. Consequent to a general recommendation being made by the Commission separately. Similarly, the grade pay of Assistant. Labour Commissioner, /Stational Officer/Welfare Officer/Labour Welfare Officer can be upgraded to G.P. of Rs.4600/- in place of existing Rs.4200/-. This will bring it at par with the post of Asstt. Director Industrial Safety in the same department. In the case of DLC the grade pay can be improved to Rs.6000/- Grade pay in place of existing Rs.5400/- to bring it at par with the corresponding post on the Industrial Safety side and in case of Jt. Labour Commissioner the G.P. of Rs.6000/- can be increased to Rs.6600/-. In the case of Additional Labour Commissioner it can be improved to Rs.8000/- from the existing G.P. of Rs.7600/- This will bring it at par with Addl. Director in the Industries and Employment departments. The grade pay of Rs.8700/- being demanded in the representation is not feasible since in the Central Govt. such a grade pay exists when the post is occupied by an IAS Officer. The above recommendations satisfying the demand for improvement to a certain extent will also bring complete parity in pay scales of the two wings of the Labour department. The Commission, therefore, recommends accordingly.

#### **Meeting held on 18.09.2015**

##### **iii) Officers on the Industrial Safety side**

The Officers of the technical wing in the Labour Deptt. have requested for parity of scales with those on the pattern of Punjab for the post of Asstt. Director, IS&H. Asstt. Director, IS&H Chemical, Dy. Director, Jt. Director as well as Addl. Director. Comparisons have also been made with the State of Tamil- Nadu in this regard. Reference has also been made to the Town & Country Planning Deptt. in terms of qualification as well as of the Engineering Departments.

While examining this case the following facts have been kept in mind:-

- a) Comparison with Town & Country Planning Deptt. and Engineering Departments cannot be done only on the basis of qualification. Method of recruitment as well as nature of duties performed will also have to be taken into account.
- b) The demand will also have to be examined, keeping in view the existing demands of some departments for keeping parity with neighbouring States, as well demand for parity with Scales existing in Govt. of India.

After a careful consideration of the representation, the Commission does not find any merit in the argument for parity with the

State of Punjab, Tamilnadu etc. In the case of Asstt. Director, (IS&H) after the normal GP of Rs. 4200/-. They have already been given a GP of Rs. 4600/- Keeping in view their technical qualification, the scales of pay given are in conformity with the need to maintain parity with comparable posts on the general side of the same Labour Deptt.

## **2.27 LAW AND LEGISLATIVE DEPARTMENT**

**Meeting held on 07.08.2015**

### **i) Translator**

It has been stated that since the pay revision in 1979, pay grades of translator remained higher than that of Assistant/ Senior Scale Stenographer upto 31.12.1995. After 01.01.1996, it came at par with that of Assistant/ Senior Scale Stenographer. The grievance has arisen at the time of the 5<sup>th</sup> Central Pay Commission. The demand for higher GP of Rs. 4200/- w.e.f. 01.01.2006 is on the pattern of Govt. of India. It has been claimed that qualification of the post of Translator is much higher than that of Assistant / Senior Scale Stenographer.

It was noticed that the pay scale of Assistant and other Ministerial Staff was increased in 2014 on the basis of decision taken by the GOI. It may not be feasible to apply the same principle in this case which may give rise to many such representations for giving same pay scale from various other departments. There is no merit in this demand.

### **ii) Under Secretary (G)**

The incumbent has requested for parity with the similar post existing in Punjab in the Law and Legislative Department. It was noticed that Under Secretary (G) in Law and Legislative Department does not perform any duty involving Legal advice or matters of law but deals with the duties only like routine establishment matters. His present scale is similar to that of the under secretary posted in the Civil Sectt. There is no case of anomaly and the commission does not find any merit in the representation.

### **iii) ALR/ DLO/ Codification and Publication Officers (English and Hindi) /ALO (Hindi)**

It has been claimed that when Haryana came into existence, the cadre of DA/ADA of the Prosecution Department and Cadre of Officers of Law Department was one. Later on, the Law Department was separated from Prosecution Department. The Officer of Law Department was designated like Sudpt. (Legal)/Asstt. LR and Codification and Publication Officer (English) and DLR-cum-Dy. Secretary with such posts existing both on the English and Hindi side. It has been pointed out that the post of Codification and Publication Officer in both wings are having similar scale of Sudpt.(Legal)/ALO. It has been requested that the post of Sudpt.(Legal) is Class-II and ALO, C&PO and ALR/DLO is Class-I post being Law graduate should atleast be treated a step higher than the post of Supdt. The claim has also been made that the posts in the department having professional degree of law should be treated as par with other professionals viz Doctors and Engineers. It has further been pointed out that rank of legal cadre was allowed the higher pay scale of RS. 7450/- in

comparison with the counter parts i.e. Sudpt(G) who were in the pay scale of Rs.6500/- but in the year 2010, the pay scale of Supdt. (G) was hiked which has created the disparity.

The Commission has considered this matter. There is no justification in the demand of Supdt. (L) to GP of Rs 4800/- as is given to the Supdt. in the Secretariat. However, the Codification and Publication Officer has a valid grievance that his grade after revision has become identical to that of feeder post of Superintendent(L). It would be reasonable to give GP of Rs 4800/- to the Codification and Publication Officer as against the GP of Rs 4600/- enjoyed by Supdt.(L).

As regards ALR /DLO, the demand is for keeping parity with Under Secretary, since it is a promotional post of ALR/ IDLO. The next higher post in the departmental level is that of DLR which has already having a Grade Pay of Rs 7600/- at par with the Deputy Secretary. Under these circumstances, it would be appropriate to raise the GP of ALR/DLO to that of Under Secretary namely Rs. 6000/-

## **2.28 MEDICAL EDUCATION AND RESEARCH DEPARTMENT**

**Meeting held on 18.11.2015**

**Representation of faculty of SHKM Govt. Medical College Nalhar, Mewat to grant pay scale at par with Punjab Govt. (Associate Professors and Professors) (and Faculty of BPS Govt. Medical College for Women, Khanpur Kalan, Sonapat).**

The faculty of these Medical Colleges have represented to give parity with their counterparts in Punjab Govt. The Assistant Professor may be given the pay scale in PB-IV with GP 8600/- as against the existing PB-3. Demands have also been made for a suitable increase to the next higher level for Associate Professors as well as Professors. During discussions, it was observed that the desired scale of Asstt. Professor does not exist anywhere in the country including the PGIMS, Rohtak and AIIMS, New Delhi. As regards the post of Professor, the representationists themselves admitted that at PGIMS, Rohtak, the GP of Professor is Rs. 9500/- and Sr. Professor is Rs 10000/-. It is therefore clear that the existing pay scales of this Institution are even better than those obtained in PGIMS, Rohtak. The demand for parity with counterparts in Punjab as well as in Central Govt. is not relevant and the Commission finds no merit in the representation.



## **2.29 MINES AND GEOLOGY DEPARTMENT**

**Meeting held on 10.12.2015**

### **Employees Association, Mines and Geology Department**

The Employees Association, Mines & Geology Deptt. has represented for parity of pay scales of Ministerial staff working in the Directorate with that of Haryana Civil Sectt. The main ground for such a demand is that the job profile is the same and the method of appointment of employees is the same and educational qualifications are also identical.

After giving hearing to the Association, the Commission felt that this was a common demand from the staff of various Directorates in the State and a composite view will have to be taken which will be applicable to all. This matter has been separately considered by the Commission and suitable recommendations have been made.

### **2.30. PWD THREE WINGS (PWD (B&R), IRRIGATION AND PHED)**

**Meeting held on 24.08.2015**

#### **2.30 (i) PW (B&R) DEPARTMENT**

- i) Representation for removing the pay anomaly in the pay scale of directly recruited Assistant Engineers of PWD at par with members of HCMS (Doctors) for granting 3<sup>rd</sup> financial upgradation pay scale w.e.f. 01.01.2006 instead of 01.09.2009 vide Finance Department No. 1/79/2009-3PR (FD) dated 19.08.2009- Hon'ble High Court interim order dated 09.04.2015 in LPA No. 1718 of 2013.**

**<<<<0>>>>**

Sh. Subhash Chander Singla, S.E. (Retd.), the appellant in LPA No. 1718 of 2013 in CWP No. 16737 of 2013 in his representation dated 13.04.2015 made before this Commission has stated as under:-

*"In pursuance to the order dated 09.04.2015 of Hon'ble Punjab & Haryana High Court in LPA No. 1718 of 2013 "Subhash Chander Singla and other V/s State of Haryana and others". I, hereby submit representation for redressal of anomaly in pay scales as allowed to us by the Pay Revision Committee of Haryana State. My grounds to grant 3<sup>rd</sup> financial upgradation in pay scale w.e.f. 01.01.2006, without any rider of percentage for kind consideration of the Pay Anomalies Commission are as under:-*

- i. I was appointed as Assistant Engineer directly w.e.f. 31.08.1970 in PWD, B&R Br. I retired on 30.09.2007 after attaining the age of superannuation.*
- ii. The very object of the ACP rules 2008 notified on 30.12.2008 as effective from 01.01.2006 vide Rule 1(3) of Rule 2008 was to ensure that every Government servant gets at-least three financial up-gradations in the matter of pay scale.*
- iii. That Engineers of all the three PWD Departments, who retired between 01.01.2006 & 31.08.2009 and are at present a diminishing category of pensioners, have been the worst sufferers since they had been deprived of the benefit of 3<sup>rd</sup> ACP scale, which had been given to those who were in service on 01.09.09.*
- iv. That for grant of ACP scales w.e.f. 01.01.06, the employees have been divided into two categories-cadre specific ACP category prescribing time scale and other category of the scheme was to remove stagnation in service as general ACP scheme. The PWD Engineers, HCS (Ex. Br.), HPS, E&T Service,*

*HCMS have been covered under the first category of cadre specific ACP scheme prescribing time scales.*

- v. *That under cadre- specific ACP scheme, some cadres like HCS(Ex. Br), HPS and E&T Service were given 3 ACP scales while PWD engineers and HCMS Doctors were given only 2 ACPs w.e.f. 01.01.2006 at Sr. No. 4 & 8 Schedule-I, Part-I of ACP Rules, 2008.*
- vi. *That grant of 3 ACPs to some categories of officers & only 2 ACPs to the HCMS doctors, Engineers falling into the same cadre specific category was a clear case of glaring anomaly which deserve to be rectified.*
- vii. *That immediately after the notification of those rules on 30.12.2008, all these cadres did make their representations to the Government who referred the matter to the Pay Anomaly Committee headed by the Chief Secretary to Government Haryana considered the matter on merit. It also made a strong recommendation vide letters dated 16.02.2009 and 10.03.2009 for granting pay scales to Engineer and Doctors at par. At the time of implementation of above recommendations of PAC, Government removed the anomaly by granting 3<sup>rd</sup> ACP scale to HCMS Doctors w.e.f. 01.01.2006 vide Notification dated 20.02.2009 whereas to the dismay of Engineers, the Government made discrimination again by not implementing the recommendation of PAC for granting 3<sup>rd</sup> ACP scale w.e.f. 01.01.2006 in case of Engineers. The Government vide notification dated 19.08.2009 made discrimination by granting 3<sup>rd</sup> ACP scale to Engineers w.e.f. 01.09.2009 instead of 01.01.2006 and allowed 3<sup>rd</sup> ACP scale only to 20% of the joint cadre posts of AE/XEN/SE.*
- viii. *That in view of the factual position set out in the foregoing paragraph, the Engineers were left with no other option but to knock the door of the Hon'ble Punjab & Haryana High Court through CWP/ LPA. It was in this context that the Hon'ble Punjab & Haryana High Court passed an interim order dated 09.04.2015 passed in LPA No. 1718/2013 with the direction, to this august Pay Anomalies Commission to consider and settle the existing pay anomaly, in the matter of pay scale of Engineers vis-a vis HCMS Doctors.*

**Grounds of parity with HCMS Doctors w.e.f. 01.01.2006:-**

- i) *Thus Government was bound to mention 3<sup>rd</sup> financial upgradation scale of Engineers in the above notification, but the pay scale of HCMS Doctors and Engineering category were*

shown at Sr. No. 4 & 8 in HCS (ACP) Rules, 2008 vide notification dated 30.12.2008. Wherein, only 2 financial upgradations were shown for both categories instead of three financial upgradation committed in the ACP Rules, 2008 dated 30.12.2008. Hence, this created anomaly in the pay scale of both the categories.

- ii) That Haryana Government has also broadly adopted pattern of Central Government and granted three ACP scale after 5, 10, 15 years of service to HCS (Ex. Br.), HPS etc. As a revised rule, all HCMS Doctors and Engineers should have been treated alike, as they were on 31.12.2005.
- iii) The Government rightly referred the matter to the PAC headed by the Chief Secretary to Government Haryana. The PAC considered the demands of the Engineers & Doctors and heard them in person as well. After careful consideration, the Pay Anomalies Commission recommended the pay scales for Engineers. In the recommendation made by PAC, the scale of PB-4, 37400-67000 was allowed to SDE/ AE after 17 years service to 20% of the cadre post and the same scale was allowed to all EE who had completed 17 years of service as SDE/ AE and SE were allowed initial scale of PB-4, 37400-67000, GP-8700/-. Had this recommendation of PAC been implemented in toto without any departure, there would have been no resentment amongst the Engineers..
- iv) The pay scales of Engineers remained at par with HCMS Doctors since last three decades as shown in the table below:-

Sr. No.	Date	Pay scale of HCMS Doctors	Pay scale of Engineers
Haryana Government notification dated 1/4/1970 and No. GSR 80/Const./ Art 309/ Amd. (1) 80, dated 21.07.1980.			
1.	01.04.1970 01.04.1979 01.02.1981	400-1100 400-1100, 900-1700 940-2000	400-1100 400-1100, 900-1700 940-2000
Haryana Government notification No. 6/38/3PR (FD)-87, dated 02.06.1989 and 6/38/3PR (FD)-87, dated 16.05.1990			
2.	01.01.1986	2000-3500	2000-3500
3.	01.05.1989	Initial scale 2200-4000	Initial scale 2200-4000
		After 5 years 3000-4500	After 5 years 3000-4500
		After 12 years (20%) of cadre post 4100-5300	After 12 years (20%) of cadre post 4100-5300

<i>Haryana Government notification No. GSR/ 4/ Const./ Art.309/98, dated 07.01.1998</i>			
4.	01.01.1996	8000-13500	8000-13500s
		10000-13900 (after 5 years of regular satisfactory service in cadre)	10000-13900 (after 5 years of regular satisfactory service in cadre)
		12000-16500 (after 11 years of regular satisfactory service limited to 20% of the cadre)	12000-16500 (after 11 years of regular satisfactory service limited to 20% of the cadre)
<i>Haryana Government notification No. GSR/Const./ Art.309/98, dated 30.12.2008</i>			
5.	01.01.2006 as per notification dated 30.12.2008	9300-34800 + GP-5400 entry level pay band	9300-34800 + GP-5400 entry level pay band
		15600-39100 + GP 6000 (after 5 years of regular satisfactory service in cadre)	15600-39100 + GP 6000 (after 5 years of regular satisfactory service in cadre)
		15600-39100 + GP 7600 (after 11 years of regular satisfactory service limited to 20% of the cadre)	15600-39100 + GP 7600 (after 11 years of regular satisfactory service limited to 20% of the post of MO in the cadre)

*The anomaly came into existence only w.e.f. 01.01.2006 and continued persistently.*

- v) *It is also appropriate to add here that Government of Haryana stood committed for exact parity in the pay scales of Engineers and members of HCMS in the Hon'ble Supreme Court, in the case of Ishwar Singh V/s State of Haryana. It is self evident from the relevant extract of the judgment of the Hon'ble Supreme Court of India. The extract is reproduced here under:-*

*"This is an appeal by the State of Haryana against the judgement of the Hon'ble Punjab & Haryana High Court dated 23.09.1999 in CWP No. 18043/90. The parity in pay was granted to the Doctors/ respondents category alongwith Ex. Br. by an order dated 02.06.1989 and when Selection Grade posts were also sanctioned at par with the Ex. Br. The order unfortunately did not mention that the Selection Grade posts*

were restricted to 20 % of the post. This mistake was, however, rectified by an Order dated 16.05.1990 of the Government with retrospective effect 01.05.1989. The High Court has now held that Selection Grade is to be granted without restriction to 20% of the posts in the particular cadre."

- vi) It is well settled by the H/ Supreme Court of India that "If there is a consciously taken decision to equate two posts for the purpose of granting pay scale, it is impermissible to discriminate between incumbents of these posts at a subsequent stage while placing them in the revised pay scales, so long as the decision to equate the two posts exists".

I, therefore, make a twofold prayer here under:-

**Prayer:-**

1. Grant the benefit of 3<sup>rd</sup> ACP scale (PB-4, 37400-6700, HP-8700/-) w.e.f. 01.01.2006 to PWD Engineers also, instead of w.e.f. 01.09.2009 as contained in Finance Department order dated 19.08.2009.
2. Remove w.e.f. 01.01.2006, the limitations of percentages in 2<sup>nd</sup> and 3<sup>rd</sup> ACP scale as envisaged in ACP Rules 2008 and make all of them eligible for 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> ACP scale on completion of stipulated length of regular satisfactory service at par with HCMS Doctors.

I seek personal hearing as well."

2. The Commission considered the order dated 09.04.2015 of Hon'ble Punjab & Haryana High Court in CM No. 897-LPA of 2015 in LPA No. 1718 of 2013 which reads as under:-

*"CM No.897-LPA of 2015 in LPA No.1718 of 2013  
CM is allowed as prayed.  
Replication is taken on record.*

**MAIN CASE**

*It is pointed out by learned State counsel that Pay Anomaly Committee has already invited objections/claims from the affected employees and the last date to submit their claims is 15.04.2015. Since the appellants are claiming parity with members of the HCMS, it appears that the Pay Anomaly Committee may consider whether directly recruited Assistant Engineers can be treated at par with members of HCMS for the purpose of grant of three financial upgradations. The appellants may submit such claim before the Pay Anomaly*

*Committee, who is directed to consider the aforesaid aspect uninfluenced of the observations or findings given by the learned Single Judge.*

*List on 03.08.2015.*

*A photocopy of this order be placed on the file of connected case.*

*(SURYA KANT)  
JUDGE*

*(P.B. BAJANTHRI)  
JUDGE  
APRIL 09, 2015"*

3. The Commission observed that the appellant seeks/ claims complete parity with HCMS Doctors w.e.f. 01.01.2006 on the following grounds and the findings/ observations of the commission thereon are as under:-

<b>Sr. No. / Para No.</b>	<b>Grounds of parity with HCMS Doctors w.e.f. 01.01.2006</b>	<b>Findings/ observations of the Commission</b>
i)	Thus Government was bound to mention 3 <sup>rd</sup> financial upgradation scale of Engineers in the above notification, but the pay scale of HCMS Doctors and Engineering category were shown at Sr. No. 4 & 8 in HCS (ACP) Rules, 2008 vide notification dated 30.12.2008. Wherein, only 2 financial upgradations were shown for both categories instead of three financial upgradation committed in the ACP Rules, 2008 dated 30.12.2008. Hence, this created anomaly in the pay scale of both the categories.	<p>The Commission observed that HCS (Ex.), HPS (DSP), ETO had four tier time scale/ ACP scale viz. functional pay scale + 3 ACPs in pre-revised pay scale.</p> <p>However, Medical Officers (HCMS), Dental Surgeons (HDS), Veterinary Surgeons (HVS), Engineers (AE, SDE in PWD three wings), Architects, Town Planners, SSO &amp; District Commandants in Home Guard Department and JEs in three wings of PWD had three tier time scale/ ACP scale viz functional pay scale + 2 ACPs in pre-revised pay scale.</p> <p>The Govt. in its notification dated 30.12.2008 had prescribed three ACPs for HCS (Ex.), HPS (DSP), ETO and two ACPs for HCMS, HDS, HVS, Engineers, Architects, Town Planners, SSO &amp; District Commandants and JEs as cadre specific ACP under Schedule I, Part-I of HCS (ACP) Rules, 2008. Besides, the Govt. introduced two ACPs for Ayush Doctors (AMO/ UMO/ HMO) in the HCS (ACP) Rules, 2008.</p> <p>Hence, the Commission finds no anomaly or dis-parity in revising the pay scales of the Engineering cadre in this regard.</p>

ii)	That Haryana Government has also broadly adopted the pattern of Central Government and granted three ACP scale after 5, 10, 15 years of service to HCS (Ex. Br.), HPS etc. As a revised rule, all HCMS Doctors and Engineers should have been treated alike, as they were on 31.12.2005.	<p>The Commission considered the recommendation of 6<sup>th</sup> CPC regarding ACP scheme as adopted by GOI vide its resolution dated 29.08.2008, the relevant extract thereof is reproduced as under:-</p> <p><b><u>ASSURED CAREER PROGRESSION SCHEME</u></b></p> <table><tr><th>Recommendations of the 6<sup>th</sup> CPC</th><th>Decision of the Government</th></tr><tr><td>The Commission has recommended that the existing scheme of Assured Career Progression may be continued with two financial upgradations being allowed as at present with the following modifications:-</td><td>Accepted with the modification that there will be three upgradations under the ACP Scheme after 10, 20 and 30 years of service.</td></tr><tr><td>i) The scheme will also be available to all posts belonging to Group A - whether isolated or not. Organised Group A services will, however, not be covered under the scheme.</td><td>Accepted</td></tr><tr><td>ii) Benefit of pay fixation available at the time of normal promotion shall be allowed at the time of financial upgradations under the scheme. Thus, an increase of 2.5% of pay and grade pay shall be available as financial upgradation under the scheme.</td><td>Accepted with the modification that the rate of increment will be 3%.</td></tr></table>	Recommendations of the 6 <sup>th</sup> CPC	Decision of the Government	The Commission has recommended that the existing scheme of Assured Career Progression may be continued with two financial upgradations being allowed as at present with the following modifications:-	Accepted with the modification that there will be three upgradations under the ACP Scheme after 10, 20 and 30 years of service.	i) The scheme will also be available to all posts belonging to Group A - whether isolated or not. Organised Group A services will, however, not be covered under the scheme.	Accepted	ii) Benefit of pay fixation available at the time of normal promotion shall be allowed at the time of financial upgradations under the scheme. Thus, an increase of 2.5% of pay and grade pay shall be available as financial upgradation under the scheme.	Accepted with the modification that the rate of increment will be 3%.
Recommendations of the 6 <sup>th</sup> CPC	Decision of the Government									
The Commission has recommended that the existing scheme of Assured Career Progression may be continued with two financial upgradations being allowed as at present with the following modifications:-	Accepted with the modification that there will be three upgradations under the ACP Scheme after 10, 20 and 30 years of service.									
i) The scheme will also be available to all posts belonging to Group A - whether isolated or not. Organised Group A services will, however, not be covered under the scheme.	Accepted									
ii) Benefit of pay fixation available at the time of normal promotion shall be allowed at the time of financial upgradations under the scheme. Thus, an increase of 2.5% of pay and grade pay shall be available as financial upgradation under the scheme.	Accepted with the modification that the rate of increment will be 3%.									



		<p>iii) The grade pay shall change at the time of financial upgradation under this scheme. The grade pay given at the time of financial upgradation under ACPS will be the immediate next higher grade pay in the hierarchy of revised pay bands and grade pay being recommended.</p> <p>Thus, grade pay at the time of financial upgradation under ACPS can, in certain cases where regular promotion is not between two successive grades, be different than what is available at the time of regular promotion. In such cases, the higher grade pay attached to the next promotion post in the hierarchy of the concerned cadre/organization will be given only at the time of regular promotion.</p>	Accepted
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		iv) Financial upgradation under the scheme will be available whenever a person has spent 12 years continuously in the same grade. However, not more than two financial upgradations shall be given in the entire career as was provided in the extant scheme.	Modified to the extent that the financial upgradation will be available whenever a person has spent 10 years continuously in the same grade. Further, three upgradations after 10, 20 and 30 years of service will be allowed.
		The scheme with aforesaid modifications shall be called modified ACPS and will ensure suitable progression uniformly to all the employees in Central Government. (Para No. 6.1.15)	
		<p>The State Govt. has adopted these provisions in General ACP scheme. The Cadre Specific ACP for Engineers and other cadres even with two ACPs is already much better in terms of time span as well as in terms of ACP grade pays. For Example, the functional Grade pay of Engineers (AE) is Rs. 5400/-. As per the above stipulations of Government of India, the AE would be entitled for 1<sup>st</sup> ACP grade pay of Rs. 6000/- after 10 years, 6400/- after 20 years and 6600/- after 30 years as per the hierarchy of grade pay available in Schedule I part-II of HCS (ACP) Rules, 2008. Whereas, under the existing provisions of Cadre specific ACP, the 1<sup>st</sup> ACP GP of Rs. 6000/- was available after 5 years and 2<sup>nd</sup> ACP GP of Rs. 7600/- was available after 11 years of service.</p>	
iii)	The Government rightly referred the matter to the PAC headed by the Chief Secretary to Government Haryana. The PAC considered the demands of the Engineers & Doctors and	The Commission considered the recommendations of Pay Anomaly Committee as forwarded by AO/ PAC vide Dy. No. 58/ PAC , dated 10.03.2009 to Finance Secretary and decision thereon by the Govt. vide order dated 19.08.2009 and	

	<p>heard them in person as well. After careful consideration, the Pay Anomalies Commission recommended the pay scales for Engineers. In the recommendation made by PAC, the scale of PB-4, 37400-67000 was allowed to SDE/ AE after 17 years service to 20% of the cadre post and the same scale was allowed to all EE who had completed 17 years of service as SDE/ AE and SE were allowed initial scale of PB-4, 37400-67000, GP-8700/-. Had this recommendation of PAC been implemented in toto without any departure, there would have been no resentment amongst the Engineers.</p>	<p>observed that:-</p> <ol style="list-style-type: none"> <li>1. The Pay Anomaly Committee had considered the entire pay structure/ ACP pay structure of Engineering Cadre to AE to EIC and had recommended for improvement in ACP pay structure as well as functional pay scale of Superintending Engineer. Therefore, it is wrong to say that the Pay Anomaly Committee had recommended to grant 3<sup>rd</sup> ACP to the Engineers as a matter of pay anomaly.</li> <li>2. The Committee had recommended 2<sup>nd</sup> ACP grade pay of Rs. 7600/- after 11 years of service limited to 25% of the cadre and 3<sup>rd</sup> ACP of GP 8700/- after 17 years of service limited to 15% of the cadre. However, in final order dated 19.08.2009, the Govt. has improved the 3<sup>rd</sup> ACP allowing it to 20% of the cadre. The Committee had not recommended to abolish the rider of percentage on the pattern of HCMS.</li> <li>3. The Finance Department while dealing/ implementing the recommendation of the Pay Anomaly Committee has categorically mentioned in Para No. 11 of NP-20 (file No. 1/79/2009-3PR(FD)) as under:- <ul style="list-style-type: none"> <li>“To make the scheme, following decisions were also made to make the decision operational:-</li> <li>i. <i>The recommended structure being an improvement (as against setting right anomaly), it should be implemented with prospective effect i.e. the date it is appropriately accepted by the Government.</i></li> <li>ii. <i>If as a consequence of its implementation substituting the existing structure, the implementation amounts to downgrading the scale of pay of any incumbent, it should not be done and such higher scale of pay may be permitted to be perpetuated in his case as a measure personal. However, subsequent grant of higher scale of pay in terms of the recommendation be made only after the ratios fall within the prescribed conditionalities</i></li> </ul> </li> </ol>
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		<p><i>permitting such a grant.</i></p> <p>iii. <i>These recommendations being improvements over and above the recommendations made by the 6<sup>th</sup> CPC for the structure of pay for Engineering Services and were accordingly made as further improvements for the said category."</i></p> <p>4. It is again stated on NP 42-43 of the said file that regarding date of effect of modified pay structure a delegation of Federation of Engineers was heard by the PAC in its meeting held of 06.04.2010 and it was made clear that it was a further upgradation and not a case of pay anomaly. Therefore, as a matter of policy all further upgradations have been given effect prospectively.</p> <p>5. The Commission also noticed that subsequent to revision of pay scale, Government has further improved the pay structure/ ACP pay structure of other cadres viz Dentists, Veterinary Surgeons, Architects, Town Planners, Ayush Doctors, JEs. All these cadre were given two ACPs w.e.f. 01.01.06 and subsequently the Govt has extended 3<sup>rd</sup> ACP also with prospective effect by different orders.</p> <p>Hence, there has been no parity with Engineers in the matter.</p>
iv)	The pay scales of Engineers remained at par with HCMS Doctors since last three decades i.e. w.e.f. 01.04.1970 to 01.01.2006. The anomaly came into existence only w.e.f. 01.01.2006 and continued persistently.	<p>This is a matter of fact that pay scale of Engineers and HCMS Doctors has remained identical for a long time. This parity could be regarded as incidental parity. Otherwise, the two cadres belong to different departments with different qualifications, hierarchical structure and job profile. The Pay Anomaly Committee while recommending higher pay structure and ACP pay structure for HCMS Doctors has categorically stated that:-</p> <p><i>"The Committee is conscious of the facts that the above special dispensation for HCMS Doctors will disturb the traditional parities with Engineers, Veterinary Doctors and may be some other service as well. However, the Committee is of the view that such parities shall not be held sacrosanct for all times and should evolve with</i></p>

		<p><i>changing requirements of society. Claims of other services shall not be entertained merely on the grounds of earlier parity with HCMS Doctors."</i></p> <p>The Commission also took a note of the pay structure/ ACP pay structure applicable for Doctors in Government of India, Ministry of Health and Family Welfare Department and for Engineers in CPWD and observed that there is no established parity in the pay structure/ APC pay structure of these cadres in Government of India also.</p>
v)	<p>It is also appropriate to add here that Government of Haryana stood committed for exact parity in the pay scales of Engineers and members of HCMS in the Hon'ble Supreme Court, in the case of Ishwar Singh V/s State of Haryana. It is self evident from the relevant extract of the judgment of the Hon'ble Supreme Court of India. The extract is reproduced here under:-</p> <p>"This is an appeal by the State of Haryana against the judgement of the Hon'ble Punjab &amp; Haryana High Court dated 23.09.1999 in CWP No. 18043/90. The parity in pay was granted to the Doctors/ respondents category alongwith Ex. Br. by an order dated 02.06.1989 and when Selection Grade posts were also sanctioned at par with the Ex. Br. The order unfortunately did not mentioned that the Selection Grade posts were restricted to 20 % of the post. This mistake was, however, rectified by an Order dated 16.05.1990 of the Government with retrospective effect 01.05.1989. The High Court has now held that Selection Grade is to be granted without restriction to 20% of the posts in the particular cadre</p>	<p>The Commission considered the State Government position in the case of Ishwar Singh V/s State of Haryana and noticed that there was an error of omission in the selection grade granted to the Engineers and Doctors and Hon'ble Supreme Court has allowed to rectify the same. There is no stance, which shows a conscious parity in the pay scale of two cadres. The Commission does not find any merit in this argument to allow parity to the Engineers with Doctors on this ground.</p>

vi)	It is well settled by the H/ Supreme Court of India that "If there is a consciously taken decision to equate two posts for the purpose of granting pay scale, it is impermissible to discriminate between incumbents of these posts at a subsequent stage while placing them in the revised pay scales, so long as the decision to equate the two posts exists	As stated above, the Commission does not see any conscious decision to have parity in the pay scale of two cadres. Moreover, the Commission noticed that the Federation of Engineers had approached the Punjab & Haryana High Court by way of CWP No.19254 of 2012 with a prayer for grant of same pay scale to the SDE/AE at par with HCS/Medical Officers. In that CWP, the Federation had claimed parity on the analogy of the decision of Hon'ble Supreme Court in case of Ishwar Singh v/s State of Haryana. On the instance of Hon'ble High Court order dated 26.9.2012, the State Govt. passed a well reasoned and speaking order dated 13.3.2013 denying the claim of petitioners. As per information given to the Commission, the petitioners have not challenged the above speaking orders, therefore, it is believed that they have accepted the decision of the Govt. Hence, their claim on the same argument can not hold good/ valid at this stage.
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## **ii) Representation of Establishment of SDE (Civil) regarding grant of 1<sup>st</sup> ACP**

A representation has been made by these SDEs in the department that they have not been granted the 1<sup>st</sup> ACP which is against the ACP rules notified by the Govt. for giving 1<sup>st</sup> ACP after 5 years of service. It has been pointed out that they have been denied this benefit on the ground that they are not Engineering graduates and are therefore not fit to be promoted as XEN.

It appears that the officers have not understood the ACP Rules notification which has to be read alongwith the service rules applicable to them. As per departmental rules, SDE can be promoted as XEN only if he has the degree of Engineering. Similarly, ACP is granted after 5 years as an incentive in the absence of a post for promotion. It is clear that for getting ACP, SDE should have Engineering Qualification which is not possessed by the above said officers. The officers seems to have misinterpreted the notification with regard to ACP which is in addition to the existing service rules. There is no merit in this representation.

### **iii) Diploma Engineers Association**

The diploma Engineers have raised following demands in their representation:-

- i) Their quota for promotion to the post of SDE is 30% which is much less since it takes 20-25 years for a person to get promoted. Some people have retired as JEs. Thus quota for promotion in the case of Diploma Engineers needs to be enhanced.
- ii) JE is a very important post at ground level who is the Pivot for all the field activities of the department. The pay scale of JE at entry level should be GP 5200/- instead of GP 4000/-. In the alternative , they should be placed on the PB-3 just below the promotional cadre of SDE.
- iii) They should also be granted regular ACPs after 5, 11, 17 years of service.
- iv) After 10 years of service, Diploma Holder Engineers should be treated as equivalent to the Degree Holders and allowed to be promoted as Executive Engineers and given all the ACP benefits as Degree Holder, SDEs.

It was found that for promotion to the post of XEN in Service Rules of the PWD Department has graduate Engineering as an essential qualification and therefore it may not be possible to consider non engineering SDEs. for promotion or for ACP. As regards increasing the promotion quota from the present 30%, this is purely an administrative matter to be decided by the State Govt. on basis of career prospects obtained in the department.

There is no logic in the demand that the Diploma Engineers (JEs) should be placed in PB-III, just below the promotional cadre of SDE since there are so many instances including this department itself where Feeder Cadre is more than one step below the promotional cadre. As regards the demand for parity in ACP with that of Graduate Engineers it is not possible to accept this demand since they already have a separate cadre specific ACP. The demand for treating Diploma holders at par with Degree Holders after ten years can not be accepted since it will run counter to the specific provision in the departmental Service Rules which provide Degree as an essential pre requisite for promotion.

In a nutshell, the Commission finds no merit in the demand of the Diploma Engineers.

**iv) Representation of the Federation of Engineers for removing the pay anomalies in the pay scales of Engineers w.e.f. 1.1.2006**

The following points have been urged:-

- i) The State Govt. has already accepted parity between Engineers, Doctors, DSP and HCS. The Govt. has also accepted this parity before the Supreme Court in the case of Ishwar Singh Vs State of Haryana.
- ii) The parity was disturbed while revising the pay scales since the SDE/AE have been given grade pay by placing them in the scale of PB-2 at entry level instead of PB-3.
- iii) The 2<sup>nd</sup> and 3<sup>rd</sup> ACP was allowed after 11 and 17 years with the limitation of percentage whereas the Doctors have been allowed the ACP after 10 and 15 years without any limitation of percentage.
- iv) SDE/AE should be declared as class-I in PB-3 as has been done in the case of HCMS and HCS. The pay scales of XEN and that of SDE after 11 years are the same and the minimum service for promotion to Executive Engineer is 8 years. However, there should be a separate GP for XEN in PB-3 6600/-. Similarly for SE, Grade Pay should be 10000/- in PB-4.
- v) Comparison has also been drawn with the Engineers in Punjab with regard to the Pay Scales. Request has been made that complete parity should be maintained with the HCS .w.e.f. 1.1.2006.

The matter has been examined at length in the context of factual position obtained over the years, It is in correct to say that there has been any accepted parity between the Engineers and HCS. There might have been parity in pay scales between these categories which was purely incidental and not on the basis of any well thought out scheme. It is also in correct to state that the State Govt. had accepted the parity between the Engineers and HCS in the case of Ishwar Singh V/s State of Haryana in the Supreme Court. The actual fact was that while notifying the percentage of posts eligible for selection grade, It was left out by an oversight in the notification for Engineers whereas it existed in the case of HCS. The State Govt. corrected the error by a revised notification . This was challenged in the High Court by the Engineers which struck down the Govt. notification prescribing the percentage. The State Govt. filed an SLP in the apex Court which upheld the Govt.'s action in prescribing a percentage of posts eligible for selection grade. The Govt. took the stand in the apex Court that such a percentage existed in the case of HCS and by an oversight got left out in the notification issued in the case of



Engineers. The Govt. never accepted that there was a parity in the pay scales of Engineers with HCS. In fact by a specific speaking order passed by the Finance Secretary the supremacy of HCS in the matter of pay scales as compared to other services in the State has been clearly brought out. As regards, doing away with the percentage in the case of HCMS for selection grade and revising these scales in 2014, this was a separate decision taken by the State Govt. on the recommendation of the Pay Anomaly Committee giving a special dispensation to doctors for reasons recorded in writing. The State Govt. was competent to take such a decision. While deciding the case of HCMS, the Pay Anomaly Committee/ State Govt. particularly mentioned that this will be no reason for other categories to raise demands for improvement of their scales of pay.

In view of what has been stated above the Commission is unable to accept the demand of parity of Engineers with HCS/ HCMS both in terms of pay scales and grant of ACP. As regards notifying the SDE/ AE as Class 'A' as has been done in the case of HCMS, this was done in the case of HCMS by a change in the service rules. It is upto the department to initiate a similar action for amendment of service rules if there is justification for doing so.

#### **Meeting held on 28.08.2015**

##### **v) Superintendent and Registrar**

The post of Registrar is a promotional post from that of Superintendent at the State Headquarter. Further after revision GP of both posts have become identical i.e. Rs. 4200/-. The pay scales of categories like Assistant, Dy. Superintendent who are in Class III have been modified w.e.f. 1.9.2014. Moreover, interim relief of Rs. 2000/- is being given to all Class III and IV employees, whereby their salary is more than Class-II officer namely Superintendent/ Registrar. Reference has also been made to the pay scales of JBT teachers in Education Deptt. and Staff Nurses in Health Deptt. It has also been pointed out that vide letter dated 29.8.2014. the Pay Band and GP in the department of Social Justice & Empowerment and Women & Child Development who were in the similar pay scales have been modified from 4200/- to 4600/-. The request has, therefore, been made that Supdt. Should be given GP of 4800/- and Registrar that of 5400/-.

The Commission has taken a view in similar cases of certain other departments to raise the Grade Pay from Rs. 4200 to Rs.4600/- for reason given in detail. The same argument will apply in this case. The Superintendent can be given a Grade pay of Rs. 4600/- and the Registrar grade pay of Rs. 5400/- since it is a promotional post. The Commission makes recommendation accordingly. The same relief can be given in the case of two or three other departments where the scale of Supdt. has merged with the promotional post of Budget Officer/ Establishment Officer etc.

**vi) Demand of Haryana Government PWD Mechanical Workers Union (Regd No. 41) for upgradation of pay scales of various Group-D and C posts in PWD B&R, Irrigation and Public Health Engineering Department.**

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Haryana Government PWD Mechanical Workers Union (Regd No. 41) has submitted three representations one each for PWD B&R, Irrigation and Public Health Engineering Department, for upgradation of various Group-D and C posts in these departments. While most of the posts are common in these departments, some are department specific. Accordingly, comments of respective Administrative Departments were obtained on each representation. The representation-wise/ department-wise/ category-wise their demand, reasoning of demands, comments of Administrative Department and recommendation thereon of the Pay Anomalies Commission are as under:-

**Representation No. MWU/GS/15/11/214-215, dated 24.03.2015 in respect of PWD B&R Department:-**

Dy. No/ Date/ Name of the Representationist/ post	Existing pay scale	Demanded pay scale	Reasoning for Demand	Comments of Administrative Department	Recommendations of Pay Anomalies Commission
11902/21-05-2015 1 सभी चतुर्थ श्रेणी कर्मचारी जैसे बेलदार, माली, हैड माली, कुक, टी-मेट, कलीनर, रुम अटैन्डेंट, बेलदार-कम-चौकीदार, स्टोर चौकीदार, टैलीफोन अटैन्डेंट, बेलदार-कम-चौकीदार, कुक-कम-हैल्पर, कुली, फिटर कुली, वूमैन कुली, ऑयलमैन, की-मैन आदि।	S-1+ 1300 GP	PB-1 + 1800 GP	ये सभी कर्मचारी, तकनीकी कर्मचारियों के साथ कुल सहायक के रूप में कार्य करते हैं तथा तकनीकी कार्य की पूरी जानकारी रखते हुए स्वतन्त्र तौर पर भी कार्य तकनीकी कार्य करते हैं। केन्द्र सरकार ने कुल चतुर्थ श्रेणी कर्मचारी को पी.बी. -1+1800 रुपये का ग्रेड पे दिया है। अतः इस अनुसार वेतनमान लिया जाए।	The Haryana Govt. has revised the pay structure of its employees on the pattern of Central Govt. This department is agreed to with the demand of the association and recommends that the grade pay of minimum of Rs. 1800/- be given to all Class-IV employees instead of Rs. 1300/-.	The Commission observed that GOI on the recommendations of 6 <sup>th</sup> CPC had decided to abolish Group-D posts and to upgrade the existing Group-D posts to Group-C posts. The GP of Rs. 1800/- has been given in GOI to Group-C posts. However, the State Government on recommendations of Pay Revision Committee decided not to follow GOI in this regard. The State Government decided to continue with Group-D posts. The GP of Rs. 1300/- given to Group-D posts is

					strictly as recommended by the 6 <sup>th</sup> CPC. Therefore, there is no anomaly in this regard.
2 गैंगमेट, रोड़मेट, वर्कमेट, चैनमैन आदि।	S-1+1300 GP	PB-1 + 1900 GP	क्रम संख्या 1 से पदोन्नत पद है। सुपरविजन तथा महत्वपूर्ण जिम्मेवारी के पद है। अतः 1900 रू० का ग्रेड पे दिया जाए।	The Haryana Govt. has revised the pay structure of its employees on the pattern of Central Govt. This Department is agreed to with the demand of the association and recommends that the grade pay of minimum of Rs. 1800/- be given to all Class-IV employees instead of Rs. 1300/-.	The Commission observed that the demand for GP of Rs. 1900/- is hypothetical assuming that the Group-D posts mentioned at Sr. No. 1 above are granted GP of Rs. 1800/-. However, these are Group-D posts but being the promotional post for the feeder posts mentioned at Sr. No. 1 above their pay scale should be higher which could be GP of Rs. 1400/- (immediate next GP in the hierarchy of pay scales). Otherwise, the department may merge the all these Group-D posts (Sr. 1 and 2 above) in one cadre and there seems no logic for promoting in same group of service and in same grade pay. <b>* Similarly, Mate, Gauge Reader in Irrigation Department are promotional post of Baildar but in same GP of Rs. 1300/-, so, GP of these posts also needs to be upgraded to GP of Rs. 1400/-.</b>

3 इन पदों पर कार्यरत कर्मचारी जैसे लैब असिस्टेंट, पम्प चालक, फोटोस्टेट मीन ऑपरेटर, मोटरमेट, लिफ्ट ऑपरेटर, जनरेटर ऑपरेटर, रिपैरिश्न-कम-टैलिफोन ऑपरेटर, स्टोर कीपर, कैनर आदि।	PB-1 + 1900 GP	PB-1 + 2400 GP	विभाग के सेवानियमों में इस प्रकार के बराबर के सभी पदों का वेतनमान PB-1 + 2400 GP है। अतः 2400 ₹0 का ग्रेड पे दिया जाए।	The PWD B&R Department has already made service rule of technical and non technical after getting the approval of competent authority on 19-06-2012 in view of these rules all technical staff have already been granted pay scale of Rs. 5200-20200 + GP 2400/-. Who covered under the above prescribed rules.	The demand for upgradation of pay scale on the pattern of technical posts. Being difference in qualification and job profile, the Ministerial and allied posts like Lab Asstt., Telephone Operator, Receptionist etc. cannot claim parity. These posts are commonly available in other departments and more or less in the same pay scale. This is not an case of anomaly for which AD has also not supported. This demand has a horizontal/ vertical impact and may create further anomaly if considered affirmatively.
4 चार्जमैन (इलैक्ट्रिकल/मकेनिकल/ए०सी०, आटो हैवी प्लांट), मीन दूर ऑपरेटर, फिटर हैवी मीन आदि।	PB-1 + 2400 GP	PB-2+4200 GP	यह पद तृतीय श्रेणी के मूल पद से पदोन्नत पद है। 01.04.1979 को ड्राफ्ट्समैन का वेतनमान 160-250 ₹0 था तथा चार्जमैन का वेतनमान 170-300 ₹0 था। आज ड्राफ्ट्समैन 4200 ₹0 के ग्रेड पे में है। अतः 4200 ₹0 का ग्रेड पे दिया जाए।	As per departmental service rules all Mech./Elect. Technical staff have been given grade pay of Rs. 2400/-. However, the post of Chargeman Heavy plant is recruited 50% from direct recruitment and remaining 50% from the Miscellaneous Charge-man. The post of Charge-man Heavy plant filled up/ recruited by way of misc. Charge-man be considered as a promotional	The demand for GP of Rs. 4200/- in parity with Draftsman is not justified. Actually, the GP of Draftsman is Rs. 3200/- not 4200/-. Moreover, the GP of next promotional post mentioned at Sr. No. 5 is Rs. 3200/-. Claim for a GP higher than the promotional post is not valid. The department has also not supported their demand. As regard, demand for upgradation of the GP of Charge-man Heavy Plant being

				recruitment and separate higher pay scale should be provided for the promotional post in both wing, i.e. Mech./Elect., with grade of Rs. 3600/-. The Deptt. recommends for this higher grade pay of Rs. 3600/- being the demand of Union is genuine/ appropriate.	promotional post of Charge-man, the recommended GP of Rs./ 3600/- is higher than the next promotional post of Assistant Foreman. The department may merge this post either in the cadre of the post at Sr. No. 4 or in the cadre of the post mentioned at Sr. No. 5.
5 असिस्टेंट फोरमैन (इलेक्ट्रिकल/ मकैनिकल), वर्क इन्सपेक्टर।	PB-2 + 3200 GP	PB-2 + 4600 GP	यह पद कम संख्या 4 से पदोन्नत पद है। जबकि केन्द्र सरकार 5000-7850 रु० के वेतनमान को अपग्रेड करके पी.बी.-2+4600 रु० ग्रेड पे दिया है। अतः 4600 रु० का ग्रेड पे दिया जाए।	Being the Assistant Foreman Electrical/ Mech., is a promotional post of Charge-man Heavy plant and the pay structure of the post should be in band ii of Rs. 9300-34800 with grade pay of Rs. 4200/. It is recommended by the Deptt.	The pay scale of the post at Sr. No. 5 & 6 are the same, however, the post at Sr. no. 6 are promotional post of Sr. No. 5. It appears that department has unduly created number of channels in the same pay scale and group. It would be appropriate that the post at Sr. No. 5 and 6 are merged in one cadre. The demand for GP of Rs. 4600/- for a Group-C post is not justified.
6 फोरमैन (इलेक्ट्रिकल/ मकैनिकल)।	PB-2 +3200 GP	PB-2 +4800 GP	यह पद कम संख्या 5 से पदोन्नत पद है। अतः 4800 रु० का ग्रेड पे दिया जाए।	In the Deptt. of PWD (B&R) the pay scale of Assistant Foreman and Foreman Electrical have earlier been clubbed and given a single scale of Rs. 9300-34800 with grade pay of Rs. 3200/-. Now the Deptt. recommends that both posts be provided with higher scale being one feeder post and	As mentioned at Sr. No. 5

				other promotional post. The Deptt. recommends to separately pay scale in pay (PB-II) 9300+34800+Grade pay of Rs. 4000 and Rs. 4200/- respectively.	
7 स्प्रैटल फोरमैन, फोरमैन हैवी प्लांट।	PB-2 + 3600 GP	PB-2 + 5200 GP	यह पद कम संख्या 6 से पदोन्नत पद है। अतः 5200 रु० का ग्रेड पे दिया जाए। 1.	In the Deptt. of PWD (B&R) the post of Special Foreman and Foreman Heavy plant are Group-C posts and pay scale of these posts have been given 9300-34800+GP 3200/-, 9300+34800+GP 3600 respectively. The Deptt. now recommends for these post a better scale under Pay Band-II, Rs. 9300+34800 + GP of Rs. 4000/- and 4200/- respectively.	These posts are Group-C and below the rank of JE. However, the present pay scale is already at par with JE. There is no logic for further upgradation.
			नोट:- 2. चतुर्थ श्रेणी के कर्मचारियों को केन्द्र सरकार ने PB-1 + 1800 GP दिया गया है। अतः हरियाणा के कर्मचारियों को भी इन अनुसार वेतनमान दिया जाए तथा प्रथम ए.सी.पी. 2400 रुपये ग्रेड पे, द्वितीय ए.सी.पी. 3200 रुपये तथा तृतीय ए.सी.पी. 3600 रुपये दी जाए ताकि नये वेतनमानों में कोई विसंगति न हो पाए। 3. चतुर्थ श्रेणी के कर्मचारी जो		

			<p>अपने वेतन बैंड की अधिकतम सीमा पार कर चुके हैं, उन्हें अगला वेतन बैंड व ग्रेड पे दिया जाए।</p> <p>4. हर पदोन्नति पर ग्रेड-पे में अन्तर होना चाहिए तथा पदोन्नति के समय एक वेतन वृद्धि का प्रावधान हो।</p> <p>5. इस विभाग के सभी फिल्ड कर्मचारियों की वर्कचार्ज सेवा को जोड़कर ए. सी.पी. का लाभ दिया जाए।</p>		
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**Representation No. MWU/GS/15/13/218-219, dated 24.03.2015 in respect of Irrigation Department:-**

Dy. No/ Date/ Name of the Representa- tionist/ post	Existing pay scale	Demanded pay scale	Reasoning for Demand	Comments of Administrative Department	Recommendations of Pay Anomalies Commission
<p>12988/03-06-2015</p> <p>1 सभी चतुर्थ श्रेणी कर्मचारी जैसे बेलदार, माली-कम-चौकीदार, माली, कैनाल पैट्रोल ऑयलमैन, ग्रीसर, ट्रक क्लीनर, हैल्पर, डाक रनर, कुक आदि।</p>	S-1+ 1300	PB-1 +1800	<p>ये सभी कर्मचारी, तकनीकी कर्मचारियों के साथ कुल सहायक के रूप में कार्य करते हैं तथा तकनीकी कार्य की पूरी जानकारी रखते हुए स्वतन्त्र तौर पर भी कार्य तकनीकी कार्य करने हैं। केन्द्र सरकार ने कुल चतुर्थ श्रेणी कर्मचारी को पी0बी0-1+1800 रुपये का ग्रेड-पे दिया है। अतः इस अनुसार वेतनमान दिया जाए।</p>	<p>All these post are Class-IV post of Irrigation Deptt. and non-technical post. The Department has already clubbed the posts of Trademen's Mate, Truck Cleaner, Greaser, Oilman, Pump Attendant, Helper, Helper Electrician, Cleaner, Helper Pump Driver and named as Helper vide this office letter NO. 29122-160/A-IV/EG-1/2007 dated 26-9-2007. Further,</p>	<p>As recommended in case of Group-D posts at Sr. No. 1 of the B&amp;R Department.</p>

				these posts have the same pay scale and identical nature of duties. These are Helpers of Technical post as such Operator, Turner, Fitter Electrician etc. As per service rules the education qualification for recruitment of these post is only 8 <sup>th</sup> Class pass. The demand of the Union at par with Central Govt. employee is genuine, however, Govt. is competent may take decision in the matter.		
2. टी-मेट	S-1 1300	+	PB-1 +2400	माननीय उच्च न्यायलय के आदेशानुसार लगभग ज्यादातर टी-मेट पीओबी-1+ 2400 रुपये का ग्रेड-पे ले चुके हैं लेकिन कुछ टी-मेट वरिष्ठ होने के बाद भी 2400 रुपये के ग्रेड-पे से वंचित हैं, उन्हें भी दिया जाए।	In this regard, it is intimated that this post has already been clubbed and named as Helper and a Class-IV post in Irrigation Department. However, in compliance of Hon'ble Court order the technical pay scale of Rs. 1200-2040 w.e.f. 1-05-1990 have been granted to the Trademen's Mate subject to final outcome of pending cases in Hon'ble High Court/Apex Court. Further, State Govt. has also issued an Ordinance /Act,	It is also a Group-D post and its existing function GP of Rs. 1300/- is at par with other Group-D posts. As regard GP of Rs. 2400/- given to some candidates on the basis of Court judgement, this matter is sub-judice. Government has already withdrawn technical pay scale vide an ordinance dated 10.12.2013 and Act No.1 of 11.03.2014 still the matter is sub-judice.



				2014 regarding abolition of distinction of pay scale between technical and non-technical posts. Some of the Trademen's Mate have challenged this Ordinance in Hon'ble High Court. On the Union demand Govt. may decide. Matter is sub-judice.	
3. मेट, गेज़ रीडर	S-1+ 1300	PB-1 +1900	बेलदार के पद से पदोन्नत पद है। सुपरविजन तथा महत्वपूर्ण जिम्मेवारी के पद हैं। गेज़ रीडर के पद की सीधी भर्ती की योग्यता 10+2 कक्षा है। अतः 1900₹ का ग्रेड-पे दिया जाए।	(1) The post of Mate is Class-IV and promotional post from the post of Beldar with 5 years experience as Beldar in the relevant field. He looks after the work of section and control over the work of a group of Beldars and performed duties during watching on Canals and help the JE at the time of breaches and cuts on canals and drains. A group of 5 to 7 Beldars works under control of a Mate. As per Govt. notification dated 21-07-1980 Rs. 15/- as adhoc/Special Pay was allowed to the Mates and later on it was doubled from Rs. 15/- to Rs. 30/- vide Govt. memo	These are Group-D posts but promotional post from other Group-D posts carrying GP of Rs. 1300/-, therefore it is recommended that either these posts may be merged with cadre of posts at Sr. No.1 or the next higher grade pay of Rs. 1400/- being promotional post as recommended in case of posts mentioned at Sr. No. 2 of B&R Department.

				<p>No. 1/8/3PR(FD)-88, dated 11-09-1988. The demand of the Union is genuine due to supervision and promotional post from Beldar, however Govt. is competent to take decision in the matter.</p> <p>(2) The post of Gauge Reader is Class-IVth post, and filled up by 50% direct and 50% by promotion from the post of Mate. The Gauge Reader works on the head works for running canal smoothly and to gauges of the water in every canal after every hour and enter the same in the register. Further, the Gauge Reader control and watch the flow of water. However, it is also intimated that the Gauge Reader association had filed CWP 5162/93 for upgrading the pay scale equal to the post of Telephone Attendant (Class-III post) in Irrigation Deptt. and Meter Reader in HSEB</p>	
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				<p>and Public Health Department. The same was decided in favour of petitioners, further the department filed LPA No. 1774/2010 which was disposed of on 08-12-2014 in favour of the department. Now the said Union/Association has challenged these order in Hon'ble Apex Court by filing SLP No. 8338/2015 which was listed for hearing on 23-03-2015 and passed the order that the petitioner had approached the writ court only with the plea that their representation should have been decided by a speaking order. Issue notice returnable within 8 weeks, Meanwhile, if the petitioner, representation has yet not been disposed off by a speaking order, the respondents are free to do so. In this regard, a single file is also stands submitted to Govt. vide this office UO No. 554/EIC dated</p>	
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				06-05-2015 for taking the final decision. This is for kind information of Govt. however, in this regard, Gauge Reader Association has made a separate representation vide his No. GRA 51, dated 27-03-2015 addressed to the Secy. Pay Anomalies Committee Room 25, 8 <sup>th</sup> floor, Haryana Civil Sectt. Chandigarh with a copy of this office is also enclosed herewith. The matter is sub-judice and Govt. may decide.	
4. कैनाल गार्ड	S-1+ 1300	PB-1 +2000	इन पदों की सीधी भर्ती की योग्यता 10+2 है तथा भारिरीक दक्षता पुलिस कर्मचारियों के बराबर है। इसके इलावा तैराकी दक्षता अलग है। अतः वेतन भी पुलिस कर्मचारियों के बराबर दिया जाए तथा तृतीय श्रेणी में शामिल किया जाए।	In this regard, it is intimated that the post of Canal Guard is a Class-IV post in Irrigation Department and equal to Beldars. Canal Guards have also filed various writ petitions in Hon'ble High Court for the same demand which were disposed of by the Court with the direction to decide their representation. In this regard, to the representation, a committee was constituted and	Presently, it is Group-D post but its academic qualification and other professional qualification/ experience are much higher as compared to other Group-D posts. The AD has also revealed that the Canal Guards had filed various writ petitions in Hon'ble Punjab & Haryana High Court and on the directions of court, the department

				the report of committee was submitted to Govt. which was considered and rejected by the Govt. This is for kind information of Govt. Accordingly, the demand is not genuine and Govt. may decide the matter at his own level.	has rejected their claim by passing speaking order. Therefore, this Commission has nothing to recommend in this matter. The Government may consider this matter at its own level.
5. इन पदों पर कार्यरत तृतीय श्रेणी के कर्मचारी जैसे टर्नर, मैसन, फिटर, आप्रेटर, पलम्बर, इलैक्ट्रिशियन, कॉरपेन्टर वैल्डर, पेन्टर, मोल्डर, मोटर वाईन्डर, ब्लैक स्मिथ्स, टाईम कर्लक, टेलीफोन अटैन्डैन्ट, अर्थवर्क मिस्त्री, सुपरवाइजर, आर्टिफिशियर आदि।	PB-1+1800	PB-1+2400	इन सभी पदों का स्वभाव तकनीकी है। इन सभी पदों पर सीधी भर्ती के लिए मैट्रिक+आईटीआई निर्धारित योग्यता रखी गई है। 161वत विभाग के पत्र क्रमांक 3/83/2009-3पी0 आर0 (एफ.डी.) दिनांक 09.08.2010 के अनुसार सभी पदों पर यह वेतनमान दिया जा चुका है। परन्तु हरियाणा सरकार के दिनांक 13.12.2013 के अध्यादेश के द्वारा इन वेतनमानों को वापिस ले लिया गया है। अब विभाग में एक ही पद के दो वेतनमान हो गए हैं। जबकि लो.नि.वि. भवन एवं सड़क भाखा में इन पदों पर कार्यरत कर्मचारियों के वेतनमान पी0बी0-1+2400 रुपये है। अतः इस त्रुटि को दूर किया जाए।	As per provision in service rules the post of टर्नर, मैसन, फिटर, आप्रेटर, पलम्बर, इलैक्ट्रिशियन, कॉरपेन्टर वैल्डर, पेन्टर, मोल्डर, मोटर वाईन्डर, ब्लैक स्मिथ, टाईम कर्लक, टेलीफोन अटैन्डैन्ट, अर्थवर्क मिस्त्री, सुपरवाइजर, आर्टिफिशियर are in the Grade Pay of Rs. 1900/- and Telephone Attendant is in the Grade Pay of Rs. 1800/-. The demand of the Union at par with Central Govt. Employee is genuine, however, Govt. is competent may take decision in the matter.	These are Group-C entry post and the applicable GP of Rs. 1800/1900 is justified in this context. Moreover, their promotional post at Sr. No. 7 carry Gp of Rs. 2400/-, therefore, the demand for GP of Rs. 2400/- for these feeder post is not justified. As regard technical pay scale, Govt. has already withdrawn the technical pay scale vide ordinance dated 10.12.2013 and Act No.1 of 11.03.2014 still the matter is sub-judice.

6. स्टोर कीपर	PB-1+ 1900	PB-1 +2400	ये सभी कर्मचारी तकनीकी कार्यों की देख-रेख करते हैं। कार्यों का रूप भी तकनीकी है। अतः इन सभी कर्मचारियों को पी0बी0-1+2400 रुपये का ग्रेड-पे दिया जाए। जबकि केन्द्र सरकार ने स्टोर कीपर को अपग्रेड करके 4600 रुपये का ग्रेड-पे दिया है।	The qualification for recruitment is Matric with Hindi/Sanskrit, two years experience in relevant filed, six months certificate of Computer application, this post filled up by 50% by promotion from the post of Beldar, Govt. may decide for grade pay of Rs. PB-1+2400 to the Store Keeper. The demand of the Union at par with Central Govt. Employee is genuine, However, Govt. is competent may take decision in the matter.	The qualification of this post is Matric. It is also filled by promotion from Baildar, a Group-D post in GP of Rs. 1300/-. The present GP of Rs. 1900/- is already at par with Clerk which has a higher qualification now. Therefore, there is no justification for any further improvement in the GP of this post.
7. चार्जमैन (इलैक्ट्रिकल / मकैनिकल)	PB-1+ 2400	PB-1 4200	+ यह पद कम संख्या 5 से पदोन्नत हैं। तृतीय श्रेणी के मूल पद से दूसरा पदोन्नत पद है। 01. 04.1979 को ड्राफ्टमैन का वेतनमान 160-250 रुपये था। तथा चार्जमैन का वेतनमान 170-300 रुपये था। आज ड्राफ्टमैन 4200 रुपये के ग्रेड-पे में है। अतः 4200 रुपये का ग्रेड-पे दिया जाए।	As per service rule the post of Charge-man (Mach.) is Class-III post and filled up 50% by direct recruitment and 50% by promotion amongst the Moulder, Turner, Fitter, Operator in relevant field with Matric with Hindi/Sanskrit and ITI certificate in Moulder, Turner, Fitter Trade alongwith 5 years experience and 6 months certificate of Computer	These posts are promotional post mentioned at Sr. No. 5 carrying GP of Rs. 1900/-. The present GP of Rs. 2400/- of this post is already at par with counterpart in B&R Department. Hence, there is no justification for any further improvement in the GP of this post.

				<p>Application. Similarly the post of Chargemen in Electrician Welder or Motor Winder having the experience of 10 years with Matric and ITI certificate in Electrical/Wireman alongwith two years basic knowledge of light &amp; heavy Transmission and 6 months certificate in Computer Application. The demand of the Union at par with Central Govt. Employee is genuine, however Govt. is competent may take decision in the matter.</p>	
<p>8. असिस्टेंट फोरमैन (इलैक्ट्रिकल / मकैनिकल)</p>	<p>PB-1+ 3200</p>	<p>PB-2 +4600</p>	<p>यह पद कम संख्या 7 से पदोन्नत पद है। जबकि केन्द्र सरकार 5000-7850 रुपये के वेतनमान को अपग्रेड करके पी0बी0-2+ 4600 रुपये ग्रेड-पे दिया है। अतः 4600 रुपये का ग्रेड-पे दिया जाए।</p>	<p>As per service rule, this post is Class-III and promotional post from Chargemen. Qualification for promotion is 5 years experience as Chargeman in relevant field alongwith, basic knowledge of Computer. Govt. may decide for grade pay of Rs. PB-2 + 4600 for the post of Assistant Foreman. The demand of the Union at par with Central Govt. employee is genuine,</p>	<p>As mentioned at Sr. No. 5 &amp; 6 of B&amp;R Department</p>

				however Govt. is competent may take decision in the matter.	
9. फोरमैन (इलैक्ट्रिकल / मकैनिकल)	PB-1+ 3200	PB-2 +4800	यह पद कम संख्या 8 से पदोन्नत पद है। अतः 4800 रुपये का ग्रेड-पे दिया जाए।	As per service rule, this post is Class-III and promotional post from Assistant Foreman. Qualification for promotion is 5 yrs experience as Assistant Foreman in relevant field alongwith, basic knowledge of Computer. Govt. may decide for grade pay of Rs. PB-2 + 4800 for the post of Foreman. The demand of the Union at par with Central Govt. employee is genuine, however Govt. is competent may take decision in the matter.	As mentioned at Sr. No. 5 & 6 of B&R Department
			नोट: 1. चतुर्थ श्रेणी के कर्मचारियों को केन्द्र सरकार ने पी0बी0-1+1800 रुपये का ग्रेड-पे दिया है। अतः हरियाणा के कर्मचारियों को भी इस अनुसार वेतनमान दिया जाए तथा प्रथम ए0सी0पी0 2400 रुपये ग्रेड-पे, द्वितीय ए0सी0पी0 3200 रुपये तथा तृतीय ए0सी0पी0 3600 रुपये दी जाए ताकि नये वेतनमानों में कोई विसंगति न हो पाए। 2. चतुर्थ		



			<p>श्रेणी के कर्मचारी जो अपने वेतन बैंड की अधिकतम सीमा पार कर चुके हैं, उन्हें अगला वेतन बैंड व ग्रेड-पे दिया जाए।</p> <p>3. हर पदोन्नति पर ग्रेड-पे में अन्तर होना चाहिए। तथा पदोन्नति के समय एक वेतन वृद्धि का प्रावधान हो।</p> <p>4. इस विभाग के सभी फिल्ड कर्मचारियों की वर्कचार्ज सेवा को जोड़कर ए0सी0पी0 का लाभ दिया जाए।</p>		
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**Representation No. MWU/GS/15/12/216-217, dated 24.03.2015 in respect of Public Health Engineering Department:-**

Dy. No/ Date/ Name of the Representa- tionist/ post	Existin g pay scale	Demanded pay scale	Reasoning for Demand	Comments of Administrative Department	Recommendations of Pay Anomalies Commission
<p>11193 / 13-05-2015</p> <p>1. सभी चतुर्थ श्रेणी कर्मचारी जैसे माली-कम-चौकीदार, की-मैन, पैट्रोलमैन, ऑयलमैन, फिटर हैल्पर, पलम्बर हैल्पर, इलैक्ट्रिशियन हैल्पर, पम्प अटैन्डैन्ट, ट्रक क्लीनर, स्टोर अटैन्डैन्ट, कॉरपेन्टर हैल्पर, सीवर हैल्पर, पेंटर हैल्पर, स्कील्ड कुली, लैब अटैन्डैन्ट, बिल डिस्ट्रीब्यूटर, सीवरमैन, हैल्पर आदि।</p>	S-1+ 1300 GP	PB-1 + 1800 GP	<p>ये सभी कर्मचारी, तकनीकी कर्मचारियों के साथ कुल सहायक के रूप में कार्य करते हैं तथा तकनीकी कार्य की पूरी जानकारी रखते हुए स्वतन्त्र तौर पर भी कार्य तकनीकी कार्य करने हैं। केन्द्र सरकार ने कुल चतुर्थ श्रेणी कर्मचारी को पी0बी0-1+ 1800 रुपये का ग्रेड-पे दिया है। अतः इस अनुसार वेतनमान दिया जाए।</p>	<p>Proposed pay band + grade pay</p> <p>PB-1, GP-1800/-.</p> <p>However, no specific reasoning there for.</p>	As mentioned at Sr. No. 1 of B&R Department
<p>2. सभी निम्नलिखित पदों पर कार्यरत तृतीय श्रेणी के कर्मचारियों जैसे पम्प</p>	<p>PB-1 + 1800 GP</p> <p>PB-1 + 1900 GP</p>	PB-1 + 2400 GP	<p>इन सभी पदों का स्वभाव तकनीकी है। इन सभी पदों पर सीधी भर्ती के लिए मैट्रिक+आई0टी0आई निर्धारित योग्यता रखी गई है। वित्त</p>	<p>Proposed pay band + grade pay</p> <p>PB-1, GP-2400/-.</p>	The pay scale of a post is governed by its service rules. In case, some incumbents have

चालक-॥, फिटर-॥, पलम्बर-॥, इलैक्ट्रिशियन-॥, कॉरपेन्टर-॥, मेसिन-॥, पेन्टर-॥, एंसी० ऑपरेटर-॥, पम्प मकैनिक, जैक हैम्पर ड्रीलर, कम्प्रेसर/गैस ड्राईवर, स्ट्राटा ऑबजरवर, डीज़ल ऑटो मकैनिक, मकैनिकल फिटर, वर्क सुपरवाइजर, वर्क मिस्त्री, वर्क मुन्गी, सर्वेयर आदि।	PB-1 + 2400 GP		विभाग के पत्र क्रमांक 3/83/2009-3पी० आर० (एफ.डी.) दिनांक 09.08.2010 के अनुसार सभी पदों पर यह वेतनमान दिया जा चुका है। परन्तु हरियाणा सरकार के दिनांक 13.12.2013 के अध्यादेश के द्वारा इन वेतनमानों को वापिस ले लिया गया है। अब विभाग में एक ही पद के दो वेतनमान हो गए हैं। जबकि लो.नि.वि. भवन एवं सड़क भाखा में इन पदों पर कार्यरत कर्मचारियों के वेतनमान पी०बी०-1+ 2400 रुपये है। अतः इस त्रुटि को दूर किया जाए।	The GP of Rs. 2400/- has already been granted by the B&R Department	been given technical pay scale of grade pay of Rs. 2400/- on the ground of court case or otherwise, now, these are to be considered as personal measure pay scale as per the terms of Ordinance dated 10.12.2013 and Act No.1 of 11.03.2014. Now, demand for grade of Rs. 2400/- for all employees on such posts over and above the service rules of the department is not justified. Moreover, this matter is sub-judice, therefore, no other decision can be taken at this stage.
3. स्टोर कीपर, बिन कार्ड क्लर्क, बिल क्लर्क, मीटर रीडर, स्टोर मुन्गी, लैब असिस्टेंट आदि।	PB-1 + 1800 GP  PB-1 + 1900 GP	PB-1 + 2400 GP	ये सभी कर्मचारी तकनीकी कार्यों की देख-रेख करते हैं। कार्यों का रूप भी तकनीकी है। अतः इन सभी कर्मचारियों को पी०बी०-1+ 2400 रुपये का ग्रेड-पे दिया जाए। जबकि केन्द्र सरकार ने स्टोर कीपर को अपग्रेड करके 4600 रुपये का ग्रेड-पे दिया है।	Proposed pay band + grade pay  PB-1, GP-2400/- The Clerk scale so far is with GP-1900/-	As mentioned at Sr. No. 2 above.
4. पम्प चालक-॥, फिटर-॥, पलम्बर-॥, इलैक्ट्रिशियन-॥, कॉरपेन्टर-॥, मेसिन-॥, पेन्टर-॥, एंसी० ऑपरेटर-॥ आदि।	PB-1 + 1800 GP  PB-1 + 1900 GP  PB-1 + 2400 GP	PB-2 + 3200 GP	कम संख्या 2 से पदोन्नत है। वेतनमान में अन्तर करते हुए पी०बी०-1+2400 रुपये का ग्रेड पे दिया जाए।	Proposed pay band + grade pay  PB-2, GP-3200/- However, no specific reasoning there for.	This is an hypothetical demand assuming that the GP of a post will be Rs. 2400/- Since, no such recommendations/ decision is being taken as of now, therefore, there is no justification for grant of GP 3200/- for these posts
5. चार्जमैन (इलैक्ट्रिकल/मकैनिकल/एंसी०)	PB-1 + 2400 GP	PB-2 + 4200 GP	यह पद कम संख्या 4 से पदोन्नत है। तृतीय श्रेणी के मूल पद से तीसरा पदोन्नत पद है। 01.04.1979 को	Proposed pay band + grade pay	As mentioned at Sr. No. 4 of B&R Department and at Sr. No.7 of

			डाफ्ट्समैन का वेतनमन 160-250 रुपये था। तथा चार्जमैन का वेतनमान 170-300 रुपये था। आज डाफ्ट्समैन 4200 रुपये के ग्रेड पे में है। अतः 4200 रुपये का ग्रेड पे दिया जाए।	PB-2, GP-3600/-. However, no specific reasoning there for.	Irrigation Department.
6. असिस टैंट फोरमैन (इलैक्ट्रिकल/मकैनिकल), वाटर वर्क्स सुपरिनटैण्डेंट ग्रेड - II	PB-2 + 3200 GP	PB-2 + 4600 GP	यह पद कम संख्या 5 से पदोन्नत पद है। जबकि केन्द्र सरकार 5000-7850 रुपये के वेतनमान को अपग्रेड करके पी0बी0-2+ 4600 रुपये ग्रेड-पे दिया है। अतः 4600 रुपये का ग्रेड-पे दिया जाए।	Proposed pay band + grade pay  PB-2, GP-3600/-. However, no specific reasoning there for.	As mentioned at Sr. No. 5 of B&R Department.
7. फोरमैन (इलैक्ट्रिकल/मकैनिकल), वाटर वर्क्स सुपरिनटैण्डेंट ग्रेड - I	PB-2 + 3200 GP	PB-2 + 4800 GP	यह पद कम संख्या 6 से पदोन्नत पद है। अतः 4800 रुपये का ग्रेड-पे दिया जाए।	Proposed pay band + grade pay  PB-2, GP-4000/-. However, no specific reasoning there for.	As mentioned at Sr. No. 6 of B&R Department.
8. हैवी ड्यूटी फोरमैन (इलैक्ट्रिकल/मकैनिकल)	PB-2 + 3200 GP	PB-2 + 5200 GP	यह पद कम संख्या 7 से पदोन्नत पद है। अतः 5200 रुपये का ग्रेड-पे दिया जाए।	Proposed pay band + grade pay  PB-2, GP-4200/-. However, no specific reasoning there for.	It is observed that GP of posts mentioned at Sr. No. 6, 7 and 8 are identical inspite of 7 being promotional post for 6 and 8 promotional post for 7. Assistant Foreman and Foreman are in identical GP of Rs. 3200/- in three wings of PWD. However, the next level post in the name of स्पै ल फोरमैन, फोरमैन हैवी प्लांट in PWD B&R Department carrying GP of Rs. 3600/-. In Irrigation Department, no such post exists. Therefore, in order to bring uniformity in PWD & PHE, for these posts it would be appropriate that GP of posts at Sr.

					No. 8 in PHED is upgradaed from Rs. 3200/- to 3600/-.
9. वर्क इन्सपैक्टर	PB-2 + 1900 GP	PB-2 + 4200 GP	लोक निर्माण विभाग के भवन एवं सड़क भाखा में रोड इन्सपैक्टर को पी0बी0-2+4200 रूप्ये ग्रेड पे दिया है। कार्य की प्रवृति एक समान है। अतः वेतन भी एक समान दिया जाए।	Proposed pay band + grade pay  PB-2, GP-2400/- in parity with Raod Inspector of B&R Department	Apart from nomenclature several other parameters viz. level of responsibility, pay scale of feeder and promotional post, horizontal/ vertical impact, qualification etc. have to be taken into consideration while deciding the pay scale of post. Since, the repretationinst, HOD and AD in their commendts have not given complete comparision of these paramenters for claming parity with Raod Isnpectors in B&R Department therefore, it would not be feasible to make any recommendations in the matter.

#### General Recommendations:-

It is observed that Irrigation Depatment has merged various Group-D posts having similar sounding designations and job profile and all these posts have been put in one cadre named Helper. This would bring efficiency in department and availability of more Group-D posts for it working and avoid overlapping activities. Issue of difference in pay scales for these posts in various cadre/ branches would also be resolved. The PWD B&R and PHED may also adopt this procedure. Apart from this, these departments have long hierarchical channel in Group-D and C posts from Helper to Heavy Duty and Special Foreman. Therefore, there is a need for re-structuring in order to reduce number of designations and hierarchical channels.

### **Meeting held on 10.12.2015**

#### **vii) Representation about improving the pay scale of Naib Tehsildar posted in PWD(B&R) Deptt, Land Acquisition Br.**

In this case, there is no direct representation from the employees concerned but the matter was initiated by the Administrative Deptt. in the year 2013 and sent to FD(PR Br.). The matter remained under process between AD and FD(in PR Br.). The matter finally has been sent to the Commission for consideration. The department has asked for parity in the pay scale of Naib Tehsildar of the PWD(B&R) Land Acquisition Br. with the pay scale of the same post in the Revenue Deptt. It has been claimed that the pay scale of the N.Tehsildar of Revenue Deptt. was upgraded from GP 4000/- to 4600/- w.e.f. 1.7.2011 whereas this was not done with N. Tehsildar, PWD(B&R). It has further been claimed that both the officers perform similar duties with similar qualification and were having similar pay scales as on 1.1.1986, 1.1.1996 and 1.1.2006. Mention has been made of some judicial pronouncements prescribing equal pay for equal work. There are 4 posts of Naib Tehsildars sanctioned in the O/o Land Acquisition Officer, PWD(B&R).

After a consideration of the matter, the Commission finds that the job profile of both the posts are not exactly identical since in the case of Revenue Niab Tehsildar, he performs various functions on the revenue side, whereas N.T. of PWD(B&R) deals with the work of Land Acquisition alone. In addition, N.Tehsildar, Revenue is a part of the allied services and it would be difficult to equate him with N.Tehsildar of the PWD(B&R). However, the proposal to increase the GP from 4000/- to 4200/- for this post could be considered which will also apply to N.Tehsildar working in the Election Deptt. as well as Urban Estate Deptt. The Commission has made a recommendation separately covering these categories which will provide the necessary relief to all these categories. The decision will, however, apply prospectively.

### **2.30 (ii) IRRIGATION DEPARTMENT**

**Meeting held on 24.08.2015**

**i) Haryana Irrigation Engineers Association**

The same demand has been raised by the Haryana Federation Of Engineers as discussed above in the department of PWD (B&R). Therefore, the same recommendations will apply in this case.

**ii) Chief Engineers who retired subsequent to 1.1.2006**

Chief Engineers who retired after 1.1.2006 have represented that their pension has not been worked-out as per similarly situated officers of the Central Govt. There is difference of Rs. 655/- in the pension amount after the revision of pay i.e. from 1.1.2006.

It was clarified that the Commission is not expected to look into anomaly of pensioners and the officers should normally approach the State Govt. for relief. However, it was clarified by the representative of the Finance Department that the State Govt., has already made some improvements with regard to those who retired before 1.1.2006 and a similar exercise with regard to those who retired after 1.1.2006 is under process. The Commission can at most forward this case to the State Govt. for appropriate action.

**iii) Diploma Engineers Association, Haryana**

The same demand has been raised by the Diploma Engineers Association as discussed above in the department of PWD (B&R). Therefore, the same recommendations will apply in this case.

**Meeting held on 28.08.2015**

**iv) Circle Superintendents**

The above category has sought parity with the pay scales of Superintendents of Haryana Civil Secretariat as well as those of Central Govt. and Punjab Govt. It has to be noted that the pay scales of Superintendents were revised on the Central pattern. Acceptance of the demand of parity of Circle Superintendents with the pay scales of Haryana Civil Secretariat will have to be seen in the context of similar demands made by the Superintendents of other departments who are in the same pay scale. There are also the demands of other ministerial staff like Assistants, Dy. Superintendents etc. for parity with Haryana Civil Secretariat. Therefore taking a composite view the Commission has made separate recommendation in this regard applicable to all such categories.

**v) Drawing Staff Association (Tracer, Draftsman, Head Draftsman and Circle Head Draftsman)**

The above categories of technical staff have asked for higher pay scales on the analogy of Central Govt. as well as Punjab Govt. In case of the scale of Circle Head Draftsman, request has been made to upgrade them as Gazetted (Group B) and equate them with the pay scales of Superintendents on the Administrative side. It has, further, been claimed that the pay scales of all categories were equal to the pay scales of Punjab before 1.1.1986.

The State Govt. has not agreed with the proposal of the department including declaring the post of Circle Head Draftsman as gazetted. Since, the State Govt. is not in favour, it may be difficult for the Commission to accept this demand. However there is a case for slight improvement in the grade pay to Rs. 4600/- recommendation in this regard have been made separately where some other posts and other departments have also been covered.

**vi) Gauge Reader**

Gauge Readers of Irrigation Department have sought parity in pay scales with the Meter Readers in HSEB Department, Water Meter Readers in the Public Health Deptt. and Telephone Attendants in Irrigation Deptt. It is claimed that the nature of duties performed is similar.

It has to be appreciated that the post of Gauge Reader is a class IV post (Group D), whereas the other 3 posts, with whom parity is being demanded are class III (Group C). Gauge Reader Association had filed a Civil Writ Petition in this regard for claiming the benefit of pay scale equal to Telephone Attendant and the High Court decided it in its favour. LPA filed by the department against the judgement was decided in favour of the department. Thereafter, the Association filed a SLP in the Hon'ble Apex Court and as per directions of the Supreme Court, a Speaking Order was to be passed by the Competent Authority on this matter. This was done by the EIC of Irrigation Deptt. vide Speaking Order dated 9.6.2015, whereby the demand of the Association was not accepted for parity of pay scale with Telephone Attendant as well as for treating it as Class III (Group C) post. Even otherwise the nature of duties performed by the Gauge Reader is different from that of the Telephone Attendant as well as Meter Readers of the Power Deptt. and Public Health Deptt. There is no merit in the representation which deserves to be rejected.

**vii) Canal Patwari**

Canal Patwaris have sought parity with the Patwaris of the Revenue Deptt. in terms of pay scales on the following grounds:-

- i) Their pay scales were identical on 1.1.1996. On 7.7.1998, Govt. revised the pay scales of Revenue Patwaris which led to the anomaly.
- ii) Duties performed by both categories are similar whereas Canal Patwaris perform more onerous tasks than that of Revenue Patwaris. It was found that Pay Anomaly Committee rejected the contention of Canal Patwaris for parity with Revenue Patwaris as the nature of duties performed by both categories are quite different. In the case of Canal Patwaris, the work is restricted to the department only whereas in case of Revenue Patwari, this job is multifarious covering so many fields of activity
- iii) The qualification for the post of Revenue Patwari was increased to graduation, subsequent to the revision of pay scales in 1998 whereas for the Canal Patwari it is still 10+2.

Both in terms of qualification and the nature of duties performed there is no justification for treating the two posts at par for grant of payscales. There is no merit in the demand for parity.

**viii) Haryana Government PWD Mechanical Workers Union (Regd No. 41)**

This Union has submitted three memorandums relating to similar posts in three wings of PWD. The detailed recommendations have already been given in the Chapter of B&R Department above.

**Meeting held on 27.11.2015**

**ix) Sh. Pawan Kumar Gupta, Pawan Kumar Goyal and Balbir Singh SDC.**

The above mentioned Group 'D' employees promoted to Group 'C' were denied the benefit of 2<sup>nd</sup> ACP after completion of 20 years regular service on the ground that because of the promotion from Group 'D' to Group 'C', they had already availed of one promotion and one ACP. However, in view of decision of the High Court which was upheld by the Supreme Court in the case of Ram Sarup Gainda and others, the Finance Department issued instructions on 23.11.2006 for giving the benefit of stepping up of pay. However, after revision of scales in 2006 the problem has arisen once again because of renewing of same instructions restricting the step up beyond 3 upgradations without consideration of amended instructions dated 23.11.2006. It is clear that after the grant of 6<sup>th</sup> Pay Commission, pay scales, the re issue of old instructions definitely



violates the spirit of the Supreme Court order on the basis of which instructions dated 23.11.2006 were issued. The Commission, therefore, recommends a review by the State Govt. of instructions issued subsequently.

**x) Haryana Irrigation Clerical Association Narnaul with regard to categories of Clerks, SDC, Deputy Superintendents and Superintendents.**

The association has made a request for suitable upgradation of pay scales at all levels of the Ministerial Class and also requested for rectification of the technical cadre pay scales. A careful perusal of the demand shows that it is actually a wish list of the association, without justifiable reasons. The scale of pay demanded for various categories in many cases does not exist anywhere in India and the demand has no logic. The Commission, therefore, finds the demand without any substance.

**xi) All Haryana Sichai Vibhag, Field Karamchari Union**

This Union has demanded higher pay scale for the post of T-Mate, Opeerator, Fitter, Electrician, Moulder, Black-smith, Chargeman, Supervisor, Asstt. Foreman, Foreman, Turner, Welder, Time Clerk, Store Munshi, JCB Operator and Draglin Operator. A similar demand for these posts has been made by another union namely Haryana PWD Mechanical Worker Union (Regd. No. 41). The recommendations of the Commission thereon have already been given above in the Chapter of B&R Department.

**xii) Superior Revenue Association**

The above association of the Irrigation Department has made a general demand for parity for the level of Ziladar with that of Naib Tehsildar of the Revenue department and Deputy Collector with the SDO of the Irrigation department. Parity has also been sought with scales prevailing in Punjab State for the post of Zileadar.

After careful consideration of the demand, the Commission finds no justification in the demands made. There has been no historical parity in the levels for which parity is being demanded, and the pre-revised scales were also different. In fact from the level of Canal Patwaris, there is no parity with corresponding levels in the Revenue Department in terms of duties performed, nature of responsibilities, qualifications etc. The demand is also not based on logic and the Commission finds no merit in the demand.

**xiii) Smt. Rama Rani, Stenographer as well as Stenotypists/Tracers of the Irrigation Deptt.**

In the Representation objection has been taken to the fact that the 2<sup>nd</sup> ACP after 20 years in the case of Stenotypists has not been

allowed on the ground that they had not passed the departmental examination. It has also been pointed out that there is no such condition in the category of Clerks/SDCs and the Class IV employees have also been exempted from departmental test. It was explained that the service rules in the cadre of Stenotypist had a pre-condition of passing the departmental tests/examination to avail of ACP, and the Commission cannot provide any relief in this matter. There is no justification for giving notional benefits of pay when the employee has not fulfilled the essential condition prescribed in the Service. The demand has no merit and deserves to be rejected.

### **2.30(iii) PUBLIC HEALTH ENGINEERING DEPARTMENT**

**Meeting held on 24.08.2015**

**i) M.K.Vij, Executive Engineer (Retd.)**

The representation is similar to those, given by the retirees of PWD(B&R) who retired between 1.1.2006 and 31.8.2009 and the same decision would apply in these cases also. The representation of Federation of Engineers as well as Diploma Engineers with regard to Public Health and Panchayati Raj Departments. is similar in all respects to the addressed in the case of PWD(B&R) Deptt. The recommendations made in the case of PWD(B&R) department will equally apply to them

**Meeting held on 28.08.2015**

**ii) Chemists Association, Karnal of the Public Health Engineering Deptt.**

The Chemists (Group 'B') working the District Water Quality Testing Laboratories of the Public Health Engineer Deptt. have requested that there is a lot of stagnation in their cadre. Comparison has been made with comparable posts in PWD (B&R) Deptt. who have got higher pay scales. They have requested for improvement of their pay scales to Pay Band -2 with GP Rs. 5400/-.

After a careful consideration, the commission finds that they can get relief under separate recommendation made to relieve the hardship of such categories and get a GP of Rs.4600/-

**iii) Haryana Government PWD Mechanical Workers Union (Regd No. 41)**

This Union has submitted three memorandums relating to similar posts in three wings of PWD. The detailed recommendations have already been given in the Chapter of B&R Department above.

**Meeting held on 29.09.2015**

**iv) All Haryana PWD (Mech) Karamchari Union (Regd 681)**

This Union has demanded higher pay scale for the post of Chargeman, Mech./ elect., Water Works Supdt. Grade-II, Auto Mech. Chargeman, Asstt Foreman, Foreman, Drilling Foreman, Special Foreman/ Heavy Duty Foreman, Supervisor, Work Inspector and Pump Attendent , Group-D Posts, T-Mate etc. A similar demand for these posts has been made by another union namely Haryana PWD Mechanical Worker Union (Regd. No. 41). The recommendations of the Commission thereon have already been given above in the Chapter of B&R Department.

### **2.31 PANCHYATI RAJ DEPARTMENT**

**Meeting held on 24.08.2015**

**Haryana Federation of Engineers**

The same demand has been raised by the Haryana Federation Of Engineers as discussed above in the department of PWD (B&R). Therefore, the same recommendations will apply in this case.

### **2.32 RAJYA SAINIK BOARD**

**Meeting held on 03.11.2015**

**Pay anomaly in the pay scale of Secretary and Asstt. Secretary of Rajya Sainik Board. Secretary, Zila Sainik Board as well as Welfare Organizer of Zila Sainik Board.**

On behalf of the Rajya Sainik Board it has been argued that the Secretary, Zila Sainik Board as well as Asstt. Secretary/Secretary Rajya Sainik Board are class –I officers of Group ‘A’ of the State Govt. At the Secretary, Zila Sainik Board level, mostly retired officers from the armed forces of the level of Capt. and Major are selected on these posts. It has been claimed that the present pay scale in PB -3 with GP 5400/- with no ACP is not in keeping with the status of the officers occupying these posts. Similarly, with regard to Secretary/Asstt. Secretary, Rajya Sainik Board senior retired officers of the armed forces occupy these posts and the present existing scales of pay are not commensurate with their status. As regards the Welfare organizer of Zila Sainik Board who is in the GP Rs. 2400/-, is very much below the level of officers of the category of JCO (Subedar) in the Army, who after retirement take up these jobs. The general demand has, therefore, been made that the scales of pay for these posts should be revised, keeping in view the level of retired Army officers who occupy these posts.

The Commission after detailed discussions finds that the demand is for general revision and cannot termed as an anomaly. In a way, the demand is for protection of pay of officers while they were posted in the Army on their appointment to Civil Services. It is appropriate for the Govt. to take decision in this matter and during discussion the Secretary, Rajya Sainik Board, who appeared before the Commission informed that the demand is already under active consideration of the State Govt. The Commission, therefore, felt that no further action was required to be taken on this matter at the level of the Commission.

### **2.33 RENEWABLE ENERGY DEPARTMENT**

**Meeting held on 10.12.2015**

#### **Renewable Energy Project Officers Employee Welfare Society**

The organisation has represented that the Project Officers in the Deptt. are appointed by HPSC and are Class II Officers and have a higher qualification with Bachelor Degree of Engineering in Elect./Mech./Computer/Agricultural Engg. Or equivalent degree with at least 60% marks. The post also require a desirable experience of preferably one/two years in planning, Development and Implementation of Science & Technology Programmes related to rural sector development. A request has, therefore, been made for parity in pay scales with Engineers of PWD(B&R), Public Health, Irrigation Deptt. etc. However, the pay scales granted to them after revision or pay scales w.e.f. 1.1.2006 are much below from many departments where qualifications prescribed are much lower. The request has, therefore, been made for parity in terms of pay scales as well as ACP with the Engineering Departments.

The Commission has carefully considered this matter. It was found that there has been no historical parity with Engineers. According to the recommendations of 6<sup>th</sup> Central Pay Commission, degree holders of Engineering and Law have been given G.P. Rs. 4600/- The Commission has also been apprised of the fact that there are similar posts small in number in some other departments like Labour, which are not a part of a recognised cadre. The grant of ACP has been restricted to some services, which are part of a recognised cadre but in other cases, they have been given general ACP. In these circumstances, the Commission felt that it will be difficult to entertain this demand only for this department. However, the representationists mentioned about a case decided by the Pb. & Haryana High Court in the case of Agricultural Engineers, where the said demands have allegedly been accepted. It was decided that details of this judgement will be produced by the Association which will be studied by the Commission to determine whether such a judgement if it exists is applicable in this case. Subsequently, the Commission after considering the judgement in the case of Agricultural Engineers found that the facts were different. In that case, it was an organized cadre of the Agriculture Deptt. which is not in the present case. There is no merit in the representation.

## **2.34 REVENUE & DISASTER MANAGEMENT DEPARTMENT**

### **Meeting held on 26.08.2015**

#### **i) Assistant Editors (Group B)**

The Assistant Editors (earlier designated as RO) of FC office have requested for parity with ministerial staff of FC office on the following grounds:-

- a) Before 1.1.2006, pre revised scale of Supdt./PS (Group -B) was 6500-10500 and of Assistant Editor was 6500-9900. The scale of Dy. Supdt/PA (Group-C) was 5500-9000/- i.e. 2000 less than Assistant Editor.
- b) The qualification for this post is post graduation in English medium which is much higher than the qualification of ministerial cadre. It is, therefore, injustice to equate them with the post of Group-C namely PA/Dy.Supdt.
- c) The work of this post is highly demanding, technical, tedious, literary and research oriented.
- d) The State and district gazetteers are prestigious documents of historical importance published under the authority of Government and serve as an encyclopaedia of authentic information to the Govt. Deptts. Research Scholars, Educationists and public in general.
- e) The avenues of promotion are very limited with only one post of Editor and one post of Jt. State Editor.
- f) All the present Asstt. Editors have put in more than 18 years of service and have come by promotion and then there is no scope for ACP.
- g) While revising the pay scales of ministerial cadre in the CS, FC and other offices, the scales of Asstt. Editors have been ignored inspite of their better qualification.
- h) Instances have been given of various posts in other departments who were in the pre revised scales similar to Asstt. Editors but subsequently have been granted higher Grade Pay.

A request has therefore, been made that they should be given the GP of 4800/- and after four years of Rs.5400/- at par with the Superintendents.

There is a lot of force in the arguments of this category for improvement of their scales. However, the commission after considering the matter, recommends grade pay of Rs 4600/- of this category of FC

office. This is a standalone category and the decision to improve their grade is not expected to bring in similar demand from any other category.

**ii) GAZETTED/ NON-GAZETTED OFFICIAL WELFARE ASSOCAITION.**

**Assistant/Dy. Supdt/ Superintendent**

It has been claimed by above category of employees that even though their pay scales have been revised w.e.f. 1.1.2011, the category of PA/PS have been given the better treatment by giving them up-gradation from the year 2007. The demand is for giving them notional benefit w.e.f. 1.1.2006 (without the payment of arrear) and actual benefit w.e.f. 2007 when the grades of PA/PS were revised. This would amount to payment of arrears from 2007 to 2011.

Decisions of government generally take effect prospectively and the Commission finds no justification for giving retrospective effect to this decision. There is no force in the demand.

**Representation of Superintendents (Field) of Revenue Department for up-gradation of GP 4200/- to 4800/-.**

The Superintendents of the Revenue Department working in the field have requested for granting them GP 4800/- instead of 4200/- on the ground that some officers like Niab Tehsildars and S.Os. who were getting similar or less pay scales during the years 1979, 1986 and 1996 have now been given better pay scales as compared to them. No body was present from the side of representationists. Similar demands have come from the Superintendents working in various field offices of other departments also. The Commission has taken a composite view on this subject and made detailed recommendations separately in this report.

**iii) REVENUE OFFICERS ASSSCOAITION**

**Distt. Revenue Officers/Tehsildars/Niab-Tehsildars.**

The DROs have sought parity with the HCS in terms of pay scales and ACP on the following grounds:-

- a) They have no further avenues of promotion after entry as Tehsildar through allied service and after getting promoted to the post of DRO after spell of 7-8 years continue to work as DROs for more than 20 years.
- b) Cadre Specific ACP has been given to other allied services like Excise & Taxation, Police and Engineers as well as Doctors. Thus, the demand of Cadre Specific ACP for Tehsildar/DRO is justified.
- c) DROs, Tehsildars and Naib Tehsildars perform high risk magisterial duties in removing encroachment, delivery of



possession, clearance of blocked road etc. at district level like HCS officers. They perform magisterial functions apart from exercising powers of Assistant collector in the Revenue Deptt.

There is lot of force in the above argument that there is a lot of stagnation in this cadre. However, DRO cadre cannot be equated with HCS on the basis of some responsibilities discharged on specific occasions like Elections, Natural calamities and Law & Order situations. As for Cadre Specific ACP, the Commission finds that no specific criteria has been fixed by the Govt. for sanctioning this facility. This has led to demand from various services for cadre specific ACP on the pattern of HCS, Police, HCMS etc. Since Cadre Specific ACP has lot more financial benefit compared to General ACP, the Govt. needs to frame a policy and fix specific criteria for sanctioning this facility. The Commission recommends that this matter be examined and a policy decision be taken in this regard. As regards removing the stagnation in the cadre of DROs, it is for the deptt./Govt. to think of measures like giving them promotional opportunities at the Divisional level as well as the office of FCR at the State Capital.

#### **iv) Stamp Auditors/Chief Stamp Auditors**

The Stamp Auditors who are posted in every district are recruited after clearing Departmental Examination held by the O/o Financial Commissioner, Revenue Department, Haryana at the State level. They have knowledge and skill in performing the duty of a legal advisor and auditor. They are doing a much difficult and a technical job in comparison with the Auditors of other Departments at Distt. Level. The Stamp Auditor is a Group 'C' post with GP 3600/- and representation has been made that they should be given GP 4200/- at entry level and after 10 years with the designation of Chief Stamp Auditors with GP 6000/-. It has, further, been pointed out that there are only 2 posts of Chief Stamp Auditors in the State and chances of promotion from Stamp Auditor to Chief Stamp Auditor are very limited. A comparison has also been made with the Auditor posted in the O/o Principal Accountant General, Haryana, who gets the GP 4200/- at entry level. It has further been claimed that the Stamp Auditor as well as Auditor in the O/o AG, Haryana perform similar duties and after two years of service, the Auditor of AG office is promoted at Sr. Auditor with GP 4600/- and after another 3 years as AAO in GP 4800/- and after further 3 years as AO in GP 5200/- and after further 2 years as SAO with GP 5400/-. It is clear that the chances of promotion of Auditor in that office are much better as compared to the Stamp Auditor of Revenue Deptt.

It is difficult to accept the argument that the duties and responsibilities of Stamp Auditor in FCR office are identical to that of the

Auditor of O/o AG, Haryana. The question of designating them as Group 'B' is a decision to be taken by the Department/State Govt. which may provide some relief to them.

**v) Restorer/ Supervisor/ Potadar/ Peon/ Sweeper-cum-Chowkidar/ Sr. Peon/ Record Lifter/ Daftri & Stamper.**

The above categories have represented that after revision the pay scales of Restorer, Supervisor and Potadar have become identical with GP 1900/- even though the post of Restorer is a promotional post from that of Peon and subsequent posts are also considered as promotional posts. It has been represented that Restorer should be given GP 3200, Supervisor 3600/- and Potadar 4000/-. Similar arguments have been urged in the case of Sweeper-cum-Chowkidar, Sr. Peon, Record Lifter and Daftri & Stamper who have the GP 1650/- after revision. Demands have been made that they should be given GP 4590/-, 6000/-, 7000/- and 7850/-.

It is clear that these demands for amendment/revision of pay scales (as against removal of Anomaly) were considered earlier also, but never accepted. There is not much merit in the representation and no solid ground has been given and the demand is only for general pay revision, which is not in the purview of the Commission.

**Meeting held on 10.12.2015**

**vi) Revenue Patwaries and Kanungo Association**

The General Secretary of the Patwari and Kanungo Association has requested for improvement of pay scales of these categories on the basis of following facts:-

The academic qualification of Revenue Patwaris has been enhanced from 10<sup>th</sup> to B.A. with one year diploma and one year field training. But they have been placed in the PB. 5200-20200 with GP 2400, whereas, other similar situated employees are getting G.P. of 3200/- on the basis of equal qualification. Mention has been made of VLDAs in Animal Husbandry Deptt. Attention has been drawn to the nature of duties performed by them. It has been requested that they should be given GP of 3200/-. A suitable enhancement, similarly, has also been requested in the case of Kanungo.

The Commission has considered this matter. It was found that after revision of qualification recruitment has been started only recently and most of the Patwaries working in the department are non-graduates and they have been given revised scales correctly. As regards revising scales on the basis of improved qualifications, this is for the State Govt. to decide and not for the Commission.

**v) Haryrna Revenue Accounts Asscaoition (Ministerial Staff on the Accounts side)**

The Ministerial Staff on the Account side of the Revenue Deptt. like AWBN, WBN, TRA and DRA have represented for revision of pay scales on the ground that after revision, pay scales of promotional cadre and feeder cadre have become identical. It has been claimed that promotion after a period of three years has become meaningless with clubbing of scales. Representation has, therefore, been made that the GP should be suitably enhanced to make promotion meaningful.

After a careful consideration of the matter, the Commission finds that the problem of clubbing of scales in the last three categories has been persisting ever since 1986 and has repeated itself again after the present revision. It was felt that some improvement should be suggested in the following manner:-

In the case of DRA, GP of Rs. 3600/- can be modified to Rs 4000/- doing away with Spl.Pay of Rs. 100/-. In the case of WBN and TRA GP is identical i.e. Rs 3600/- but there is difference in the Spl.Pay and hence no further relief is called for.

## **2.35 RURAL DEVELOPMENT DEPARTMENT**

**Meeting held on 26.08.2015**

### **i) Project Officers**

The Project Officers at the Directorate of Rural Development Deptt. have requested for parity with PO posted in DRDA on the following grounds:-

The Deptt. is implementing rural development schemes of poverty alleviation at the village level. It was learnt that the post of PO has been sanctioned in the State HOS (Rural Development) subsequent to 1.1.2006 with different pay scales compared to what was existing in DRDA. The question of equating these 2 posts needs to be considered in the context of the qualification, method of recruitment and duties performed for better appreciation of the demand made by the POs of Rural Development Deptt. It was found that the posts of P.O.s at the Directorate were created mainly with a view to provide promotional Avenues for staff below in the ministerial cadre with Graduate qualification, whereas the P.O.s in DRDA have a higher qualification of Post Graduation. In addition in terms of duties performed, while Pos in DRDA are actually formulating and implementing schemes at the field level, the POs at the Directorate are only monitoring the input sent by the field. Thus there is no basis for equating these two posts for the purpose of pay scales. However, there is one post of P.O. at the Directorate with technical qualification designated as P.O. (MIS) and for giving a better grade the department has to compare the scales and pay existing in the department of I.T. where similar monitoring of schemes is done. The Commission is unable to suggest any particular revised scale for this post and it is for the department to undertake this exercise.

### **ii) Research Officer**

The Research Officer of the Rural Development Deptt. has requested for parity with RO in ESA Deptt. with GP 5400/- as against 4200/- at present. It is clear that job profile as well as qualification are quite different between the two posts and it may not be possible to equate them in terms of pay scales just on the basis of Nomenclature of the post. The Commission does not find any merit in this representation.

### **iii) Sh. Prem Chand Nagpal, Private Secretary**

His demand is for parity with counterpart in Haryana Civil Secretariat. The Commission has made separate recommendations in the matter being a common issue relating to all departments of the State. The same recommendations will apply in this case.

## **2.36 SCHOOL EDUCATION DEPARTMENT**

### **Meeting held on 20.10.2015**

#### **i) Haryana School Education Officers Association**

The association has requested for granting of pay scales of Principals and above on the pattern of 6<sup>th</sup> Pay Commission on the following grounds:-

In Haryana, all teaching categories have been given 6<sup>th</sup> CPC pay scales in TOTO at the level of JBT, Masters, Lecturers (PGT), Headmasters with total cadre strength of nearly 1 lac. However, category of Principals, BEO, Dy. DEO, DEO, Dy. Director and Jt. Director have been denied the pay scales on the patter of 6<sup>th</sup> CPC.

In the neighbouring States of Punjab and Himachal Pradesh, the pay scales of 6<sup>th</sup> CPC have been implemented in TOTO for all categories. Thus Principals should be given the GP of Rs.7600/- as against the existing GP 6000/-.

The Commission has dealt with this issue in detail separately while dealing with the representation of another organisation of the same department and made suitable recommendation.

### **Meeting held on 10.12.2015**

#### **ii) Sh. Gian Chand Gupta, School Lect. Retd. Kurukshetra.**

Shri Gian Chand Gupta has represented about his wrong fixation of pay w.e.f. 1.1.96. After hearing the matter, the Commission felt that this was purely a departmental matter of pay fixation and not a question of anomaly. In any case it pertains to the year of 1996 and Head of the Deptt., who was present at the meeting, was requested to look into the matter.

#### **iii) Sh. Jai Narayan Sharma, President SLA Union.**

Lab Asstts. of the department have requested for parity in the scales with counterparts in Health Deptt. The demand has been made for GP of 3200/- as against the existing GP of Rs 1900/- as well as the better pay scale of Rs. 9300-34800/-. Mention has been made that the post of Lab Asstt. is a technical post and comes in the category of teaching staff and in the states of Punjab, Rajasthan and Delhi, they are categorised as teaching staff. The request has, therefore, been made that they should be given pay scales at par with their counterparts in the Health Deptt.

The Commission has carefully considered this matter. In fact the nomenclature of the post is Lab Attendant and not Lab Assistant as claimed in the representation. Lab Attendants come in the category 'D' and have no technical qualification and are basically expected to assist the incharge of the Laboratory. These cannot be considered as technical

posts and part of the teaching staff as claimed in the representation. The Sr. Lab Attendant is a Group 'C' post and there is no comparison in the terms of duties performed by the Operation Theatre Assistants in the Health Deptt. who are qualified Diploma Holders. The GP and Pay Scales given to the categories of employees are in order and the Commission does not find any merit in this representation.

**iv) Sh. Ravinder, PTI.**

Shri Ravinder, PTI has made a representation about non-sanctioning of increment, which was due in the month of March after revision of pay on 1.1.2006. It was explained to him that as per 6<sup>th</sup> Pay Commission recommendations, increments are given in the month of July. The department also has not furnished any comments on this issue. The position was explained to the representationist that if he has any grievance of non-sanctioning of increment due to him, he must seek relief from the department as it is not a case of anomaly. The Head of the Department was present in the meeting and was requested by the Chairman to look into the matter.

**v) Representation of General Secretary, Haryana Vidhyalya Adhyapak Sangh regarding upgradation of pay scale of Principal, Head Master, Lecturer (School Cadre) Lecturer (Master Cadre), C&V cadre, Primary Teacher and Head Teacher.**

**vi) Representation of State President , Haryana School Lecturer Association.**

The General Secy. of the Sangh has requested for revision of pay scales of Head Masters, Lecturers (School Cadre) as well as Principal based on the principle followed by the Govt. of India. It was claimed that upto the level of JBT teachers, Haryana Govt. has adopted the pay scales of Govt. of India. However, this has not been done in the case of Principals, Head Masters and Lecturers. The Sangh desired that the GP of Principal may be upgraded upto 7600/- on the pattern of Govt. of India and GP of Head Master as well as lecturer should be equated to Govt. of India Vice Principal and both of them should be upgraded to GP 6600/- .

The Commission has carefully considered this matter. It was found that in Govt. of India, there is a post of Vice Principal which is not existing in the State. The School Lecturers claimed that the post of Head Master was subsequent to the revision of 1996. Headmasters have been given higher GP on the ground that they also look after the administration. It was requested that this distinction should be done away with as the post of Principal is a promotional post from the cadre of Headmaster as well as Lecturer. It may be difficult to do away with the

distinction as it is understood that Head Masters were given a higher GP on the basis of a decision of the High Court.

The Commission after careful consideration found that the Lecturer at the School Cadre have GP 4800/- which is at par with Govt. of India. The representation is actually for upgradation of the Lecturers to the level of Headmasters with GP 5400/-. Subsequently since both posts form feeder cadre for promotion to the post of Principal. they should be upgraded in the GP 6600/- which is the GP of Vice-Principal. The Principal should have the GP 7600/- at par with what is prevalent in Govt. of India. After a careful consideration on all the issues involved, The Commission felt that since the State Govt. did not fully adopt the GOI pattern of 6<sup>th</sup> Central Pay Commission's recommendations and did not club all the scales at the higher level with GP 6600/-. It may not be possible to accept the request of the Sangh. In addition the Principal in the case of Haryana is not part of the cadre of Deputy Director, Jt. Director etc. as it is the case with Govt. of India. There are many levels in the administrative hierarchy above the Principal like BEO, Deputy DEO, DEO, Deputy Director, Jt Director etc. It was not considered desirable to make the post of Principal as part of a Cadre, keeping in view issues of discipline, supervision etc.

The decision not to adopt the G.O.I. pattern on revision in toto is a considered decision of the State Govt. It is not for the Commission to question this policy decision. There is no merit in this representation of the Sangh.

#### **vii) Haryana School Vocational Lecturers Associations**

The Vocational Teachers were absorbed in the School Education Deptt. in 2009 from the Deptt. of Industrial Training. It has been claimed that subsequent to pay revision on 1.1.2006, their Grade Pay has been fixed at Rs. 4200/- instead of Rs. 4800/- which is applicable to School Lecturers.

It has been gathered that the question of treating them at par with School Lecturers for pay scales has been agitated before the High Court and recently the Lecturers in the discipline of Languages are reported to have won the case in Court about being treated at par with School Lecturers. The case of Commerce Lecturers is reported to be pending in the High Court. However, the Instructors seem to have lost the case in the High Court. The Deptt. has not given its recommendations on this subject.

After a careful examination, the Commission finds that there are different judgements in the case of three categories of teaching staff in the vocational wing of the department. In one category the case is subjudice and in another case it is not clear whether the Govt. plans to

implement the judgement or decides to go in appeal. Under these circumstances the Commission is not in a position to make any recommendation. It is upto the Govt. to decide this matter based on judicial pronouncements on different categories in the Vocational Education side of the department.

**viii) Representation of Smt. Kamla and Shri Sushil Kumar, ARO regarding upgradation of pay scale at par with Higher Education Department.**

It has been claimed that inspite of qualifications and duties being the same, the ARO in the Secondary School Education Deptt. is being given a GP of 3600/- whereas his counterpart in the Higher Education Deptt. is getting a GP of 4000/-. During discussions, it emerged that GP of 3600/- has been increased to Rs. 4000/- by the Govt. by a common order and this would have applied to Secondary Education Deptt. as well. The department agreed to verify this fact and approach the State Govt. in case if any further clarification was required.



### **2.37 SOCIAL JUSTICE & EMPOWERMENT DEPARTMENT**

**Meeting held on 20.10.2015**

**Shri Ranjit Singh, Basketry Teacher, Govt. Training Centre for Adult Blind, Panipat.**

Shri Ranjit Singh belonging to the above organisation has requested that he was denied the pay scale with GP 4200 w.e.f. 1.1.2006, even though, a similar person working as a Craft Teacher in the school for the blind at Panipat, has been given the scale .w.e.f. 1.1.2006. However, after representing to FD, he was finally given the GP of Rs. 4200/- effective from 22.8.2012. His request is for sanctioning of the scale w.e.f. 1.1.2006. After a careful consideration, it was felt that there was no reason to deny his demand for granting the scale w.e.f. 1.1.2006 and the treatment, for both the employees should have been the same thus GP of Rs. 4200/- should be allowed to Shri Ranjit Singh w.e.f. 1.1.2006.

### **2.38 SPORTS & YOUTH AFFAIRS DEPARTMENT**

**Meeting held on 26.08.2015**

**Haryana Sports Officers (Coaches) Association.**

It has been represented that there is a huge variation in the pay scales of Coaches at various levels in the State as compared to the Central Govt.. A demand has been made for improvement of G.P. of Junior Coach from Rs.3600 to 4800/- and Coach from Rs.4200 to Rs.5400/- and District Sports and Youth Affairs Officers from Rs.4600 to Rs.6600/-

During interaction of the Commission with the Department the ACS Sports and Youth Welfare informed the Commission that the category of Junior Coach does not exist any more in the department. He further narrated about steps being taken to revamp the department at various levels. It was also mentioned that Coaches will be recruited for specific disciplines as per requirement of the department in future. The Commission while being appreciative of the efforts made to improve the functioning of the department, however, finds that no specific anomaly has been brought out for redressal. The proposal for improvement of G.P. is strictly not a case of anomaly. In addition if the G.P. of DSYAO is increased to Rs.6600/- what will happen to the promotional post of Deputy Director which has a grade pay of Rs.6000/-

In a nutshell the department has not come up with any anomaly which requires redressal. Hence the Commission is not in a position to make any recommendation with regard to this department.

## **2.39 STATE ELECTION DEPARTMENT**

**Meeting held on 17.07.2015**

### **Representation of the employees regarding grant of ACP**

Employees of State election Commission have requested for grant of ACP corresponding to upgraded grade pay of Rs. 3600 and 4000. It has been pointed out that the Govt. vide orders dated 28.8.2014 upgraded functional pay structure of post with grade pay of Rs. 3200 and 3300/- to grade pay of Rs. 3600/ and Rs. 3600/- to Rs.4000/- w.e.f. 1.9.2014.

However with the up-gradation of above pay scales the ACP pay structure and the functional pay scale have become the same. During discussion it was found that the instruction dated 28.8.2014 of the Finance Department may be under review since such a situation has occurred in many other departments also. However keeping in view a general demand in this regard by many categories of employees the commission has made separate detailed recommendations applicable to all such affected employees.

## **2.40 TECHNICAL EDUCATION DEPARTMENT**

**Meeting held on 08.09.2015**

- i) Representation of Dr Yash Pal Singh Berwal, Additional Director (Engineering) for removing anomaly in the pay scale to the post of Principal (Engineering) and Additional Director (Engineering).**

Dr. Yash Pal Singh has represented that the Principal (Engineering) should be given GP of Rs 10000/-+2000/- Special Allowance and Additional Director (Engineering) in the same pay band with Rs. 12000/- GP on the following grounds:-

He has worked as Principal (Engineering) for a period of 9 years including also as Director on deputation to AICTE, New Delhi for 2½ years. He has obtained a large number of awards, appreciation letters from the Principal Secretary, Technical Education for dedication to duty and excellent work. He has also obtained Ph.D. in Engineering alongwith first Class in M.E. Computer Technology & Application. He has also worked as Director Principal of Engineering College Panniwala Mota, Sirsa along with additional charge of Additional Director (Engineering). He has further pointed out that he fulfils the qualification as required by AICTE norms, but even, then he is not getting the pay scale prescribed by AICTE.

It is pointed out that while Dr. Yash Pal Singh may have obtained superior qualification it is not required in the Service Rules prescribed for the post. Secondly, the Govt. of Haryana did not adopt the AICTE pattern in full while revising pay scales, since the qualification or Mode of appointment are quite different between Haryana and AICTE. The Govt. revised the pay scales of the Deptt. on the basis of negotiations held with representatives of the department/union and a memorandum was also signed before issuing the notification dated 18.10.2011. It has, however, been claimed that this notification of 2011 was arbitrary. The question of completely adopting AICTE pattern in terms of pay scales has been raised with the Govt. by the department and it is for the department/Govt. to take a decision on the matter. However, in lieu of higher qualification, benefit which can be given to the officer as a personal measure should be considered by the department. There is no anomaly as such which needs to be rectified.

- ii) Representation of Polytechnic Lecturers Welfare Association of Haryana for grant of AICTE pay scales and grant of 2 additional increments on acquiring higher qualification of M.Tech/M.Phil/Ph.D.**

The Association of Polytechnic Lecturers has demanded that the grant of 2 additional increments on acquiring higher educational qualification should be merged with the basic pay which is not being done at present. The request has been made to make it as part of basic

pay so that they can get the benefit in terms of DA, HRA and other allowances.

It was pointed out that in the Higher Education Department, a similar issue was raised and Finance Deptt. has advised it to seek the clarification from the UGC which has been received, and based on the clarification from the UGC, this issue seems to have taken up by the Higher Education Department with the Pay Revision Branch & FD. The Technical Education Deptt. can adopt a similar course of action. Another issue was also highlighted with regard to the difference in pay of promoted lecturers as compared to the direct recruited lecturers. But it was found that this kind of problem has occurred in many departments and question of giving step up, even in the absence of a junior post can be considered on the basis of clarification issued by the Govt. of India, which was received by the State Govt. in July, 2014. However, action could not be initiated since elections had been announced. The Commission after a careful consideration has made some recommendations separately in this regard which will cover all such cases.

**iii) Sh. Ram Kumar Bishnoi, Govt. Polytechnic, Narnaul and Ms. Poonam Dahiya and other Lecturers in Computer Engineering**

The pay anomaly, which is prevalent in the case of direct recruited junior viz.a.vis. promoted seniors in many departments was highlighted in this case. The Commission has already given recommendation separately to deal with this problem.

**iv) Representation for giving pay scale to Foreman Instructors at par with Lecturer.**

It has been pointed out that pay scales of Foreman Instructors were equal to that of the Lecturers at the time of creation of the post of Foreman Instructor on the recommendation of Madan Committee in 1980. The duties and responsibilities of Foreman Instructor are same as the Lecturer. There is no difference in qualification and therefore, there should be parity in the pay scales between these 2 posts.

It was found that Lecturers are normally recruited directly whereas in the case of Foreman Instructor, their 30% recruitment is direct and remaining 70% come up from the below rank and they do not have the qualification required for Lecturer. It may, therefore, be difficult to treat them at par with Lecturer and it will not be viable to give different pay scales to the direct recruited Foreman Instructor vis .a vis Promoted officers.

The department pointed out during discussion that to improve the chances of promotion of this category, provision has been made giving them promotional avenue, in the cadre of lecturers and above. Under these circumstances, it is clear that efforts have been made

to remove stagnation in this cadre. The demand for parity in pay scale with the lecturers lacks merit and cannot be accepted.

**Meeting held on 29.12.2015**

**v) Sh. Bijender Singh, PTI, C R Polytechnic Rohtak .**

Shri Bijender Sing PTI has represented for allowing him the pay scales of Director Physical Education in Govt. Aided Degree Colleges and the Grade Pay of Rs. 5400/-. In this regard he has given the instance of one Madam Ranju Aggarwal PTI who was given the scale of Rs.9300-34800/- in pay band II with grade pay of Rs.5400/- w.e.f 19.12.2012. He has further claimed that pay scales of other PTIs have not been revised which needs to be done.

After careful consideration of the matter, the Commission does not find merit in this demand. The DPE working in Aided Degree Colleges have qualifications prescribed by the UGC and the method of recruitment is different as compared to PTIs in Govt. Polytechnics. It is, therefore, not feasible to compare both these posts and demand parity in scales. As regards Madam Ranju Aggarwal this was probably done as measure personal to her and in any case she had already reached the grade pay of Rs.5400/- at the time she was given the revised scales. This, therefore, cannot be justified for demanding revision of the pay scales of the post. There is no merit in this representation.

**vi) Sh. Balwan Singh, PTI, Polytechnic Mandi Adampur**

The representation in this case is similar to Sh.Bijender Singh PTI Polytechnic Rohtak. which has already been discussed above. The same decision will, therefore, be applicable in this case.

**vii) Sh. Satyapal Kherpa, Asstt. Director O/o Directorate of Technical Education.**

It has been represented that the pay scale of Assistant Director was higher than Section Officer, which is a non gazetted Group 'C' post. However during revision of pay scale with effect from 1.1.2006 the Section Officer was given higher grade pay of Rs.4600/- apart from interim relief of Rs.2000/-. It is, therefore, claimed the pay of Assistant Director which is a group -B post is much lower than that of Section Officer which is a Group 'C' post and this is an injustice.

It was explained to the representationist that the pay scale of Section Officer who belongs to an organised cadre on the accounts side has been fixing based on the recommendation of the 6<sup>th</sup> Pay Commission. It was clarified that after passing of the SAS examination this grade is given to the Accounts Officers and , therefore, cannot be compared in terms of duties performed as well as qualifications with the Assistant Director. The Commission, therefore, does not find any anomaly, which needs to be rectified.

## **2.41 TOURSIM DEPARTMENT**

**Meeting held on 08.09.2015**

**Deputy Superintendent, Tourist Officers and Assistants**

It was claimed that after the upgradation of pay scale for the post of Assistant from GP 3200/- to 3600/- w.e.f. 1.9.2014, the grade pay of Assistant as well as Tourist Officer have become identical. The Assistant is in the PB-3 with GP 3600 and the Dy. Supdt. With GP 4000/-. However the Tourist officer is in the GP 3600/- and thus an Asstt. promoted as Tourist Officer does not get any benefit. It was felt that the GP of Tourist Officer can be increased to Rs.4000/- to keep parity with Dy. Supdt. This may not create any complication vis. a vis. any other department.

## **2.42 TOWN & COUNTRY PLANNING DEPARTMENT**

**Meeting held on 08.09.2015**

### **Planning Assistants**

The Planning Assistants have demanded GP of 5400/- i.e. equal to SDE of Engineering Deptt. and have also requested that the post should be notified as Group 'B'.

This demand is based on the ground that it is a promotional post from JE carrying higher pay scale. But due to Govt. circular dated 28.8.2014, the feeder and the promotional scales became identical with GP of Rs 4000/-. Their demand for pay scale equal to that of SDE in the Engineering Deptt, was not found tenable. The Commission has however recommended for a G.P. of Rs. 4200/- for these posts carrying Pay scale of Rs. 6500-9900 with G.P. of Rs 4000/- which did not get any upgradation. This measure will give them some relief.



## **2.43 TRANSPORT DEPARTMENT**

### **Meeting held on 08.09.2015**

#### **i) Representation of GM, FSO, DTC for granting them PB-3 at initial level being a Group 'A' service.**

- i) It has been represented that this is the only deptt. where officers belonging to Group 'A' have been placed under GP 5400/- in the Pay band 2.
- ii) It has further been pointed out that GMs as District level officers controlling a lot of subordinate staff are enjoying pay scales which are much lower than other district level officers.
- iii) A request has, therefore, been made that they should be kept in PB 3 with GP 5400/-

The representation of the deptt. seems to be genuine. It is also a fact that these officers of Group 'A' are not directly recruited. But two instances have been brought to the notice of the Commission where inspite being promoted to the Group 'A' service, the incumbents have been kept in Pay band III with G.P. 5400/-, like in the case of SDO Veterinary Department and Supdt. Workshop in the Technical Education Deptt. The Commission strongly feels that in this case of Transport Deptt. also they should be placed at Pay Band III with G.P. 5400/-

#### **ii) Representation of Sh. S.S. Mann, Superintendent for granting GP 4600/- at par with other Group 'B' officers in Transport Department as well as SOs.**

The representation is for parity with other Group 'B' posts in the Transport Deptt. with GP 4600/- and comparison has also been made with SO of FD who inspite of being in Group 'C' is enjoying much higher GP. Similar representations of Superintendents of other departments are already pending with the Commission. A composite view has been taken and a separate recommendation has been given by the Commission to provide relief in such cases

### **Meeting held on 17.09.2015**

#### **iii) Representation of Inspector of Transport Deptt. for bringing parity with counterparts in Excise, Forest and Labour Deptt.**

The Inspectors of Transport Deptt. who are in the GP of 3200/- (3600 w.e.f. 1.9.2014) have sought parity with Inspectors of E&T, Forest, Labour Deptt. with GP 4000/- on the basis of nomen clature of the post being the same.

It was felt that the nature of duties which are being performed by the Inspector of Transport Deptt. has no comparison with the duties performed by the Inspectors of other departments. The

inspector of Transport Deptt. is promoted from the post of Sub-Inspector in G.P. Rs 2400/- and only does checkings of passengers. The Inspectors of Labour and Excise & Taxation Departments look after the implementation of a large number of Central and State Acts.

Thus, it is difficult to consider the request for parity of scales on any rational argument. The matter is also reported to be pending before the High Court.

#### **Meeting held on 29.12.2015**

##### **iv) Sh. Jagbir Singh Senior Mechanical Engineer.**

No direct representation has been made by Sh. Jagbir Singh Sr. Mechanical Engineer to the Commission. However, the case was initiated by the Administrative Department and sent to pay revision branch in Finance Department which has forwarded it to this Commission for disposal.

It has been pointed out that an earlier incumbent Sh. M.S.Verma Sr.Mechanical Engineer was given the pay scale of Rs.4100-5300 which effect from 1-09-1993 as a measure personal to him. It has been claimed that qualifications for this post is equivalent to Chief Engineer of the Engineering Department. The Department in the case of the preset incumbent Sh. Jagbir Singh has given him the scale of 37400-67000/- with grade pay of Rs. 8700/- as a personal measure on the analogy of the earlier case of Sh. M.S.Verma. The department has further claimed that this grade was given to Sh. Jagbir Singh on the basis of SNE sanction of the Finance Department. However, the matter has been referred to the Pay Revision Branch of the Finance Department by the Administrative Department for approval on 30.12.2014 The Pay Revision Branch in turn has sent this case to the Commission.

After a careful consideration it was found that this was no case of pay anomaly but one on which sanction of the Finance Department is being sought by the Administrative Department. There is also no representation from the officer in this regard. Consequently, there is nothing to be decided at the level of the Commission and the decision if any has to be taken by AD/FD.

##### **v) Sh. Ved Parkash Driver, Haryana Roadways, Karnal.**

Sh. Ved Parkash Driver Haryana Roadways Karnal has represented for stepping up his pay at par with his juniors, who were recruited more than year after him. He has claimed that he has been getting much lesser emoluments compared to many of his juniors, which is a serious anomaly, which needs to be rectified.

The background of this case in the context of recruitment made by the department over the years was explained to the Commission by the Head of Department who was present in the meeting. It was pointed out that recruitment of Drivers was made on contract basis in the year 2003 on the basis of service rules framed in that year. Earlier recruitments were governed by rules which existing from 1998. Those who were recruited in year 2002 which includes the representationist were regularised in service in 2008 and those recruited as per the rules of 2003 were regularised in 2009. It is further reported that the rules of 2003 were challenged in the Punjab & Haryana High Court which struck them down but the department has obtained a stay of the judgement from the Supreme Court which is still in force. However, on the basis of an agreement reached with the union which has the approval of the State Govt. those recruited under the rules of 2003 are being given scales of pay from the date of regularization but with regard those appointed before 2003 the situation is still not clear and the matter will have to be taken to the Council of Ministers for further action.

In view of the fact that the issue is sub judice and some matters still remain for the approval of State Govt. the Commission is not in the position to decide this matter. However, it is a fact that persons recruited earlier to 2003 and also regularised in service before them obviously can not be paid less salary than those recruited from 2003 onwards. To that extent there is definitely an anomaly but a final decision on this matter will have to be taken by the State Govt., keeping in view the judicial pronouncement already made or which may come up in future.

**vi) Haryana Ministerial Staff Association (Field Officers)**

The Ministerial Staff Association of the Field Officers of the Transport Department Haryana represented for parity in scales with that of Government of India as well as Punjab Govt. It has been claimed that the clerical and Ministerial staff have suffered in every revision and this needs to be set right. The Deputy Superintendent whose pay band presently has grade pay of Rs.4000/- needs to be upgraded to grade pay of Rs.4200/-. Similarly the grade pay of Assistant/Statistical Assistant/Senior Scale Stenographer should be increased from Rs. 3600/- to Rs.4200/-

After a careful consideration of the matter the Commission finds that similar representations have been raised by other departments both at the Field and Directorate level on which The Commission has given a separate detailed recommendation which will apply in this case also.

## **2.44 URBAN LOCAL BODIES**

**Meeting held on 29.12.2015**

### **Building Inspector Welfare Association**

Building Inspector Welfare Association Haryana also has demanded for parity in pay scales with Junior Engineer on the following grounds:-

- a) The qualifications prescribed for this post is similar to that of Junior Engineer. But they are being paid a lesser grade pay of Rs. 3600/- for which there is no justification. In Faridabad Municipal Corporation, the service rules provide equal pay scales for the post of building Inspector, as well as Junior Engineer. Both of them qualify for promotion to the post of Assistant Engineer. However, in the recruitments made after 2010 on the basis of rules finalised by the Urban Local Bodies Department, the post of Junior Engineer is a promotional post from that of building Inspector. It has been claimed that this matter came to notice after they had joined service subsequentl to the Selection by the Staff Selection Board. They have represented that this variation between the rules of Faridabad Municipal Corporation and the Urban Local Bodies Department needs to be sorted out and they should be given scale of Junior Engineer .
- b) After a careful consideration of the matter the Commission finds that the rules of 2010 framed by the Urban Local Bodies Department based on which posts where advertised recruitment made and candidates joined their jobs. There is no anomaly as such which requires rectification by Commission but a change in service rules by the Urban Local Bodies Department on the basis of the position obtained in Faridabad Municipal Corporation is required to be done. The Department, therefore, was advised to take appropriate action on this matter.

## **2.45 WELFARE OF SCs & BCs DEPARTMENT**

**Meeting held on 15.09.2015**

### **i) District Welfare Officers.**

The DWOs have requested for Grade Pay of 5400/- with 20% posts of selection grade of GP 6000/- on the following grounds:-

- i) There is stagnation and very few avenues of promotion
- ii) They are implementing a large number of schemes both of the State and Central Govt. for the poorer sections of Society.
- iii) The minimum qualification of DWOs is Master in Social Work/Post Graduate with five years of field experience in a development or welfare department of the Central or any State Govt.
- iv) They should be equated to BDPOs of Development & Panchayat Deptt. who are given pay scale of 8000-13500/- w.e.f. 1.1.1996 whereas DWOs have been given scales of 6500-10500/-w.e.f. 1.1.1996.
- v) The pay scales of other categories which were either equal or less than that DWOs have been increased w.e.f 1.1.2006 with GP 5400/-, but DWOs with higher qualification have been given GP 4600/-. Comparison has been made with Treasury Officers, DDPOs, DFSCs, ETOs as well as Tehsildars.

After detailed discussion the Commission found that the post graduate qualification is only for direct recruits whereas Tehsil Welfare Officers whose grade pay is Rs. 3200/- equal to that of Assistants are promoted to this post. The Department of Welfare of SC and BC Classes is an off shoot of the Social justice and empowerment department alongwith Women and Child Development Department. There are similar posts in the other two departments and the revision of pay scale has been identical with this department. It would therefore be inappropriate to give any unilateral increase in the case of Welfare of SC and BC department. As regards the argument for seeking parity with Treasury Officers, DDPOs, DFSCs, ETOs as well as Tehsildar, the Commission was apprised of the fact that a similar demand raised by the officers of the Social Justice & Empowerment Department has already been declined by a speaking order passed by the Govt. on the basis of a direction given by the Punjab and Haryana High Court to decide the issue. Under these circumstances, the commission finds no justification for a similar demand from the officers of the Welfare of SC & BC

department. This representation has therefore no force and cannot be accepted

**Meeting held on 29.12.2015**

**ii) Lecturers posted in pre examination Training Centre of the Department.**

The Lecturers posted in the pre examination Training Centres of the SCs BCs departments have demanded pay scales at par with School Lecturers. The Commission was apprised of the background of the case by the Departmental representatives who were present in the meeting. It appears that the Lecturers approached the High Court in connection with their demand in the year 1998 and lost their case in the High Court which held that in terms of duties performed and qualifications they cannot be equated with School Lecturers. This decision of the High Court was not challenged by them and has, therefore, become final. There has also been a subsequent development that these centres have now been closed and efforts are being made to adjust the Lecturers within the Department or getting them absorbed in the school Education Department.

It was explained to the representationists that in view of the Judicial decision, It is not possible for the Commission or the State Govt. to accept their demands for parity with school Lecturers in the matter of pay scales. The Commission is therefore unable to provide any relief on this matter.

## **2.46 WOMEN & CHILD DEVELOPMENT DEPARTMENT**

**Meeting held on 20.10.2015**

### **ICDS Statistical Assistants Association**

The Statistical Assistants of the above department have requested for revision of pay scales at par with those existing in Punjab. The main reason for the demand is that there are no promotional avenues available to the Statistical Asstt. and there is a lot of stagnation in the department. Mention has also been made that Supervisor in the department with less qualification has more promotional avenues viz. CDPO, DTI, DD, JD and Addl. Director. Administrative Deptt. has not sent its comments on the ground that the representation has already been rejected by the Pay Anomaly Committee on 16.11.2012.

It was found that the pay scales of the Statistical Assistants are at par with similar categories in the ESA department. There is no justification in the demand for a G.P. of Rs 4600/- against the existing G.P. of Rs 3600/-.

**2.47 HARYANA KARAMCHARI MAHA SANGH AND SARV KARAMCHARI SANGH, HARYANA**

**Meeting held on 29.09.2015 and 01.10.2015**

The Commission heard Haryana Karamchari Maha Sangh on 29.09.2015 and Sarv Karamchari Sangh, Haryana on 01.10.2015. The Commission observed that these Karamchari Sanghs are not department specific/ category specific. These are the apex unions of various department specific unions. The office bearers of these Sanghs include office bearers of department specific unions. The demand raised by these Sanghs are the same as raised by the individual employees/ Unions(s)/ Association(s) of employees of the departments of the State. Comments of respective Administrative Departments were also obtained in connection with the representations received from individual employees/ Unions(s)/ Association(s) of employees of the departments and no separate comments were received from Chief Secretary to Government Haryana (Protocol Branch) on their representations. The Commission has already heard the individual employees/ Unions(s)/ Association(s) of employees of the departments who have represented before this Commission. There was nothing new in the representations of these Sanghs. However, the Commission separately heard these Sanghs on 29.09.2015 and 01.10.2015 and found that most of the office bearers have already attended the hearing and presented their viewpoint during the hearing of respective department to which they belonged. They also impressed that their submissions/ viewpoints whatever they have submitted during the hearing of their respective departments are the same and these may be considered while deciding the case of respective category/ department. The Sarv Karamchari Sangh impressed that the Commission may consider the pay anomalies related issues of Boards & Corporation, Autonomous Bodies, Universities of the State, however, they were informed that it is not covered under the terms of reference of this Commission. Since, the demand raised by these Sanghs have already been covered in the representations submitted by the individual employees/ Unions(s)/ Association(s) of employees of the departments, therefore, no separate recommendations are being made on the representations of these Sanghs.



**CHAPTER-3**  
**COMMON ISSUES**

**3.1. Claim of Ministerial Staff of Directorate and Field Employees of the State viz. Assistant, Deputy Superintendent, Superintendent and Private Secretary for pay parity with counterparts in Haryana Civil Secretariat.**

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Apart from other common issues raised by various individual employee(s)/ Union(s)/ Association(s) of the employees of the State one major issue of Ministerial Staff of Directorate and Field Employees of the State was for pay parity with their counterparts in Haryana Civil Secretariat. Their demand was based on the following grounds:-

1. Similar job profile.
2. Similar qualifications.
3. Equal pay scales at different points of time.

The commission considered their demand on the above parameters alongwith recommendations of 6<sup>th</sup> Central Pay Commission in the matter. Before considering the other points, the Commission noticed the pay scales of Ministerial posts in Directorate and Field Employees of the State and that of Haryana Civil Secretariat as applicable from time to time **(Annexure-A)**.

On a perusal of the pay scale applicable for the post of Assistant, Deputy Superintendent, Superintendent and Private Secretary in Directorate/ Field Offices and Haryana Civil Secretariat from time to time, it is observed that the pay scale of posts of Secretariat have remained higher at all times. Therefore, there is no historical or established parity in the pay scales of Ministerial Cadre viz Assistant, Deputy Superintendent, Superintendent and Private Secretary in Directorate/ Field Offices and Haryana Civil Secretariat of the State.

**2. SIMILAR JOB PROFILE:-**

The Commission considered their arguments of same pay scale on the ground of similar job profile and observed that the Government has categorically stated in its Memorandum dated 07.07.1995 placed before CMM that the pay scale of Assistants of Haryana Civil Secretariat have remained higher than that of their counterparts in Directorates/ Subordinate Offices and the nature of work and responsibility of Assistants is qualitatively more demanding in Haryana Civil Secretariat than Directorates/ Subordinate Offices. This concept was considered by the Pay Anomalies Committee in its meeting held on 07.01.2011 vide Agenda Item No. 20 in connection with the similar

demand of Haryana Karamchari Talmel Samiti, Chandigarh and Panchkula. Therefore, their submission that the job profile of Ministerial Cadre in Directorates/ Subordinate Offices and Haryana Civil Secretariat was similar was not factually found to be correct by the Government.

**3. SIMILAR QUALIFICATION:-**

The Commission was apprised by the representatives of Government side that the persons with higher merit are posted in Haryana Civil Secretariat and other Class-A departments. However, the concept of Class-A has now been abandoned. Moreover, qualification alone is not the criteria for determination of pay scale of a post. The State Government in its letter dated 20.04.2001 has stated that Hon'ble Apex Court in the case of Secretary, Finance Department V/s West Bengal Registration Services Association, AIR 1992 SC 1203 has observed that ordinarily a pay structure is evolved keeping in mind several factors e.g., (I) method of recruitment, (ii) level at which recruitment is made, (iii) the hierarchy of service in a given cadre, (iv) minimum educational/technical qualifications required, (v) avenues of promotion, (vi) the nature of duties and responsibilities, (vii) the horizontal and vertical relativities with similar jobs, (viii) public dealings, (ix) satisfaction level, (x) employer's capacity to pay, etc.

Hence, their claim for parity on this ground is also not found to be tenable.

4. In their submissions, they have also stated that the post of Superintendent and Private Secretary in Directorates are Group-B Supervisory posts. The pay scales of some posts which are otherwise in lower rank of Group-C and were getting lower pay scales than Superintendent and Private Secretary before revision of pay scale viz. Section Officer/ ATO/ Sr. Auditor, have been given higher grade pay of Rs. 4600/- whereas the GP of Superintendent is Rs. 4200/-. This issue was considered by the Commission and it was observed that the pay scale of these posts have been upgraded by the Government as per the recommendations of 6<sup>th</sup> Central Pay Commission being part of an Organized Accounts Cadre. However, the Commission observed that the pre-revised pay scale of Superintendent and Private Secretary in Directorate and Subordinate Offices was Rs. 6500-10500. The Government of India in its notification based on 6<sup>th</sup> Central Pay Commission has made following recommendations

- (i) On account of merger of pre-revised pay scales of Rs.5000-8000, Rs.5500-9000 and Rs.6500-10500, some posts which presently constitute feeder and promotion grades will come to lie in an identical grade. The specific recommendations about some categories of these posts made by the Pay Commission are included in Section II of Part B. As regards

other posts, the posts in these three scales should be merged. In case, it is not feasible to merge the posts in these pay scales on functional considerations, the posts in the scale of Rs.5000-8000 and Rs.5500-9000 should be merged, with the post in the scale of Rs.6500-10500 being upgraded to the next higher grade in pay band PB-2 i.e. to the grade pay of Rs.4600 corresponding to the pre-revised pay scale of Rs.7450-11500. In case a post already exists in the scale of Rs.7450-11500, the post being upgraded from the scale of Rs.6500-10500 should be merged with the post in the scale of Rs.7450-11500.

- (ii) Posts in the scale of Rs.6500-10500 carrying minimum qualification of either Degree in Engineering or a Degree in Law should also be upgraded and placed in the scale of Rs.7450-11500 corresponding to the revised pay band PB-2 of Rs.9300-34800 along with grade pay of Rs.4600.
- (iii) Posts of scientific staff in the scale of Rs.6500-10500 carrying minimum qualification of engineering degree or a post-graduate degree should also be upgraded and placed in the scale of Rs.7450-11500 corresponding to the revised pay band PB-2 of Rs.9300-34800 along with grade pay of Rs.4600
- (iv) Upgradation as in (ii) above may be done in consultation with Department of Expenditure, Ministry of Finance. Regarding (iii) and (iv) above, upgradation may be done by the Ministries concerned in consultation with their Integrated Finance.

**(In Rupees)**

(in Rupees)

Post	Present scale	Revised Pay Scale	Corresponding Pay Band & Grade Pay		Para No. of the Report
			Pay Band	Grade Pay	
OFFICE STAFF IN THE SECRETARIAT*					
Section Officer/ PS/ equivalent	6500-10500	7500-12000	PB-2	4800	
		8000-13500 (on completion of 4 years)	PB-3	5400 (on completion of 4 years)	3.1.9 (Modified by Govt.)
* This scale shall be available only in such of those organizations/ services which have had a historical parity with CSS/CSSS. Services like AFHQSS/ AFHQSSS/ RBSS and Ministerial/Secretarial posts in Ministries/ Departments organisations like MEA, Ministry of Parliamentary Affairs, CVC, UPSC, etc. would therefore be covered.					

5. The State Government has upgraded the pay scale of Superintendent and Private Secretary of Haryana Civil Secretariat and five other similarly equated offices by the Government on the pattern of Government of India. Since, this recommendation was not meant for Directorate/ Subordinate Offices, therefore, their claim for parity is not genuine. However, the Commission has further observed that the State Government while revising the pay scale of its employees w.e.f. 01.01.2006 and subsequent to the revision has upgraded the pay scale of number of posts which were carrying pay scale of 6500-10500 identical to Superintendent and Private Secretary of Directorate/ Subordinate Offices as detailed below:-

**A. Posts in the pre revised pay scale of 6500-9900/ 6500-10500 upgraded during general revision of pay scale w.e.f. 01.01.2006 and revised to grade pay of Rs. 4600/- or above instead of giving general revision of GP of Rs. 4000/- / 4200/- respectively.**

Sr. No.	Post	Existing Scale	Revised/ Modified pay scales	Corresponding Pay Band and Grade Pay	
				Pay Band	Grade Pay
1	Posts in Transport Department				
i)	Works Manager	6500-10500	7450-11500	PB-2	4600
ii)	Store Purchase Officer	6500-10500	7450-11500	PB-2	4600
iii)	Service Engineer	6500-10500	7450-11500	PB-2	4600
2	Post in Prosecution Department				
	Asstt. Distt. Attorney	6500-10500	7450-11500	PB-2	4600
3	Posts in Labour Department				
i)	Asstt. Director Industrial Safety & Health	6500-10500	7450-11500	PB-2	4600
ii)	Asstt. Director Industrial Safety & Health (Chemical)	6500-10500	7450-11500	PB-2	4600
iii)	Asstt. Director Industrial Health Cum-Certifying Surgeon	6500-10500	7450-11500	PB-2	4600
4	Posts in Police Department (FSL Madhuban)				
i)	Sr. Scientific Asstt.	6500-9900	7450-11500	PB-2	4600
* ii)	Sr. Scientific Officer	6500-10500	8000-13500	PB-2	5400
5	Post in Health Department				
	Biologist	6500-10500	7450-11500	PB-2	4600

Sr. No.	Post	Existing Scale	Revised/ Modified pay scales	Corresponding Pay Band and Grade Pay	
				Pay Band	Grade Pay
6	Post in Civil Aviation Department				
	Asstt. Aircraft Engineer	6500-10500	7450-11500	PB-2	4600
7	Post in Information & Public Relation Department				
	Technical Officer	6500-10500	7450-11500	PB-2	4600
8	Post in Renewable Energy Department				
	Project Officer	6500-10500	7450-11500	PB-2	4600
9	Post in Supplies and Disposals Department				
	Asstt. Director Technical	6500-10500	7450-11500	PB-2	4600
10	Posts in Agriculture Department				
i)	Asstt. Geologist	6500-10500	7450-11500	PB-2	4600
ii)	Water Development Specialist	6500-10500	7450-11500	PB-2	4600
iii)	Asstt. Geophysicist	6500-10500	7450-11500	PB-2	4600
iv)	Asstt. Engineer (Design)	6500-10500	7450-11500	PB-2	4600
11	Posts in Law & Legislative Department				
i)	Supdt. (Legal)	6500-10500	7450-11500	PB-2	4600
ii)	Assistant Legislative Officer	6500-10500	7450-11500	PB-2	4600
12	Posts in Industries Department				
i)	Asstt. Director (Technical)	6500-10500	7450-11500	PB-2	4600
ii)	Asstt. Director (Chemical)	6500-10500	7450-11500	PB-2	4600
iii)	Asstt. Director (Textile)	6500-10500	7450-11500	PB-2	4600
iv)	IPO/ Asstt. Director (IP)	6500-10500	7450-11500	PB-2	4600
v)	Asstt. Director of Boiler -cum - Inspector of Boiler	6500-10500	7450-11500	PB-2	4600
13	Post in Mines & Geology Department				
	Mining Officer	6500-9900	7450-11500	PB-2	4600
14	HCS Allied Services				
	Assistant Registrar Cooperative Societies	6500-10500	7450-11500	PB-2	4600
	Assistant Excise & Taxation Officer	6500-10500	7450-11500	PB-2	4600
	Block Development & Panchavat Officer	6500-10500	7450-11500	PB-2	4600

	Traffic Manager	6500-10500	7450-11500	PB-2	4600
	Distt. Food & Supplies Officer	6500-9900	7450-11500	PB-2	4600
	Assistant Employment Officer	6500-9900	7450-11500	PB-2	4600
<b>15</b>	<b>Posts in Education Department</b>				
	Head Master Middle School	6500-9900	7450-11500	PB-2	4600
	School Lecturer	6500-10500	7500-12000	PB-2	4800
<b>16</b>	<b>Posts in Health Department</b>				
	Matron	6500-9900	8000-13500	PB-2	5400
	Nursing Supdt.	6500-10500	8000-13500	PB-2	5400
	Principal Tutor	6500-9900	8000-13500	PB-2	5400
	Distt. Nursing Officer	6500-10500	7500-12000	PB-2	4800
	Public Health Nursing Officer	6500-10500	8000-13500	PB-2	5400
	Assistant Director (Nursing) & Principal, Training centre, Barwala	6500-10500	8000-13500	PB-2	5400
<b>17</b>	<b>Posts in Police Department</b>				
	Inspector	6500-10500	7450-11500	PB-2	4600
<b>18</b>	<b>Posts in Organised Accounts Cadre (Treasuries &amp; Accounts Deptt)</b>				
	Section Officer	6500-9900	7450-11500	PB-2	4600
	Accounts Officer	6500-10500	8000-13500	PB-2	5400
<b>21</b>	<b>Post in Forest Department</b>				
	Haryana Forest Service	6500-10500	7450-11500	PB-2	4600
<b>22</b>	<b>Posts in Employment Department</b>				
	Distt. Employment Officer	6500-10500	7500-12000	PB-2	4800
<b>23</b>	<b>Posts in Local Audit Department</b>				
	Senior Auditor	6500-9900	7450-11500	PB-2	4600
	Resident Audit Officer	6500-10500	8000-13500	PB-2	5400
<b>24</b>	<b>Posts in Treasuries &amp; Accounts Department</b>				
	Assistant Treasury Officer	6500-9900	7450-11500	PB-2	4600
	Treasury Officer	6500-10500	8000-13500	PB-2	5400

Sr. No.	Post	Existing Scale	Revised/ Modified pay scales	Corresponding Pay Band and Grade Pay	
				Pay Band	Grade Pay
25	Posts in Sports Department				
	District Sports Officer	6500-10500	7450-11500	PB-2	4600
	Asstt. Director (Yoga)	6500-9900	7450-11500	PB-2	4600

**B. Posts in the pre-revised pay scale of 6500-9900/ 6500-10500 which were revised to PB-2, 9300-34800, GP-4000/- / 4200/- respectively, further upgraded to GP of Rs. 4600/- or above subsequent to revision of pay scale.**

NAME OF DEPARTMENT	NAME OF POST	PRE-REVISED PAY SCALE	REVISED W.E.F. 01.01.2006	FURTHER MODIFIED
Haryana Civil Secretariat, FCR, HVS, HPSC, LR, Governor House	Private Secretary	6500-10500 + 200/- SP	PB-2, GP-4800/- at entry level and 5400/- after 4 years.	Vide order dated 20.02.2009
DIPR	DPRO and equivalence	6500-10500 + 200/- SP	PB-2, GP-4200/-	PB-2, GP-4800/- vide order dated 27.08.2009
Haryana Civil Secretariat, FCR, HVS, HPSC, LR, Governor House	Superintendent	6500-10500 + 200/- SP	PB-2, GP-4200/-	PB-2, GP-4800/- at entry level and 5400/- after 4 years vide order dated 06.01.2010
Welfare of SCs & BCs	DWO	6500-10500	PB-2, GP-4200/-	PB-2, GP-4600/- w.e.f. 01.04.2011 vide order dated 15.04.2011
Panchyati Raj (RGS, Nilokheri)	Instructors	6500-10500	PB-2, GP-4200/-	PB-2, GP-4600/- w.e.f. 12.12.2011 vide order dated 12.12.2011
Haryana Civil Secretariat	Librarian	6500-10500	PB-2, GP-4200/-	PB-2, GP-4600/- w.e.f. 24.02.2012 vide order dated 24.02.2012

NAME OF DEPARTMENT	NAME OF POST	PRE-REVISED PAY SCALE	REVISED W.E.F. 01.01.2006	FURTHER MODIFIED
Agriculture & Horticulture	SDAO/ SMS/ APPO/ ACDO/ ASCO/ QCI/ ACC/ AMO/ ASPO (Class-II)/ SSO/ Floriculturist/ Veg Specialist/ DHO/ Fruit Specialist/ Supdt (H)	6500-10500	PB-2, GP-4200/-	PB-2, GP-4600/- w.e.f. 22.05.2014 vide order dated 22.05.2014
Social Justice & Empowerment	DSWO	6500-10500	PB-2, GP-4200/-	PB-2, GP-4600/- w.e.f. 29.08.2014 vide order dated 29.08.2014

6. The Commission was further appraised that the Grade Pay of feeder post viz Deputy Superintendent was Rs. 3600/- which has further been upgraded to Rs. 4000/- w.e.f. 01.09.2014, in addition Government has also granted IR Of Rs. 2000/- to all Group-C and D Posts w.e.f. 01.01.2014. However, neither the GP of Superintendent was upgraded nor IR was granted to it being a Group-B post. Consequently, the gross emoluments of an incumbent Superintendent are reduced on his promotion from Deputy Superintendent to Superintendent as the IR of Rs. 2000/- is discontinued, which is an aberration.

7. The Commission considered the whole issue and observed that the Government has already improved the GP of Assistants from 3200/- to 3600/- and that of Deputy Superintendent from 3600/- to 4000/- w.e.f. 01.09.2014. Besides, the State Government has also granted IR of Rs. 2000/- to all Group D & C posts. As regard their demand for grant of GP of Rs. 4800/- at entry level and Rs. 5400/- after 4 years at par with counterparts in Haryana Civil Secretariat this is not justified. Apart from the fact, this is not admissible due to above said reasoning, it may create further anomaly as in some departments the Superintendent is further promoted on the post carrying equal GP of Rs. 4200/- or Rs. 4600/-. **For Example**, Superintendent with GP of Rs. 4200/- in Panchayat Department is promoted as Assistant Director in GP of Rs. 4600/-. Similar more cases may be in other departments. However, the State Government may consider to upgrade the GP of Superintendent and Private Secretary of Directorate/ Subordinate Offices from Rs. 4200/- to 4600/- as Government of India/ 6<sup>th</sup> Central Pay Commission has already recommended for grant of Rs. 4600/- to



the all the posts carrying pay scale of Rs. 6500-10500. To avoid any discrimination, the Commission recommends that it would be appropriate that the functional GP of all the posts of the State which were in the pre-revised pay scale of Rs. 6500-10500 as on 01.01.2006 and which have been left in the upgradation may now be upgraded to GP of Rs. 4600/-. This would satisfy their demand to some extent. This has further been necessitated after upgradation of functional grade pay of Deputy Superintendent from 3600/- to 4000/- and grant of IR of Rs. 2000/-. The left over such posts would be limited, as Government has already upgraded the GP of most of the posts carrying pay scale of Rs. 6500-10500 to GP-4600/- or more as listed above.

## ANNEXURE-A

### Pay scales of Ministerial posts in Directorate and Field Employees of the State and that of Haryana Civil Secretariat as applicable from time to time.

Name of Post	Directorate					Haryana Civil Secretariat				
	Pre-1.4.79	w.e.f. 1.4.79	1.1.86	1.1.96	1.1.06	Pre-1.4.79	w.e.f. 1.4.79	1.1.86	1.1.96	1.1.06
Asstt.	160-400	525-1050	1400-2600	5000-7850	PB-2, 9300-34800 GP 3200/-	225-500	525-1050	1400-2600 + 60/- Spl. Pay	5450-8000 + 60/- Spl. Pay	PB-2, 9300-34800 GP 3600/- (notional w.e.f. 1.1.06 & actual w.e.f. 30.3.07) (Asstt. Gr.-II) w.e.f. 2.7.09
						300-600 (SG) for 20 posts in HCS and FC Office	700-1250 (SG) for 20 posts in HCS and FC Office * <b>Notification dated 29.02.80</b>	1600-2660 + 60/- Spl. Pay w.e.f. 1.4.95	5500-9000 without Spl. Pay (notional w.e.f. 1.1.96 & actual w.e.f. 30.3.07)	PB-2, 9300-34800 GP 3600/- (Asstt. Gr.-I) w.e.f. 2.7.09 PB-2, 9300-34800, GP 4000 (after 5 yrs and passing of Deptt. Exam)
Dy. Supdt.	350-650	700-1250	1640-2900	5500-9000	PB-2 9300-34800 GP 3600/-	350-800	700-1250 + Rs. 75/- spl in lieu of higher time scale	1640-2900 + 150 Spl. Pay	5500-9000 + 150 Spl. Pay	PB-2, 9300-34800 GP 3600 + 150 Spl. Pay (w.e.f. 1.1.06) PB-2, 9300-34800, GP 4200/- without Spl. Pay (w.e.f. 2.7.09)
Supdt.	500-850	1000-1500	2000-3500	6500-10500	PB-2 9300-34800 GP 4200/-	500-900 (TS)	1000-1500 (TS) + 100/- spl	2000-3500 + 200/- Spl. Pay	6500-10500 + 200/- Spl. Pay	PB-2, 9300-34800, GP 4200 + 200/- Spl. Pay (w.e.f. 1.1.06) PB-2, 9300-34800, GP 4800/- without Spl. Pay (w.e.f. 2.7.09) PB-2, 9300-34800 GP 5400 (after 4 yrs) (w.e.f. 2.7.09)
						900-1100 (SG) for 20 posts in HCS and FC Office	1600/- fixed (SG) + 100/- spl. for 20 posts in HCS and FC Office * <b>Sr. No. 9 of schedule of notification dated 29.02.80</b>			

Name of Post	Directorate					Haryana Civil Secretariat				
PS						500-900 (TS)	1000-1500 + 100 spl	2000-3500 + 200 Spl	6500-10500	PB-2, 9300-34800 GP 4800 (notional w.e.f. 1.1.96 & actual w.e.f. 7.9.07)
						900-1100 +50/- Spl(SG) for 20 posts in HCS and FC Office	1600/- fixed (SG) + 100/- spl. for 20 posts in HCS and FC Office * Sr. No. 25 of schedule of notification dated 29.02.80		8000-13500 (notional w.e.f. 1.1.96 & actual w.e.f. 7.9.07)	PB-2, 9300-34800 GP 5400 (after 4 yrs) (notional w.e.f. 1.1.96 & actual w.e.f. 7.9.07)

- 3.2 i. Issue of grant of ACP grade pay and incremental benefits to the posts whose pay scale/ grade pay has been further upgraded subsequent to 01.01.2006 by individual orders or by common orders dated 28.08.2014.
- ii. Re-occurrence of settled disparities due to implications of order dated 28.08.2014.
- iii. Denial/ leaving out of further upgradation of grade pay of the post carrying grade pay of Rs. 4000/- as on 01.01.2006- anomaly/ aberration arisen on this account

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**3.2(i) ISSUE OF GRANT OF ACP GRADE PAY AND INCREMENTAL BENEFITS TO THE POSTS WHOSE PAY SCALE/ GRADE PAY HAS BEEN FURTHER UPGRADED SUBSEQUENT TO 01.01.2006 BY INDIVIDUAL ORDERS OR BY COMMON ORDERS DATED 28.08.2014.**

The Commission was apprised that the State Government has further upgraded the pay scale/ grade pay of certain categories of employees, which are as under:-

Name Of Department	Name of post	From	To	Date of Effect	Order No. & Dated
HBPE	Accountant	3200	3600	01.04.2011	1/1/2011-1PR (FD), dated 15.04.2011
Technical Education	Workshop Instructor/ Lab Instructor/ Lab Assistant (Pharmacy)	3200	3600	01.04.2011 (N) & 18.10.2011 (A)	1/76/2011-1PR (FD), dated 18.10.2011
Haryana Civil Secretariat	Asstt Librarian	3300	3600	24.02.2012	1/1/2011-1PR(FD), dated 24.02.2012

Health	Pharmacist	3200	3600	24.02.2012	-do-
Renewable Energy	APO	3300	3600	24.02.2012	-do-
HVS	Technical Supervisors	3300	3600	24.02.2012	-do-
	Asstt Librarian	2400	3300	05.02.2013	1/53/2012-1PR (FD), dated 05.02.2013
Co-operation	Sr. Auditor	3200	3600	06.08.2012	1/1/2011-1PR(FD), dated 06.08.2012
	Inspector (Audit)	3200	3300	06.08.2012	-do-
Ayush	Ayurvedic Dispenser/ Homeopathic Dispenser/ Unani Dispenser	2800	3200	22.08.2012	1/1/2011-1PR(FD), dated 22.08.2012
Agriculture	PBX Operator	1900	3200	22.08.2012	-do-
ESI	Pharmacist	3200	3600	10.01.2013	1/19/2009-1PR (FD), dated 10.01.2013
Industrial Training	Art Master/ etc	3200	3600	12.12.2011	1/1/2011-1PR(FD), dated 12.12.2011
	Instructor	3200	3600	12.12.2011	-do-
Public Relation	APRO & Equivalent	3600	4000	01.09.2009	1/95/2009-3PR (FD), dated 27.08.2009
Higher Education	Typewriter Instructors	2400	3200	12.12.2011	1/1/2011-1PR(FD), dated 12.12.2011
Labour	Labour Inspector	3200	3600	12.12.2011	-do-
Social Justice & Empowerment	Basketry Teacher	3200	4200	22.08.2012	1/1/2011-1PR(FD), dated 22.08.2012

Apart from above, the State Government vide its order No. 1/98/2013-2PR (FD), dated 28.08.2014 had decided to upgrade the functional grade pay of all posts carrying GP 3200/- and GP 3300/- to GP 3600/- w.e.f. 01.09.2014. Likewise, functional grade pay of all posts carrying GP 3600/- was upgraded to GP 4000/- w.e.f. 01.09.2014.

Number of categories of employees/ union(s)/ Association (s) of employees whose functional grade pay have been further upgraded subsequent to 01.01.2006 vide above said orders have represented that they are not being granted ACP grade pay and incremental benefit as admissible under ACP Rules corresponding to these upgrdations. In this

connection, various employees/ union(s)/ Association (s) have represented as under:-

**i) Pharmacists of Health Department (Agenda No 4, Meeting dated 24.07.2015)**

***ANOMALY IN ACP STRUCTURE:***

	<b><i>GP of newly appointed</i></b>	<b><i>GP after 1<sup>st</sup> ACP</i></b>	<b><i>GP after 2<sup>nd</sup> ACP</i></b>	<b><i>GP after 3<sup>rd</sup> ACP</i></b>
<i>Before 24/2/12</i>	3200	3300	3600	4000
<i>After 24/2/12</i>	3600	3600	3600	4000

***Whereas Actual ACP's of Scale 9300-34800 GP3600 is as follows***

<b><i>Newly appointed</i></b>	<b><i>GP of 1<sup>st</sup> ACP</i></b>	<b><i>GP of 2<sup>nd</sup> ACP</i></b>	<b><i>GP of 3<sup>rd</sup> ACP</i></b>
10230+3600	4000	4200	4600

*As shown above there is no benefit to the Pharmacists already placed in the 2<sup>nd</sup> and 3<sup>rd</sup> ACP.*

*According to FD letter No. 1/83/2008-IPR (FD) dated 4.3.2014 the ACPs of scale 9300-34800 + GP 3200 are modified to 1<sup>st</sup> 3600, 2<sup>nd</sup> 4000 and 3<sup>rd</sup> 4200 but our Pharmacists are getting fixed in ACP scale lower than that of 9300-34800 + GP3200 scale and they are further being denied ACP's in the light of rule 7 of ACP rules 2007.*

*So, it is a case of anomaly that newly appointed Pharmacist and pharmacists taking 1<sup>st</sup> and 2<sup>nd</sup> ACP are placed in the same grade pay. So, we request you to remove this anomaly and 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> ACP may be fixed on the ACP Structure of Rs. 3600 as 4000, 4200 and 4600 respectively. And the ACP's of Pharmacists should be fixed as follows for all the Pharmacists of your Department in all the Districts of Haryana:-*

<b><i>NEW ENTRY LEVEL</i></b>	<b><i>1<sup>ST</sup> ACP</i></b>	<b><i>2<sup>ND</sup> ACP</i></b>	<b><i>3<sup>RD</sup> ACP</i></b>
10230+3600	4000	4200	4600

**ii) Librarian of Haryana Civil Secretariat (Agenda No. 2(ii) meeting dated 15.09.2015)**

*On persistent requests my case was taken by Pay Anomaly Committee whereby a new figure of Rs.4600/- instead of Rs.4800/- was sanctioned to me from 23.02.2012, which is completely unjustified.*

*If for any reasons/ basis it was treated as an anomaly vide order No.1/1/2011-1PR(FD) dt:24.02.2012, I should have*

been given an additional increment with Rs.4600/-Grade Pay and an ACP after eight years which was also denied to me.

**iii) Sh. Ram Singh Verma, Assistant, Excise & Taxation Department (Agenda No. 5(iii) meeting dated 18.09.2015)**

“निवेदन है कि मेरी नियुक्ति लिपिक के पद पर स्थायी रूप में दिनांक 31.12.1990 को पे स्केल रू0 950-1500 में हुई थी। इसके उपरान्त दिनांक 01.01.2001 को प्रथम ए.सी.पी. 4000-6000 तथा द्वितीय ए.सी.पी.5200-20200+3200 ग्रेड पे का लाभ 01.01.2011 से मिला इसके उपरान्त मेरी सहायक के पद पदोन्नति दिनांक 17.06.2013 को वेतनमान रू0 9300-34800 समान ग्रेड पे रू0 3200/- पर हुई जिसमें मुझे कोई अतिरिक्त लाभ नहीं मिला।

इसके बाद दिनांक 01.09.2014 को वित्त विभाग के पत्र क्रमांक 1/98/2013-2पी.आर.(एफ.डी.) दिनांक 28.08.2014 (प्रति संलग्न) के आदे गों के तहत वेतनमान रू0 9300-34800 में कार्यरत सभी कर्मचारियों का ग्रेड पे रू0 3200से 3600 रू0 सं गोधित कर दिया गया।

हरियाणा सरकार के आदे I पत्र क्रमांक 1/83/2008- 1पी.आर.(एफ.डी.) दिनांक 04.03.2014 (प्रति संलग्न) के अनुसार मैंने अपना तृतीय ए.सी.पी. का केस मुख्यालय को भेजा क्योंकि मेरी 24 वर्ष की स्थायी सेवा दिनांक 31.12.2014 को पूर्ण हो चुकी है तथा तृतीय ए.सी.पी. दिनांक 01.01.2015 से देय बनता है। मुख्यालय द्वारा मेरा केस यह कह कर वापस भेजा गया कि कर्मचारी को तीन up-gradations दी जा चुकी है तथा कर्मचारी को तृतीय ए.सी.पी. का लाभ नहीं दिया जा सकता।

4. प्रथम ए.सी.पी. दिनांक 01.01.2001

5. द्वितीय ए.सी.पी. दिनांक 01.01.2011

6. द्वितीय ए.सी.पी. का सं गोधन (3200 से 3600) दिनांक 01.09.2014 (प्रति संलग्न)

इस संबंध में मेरा प्र न यह है कि ए.सी.पी. स्वीकृत होने पर 3% की अतिरिक्त वेतन वृद्धि के साथ ग्रेड पे का लाभ भी दिया जाता है कि परंतु मेरे केस में ऐसा नहीं किया गया क्योंकि मुझे 01.09.2014 से दिये गए सं गोधित ग्रेड पे के लाभ को तृतीय का लाभ मानते हुए दिनांक 01.01.2015 से तृतीय ए.सी.पी. का केस रद्द कर दिया गया।

इस संबंध में मैंने संपादक मै0 गर्ग एंड कं0 169, एडवोकेट एन्क्लेव, सैक्टर 43ए0 चंडीगढ़ के पास अपने केस से संबन्धित सभी कागजात भेजकर राय मांगी थी जोकि उन्होंने मेरे पक्ष में दी है जिसकी एक फोटोकापी आपको पुनः अवलोकन एवं आव यक कार्यवाही हेतु भेजते हुए अनुरोध पूर्वक प्रार्थना करता हूं कि मेरे केस में नियमानुसार तृतीय ए.सी.पी./अतिरिक्त वेतन वृद्धि जो भी देय बनता है कि स्वीकृती अपने स्तर पर देने की कृपा करें।

अतः मेरा आपसे अनुरोध है कि मेरे वेतन नियतन मामले को अवलोकन करने हेतु वित्त विभाग को भेजने का कष्ट करें क्योंकि न तो मुझे मेरी पदोन्नति पर कोई वेतन वृद्धि का लाभ दिया गया और न ही मुझे अब 24 वर्षों की रेगुलर सेवा पूर्ण होने पर हरियाणा सरकार के आदे I दिनांक 04.03.2014 के अनुसार तृतीय ए.सी.पी. का लाभ दिया जा रहा है। ताकि इस मामले का समाधान हो सके। अन्यथा मुझे मजबूर होकर न्यायालय की भारण लेनी पड़ेगी। ”

During hearing, it was revealed by various employees/ union(s)/ Association(s) that their pay scales were further upgraded by the Government for removal of anomaly or disparity, which should have been settled w.e.f. 01.01.2006 but Government in the name of further upgradation, upgraded their pay scales/ grade pay prospectively. This upgradation has resulted into financial loss to most of the senior employees instead of any benefit. In number of cases, their 1<sup>st</sup> or 2<sup>nd</sup> ACP was due after few days/ months of upgradation of their pay scale. Had their grade pay not been upgraded, they would have got this upgraded grade pay alongwith one increment in the form of ACP. Now that the Government has upgraded their functional pay scale / grade pay before the due date of ACP, the benefit of increment/ ACP has been denied stating that the ACP Rules does not permit this benefit after upgradation of pay scale/ grade pay subsequent to 01.01.2006.

The Commission was apprised of the relevant provisions of HCS (ACP) Rules, 2008. Rule 7 of HCS (ACP) Rules, 2008 is reproduced as under:-

**“7. Eligibility for Grant of ACP grade Pay under the general ACP scheme -**

- (i) Every Government servant covered under the general ACP scheme shall, for the purposes of drawal of pay, be eligible for the first ACP grade pay (given in column 4 of Part II of Schedule I in respect of the functional pay scale or pay structure of his post) if he has completed 10 years of regular satisfactory service and has not got any financial upgradation in these ten years with reference to the functional pay structure of the post to which he was recruited as a direct entrant. **Financial upgradation in this context includes functional promotion in the hierarchy or further revision/ modification of the pay structure for the same post after 1.1.2006.**
- (ii) Every Government servant covered under the general ACP scheme shall, for the purposes of drawal of pay, be eligible for the second ACP grade pay (given in column 5 of Part II of Schedule I in respect of the functional pay scale or pay structure of his post) if he has completed 20 years of regular satisfactory service and has not got any financial upgradation in the last ten years. **Financial upgradation in this context includes functional**

**promotion in the hierarchy or further revision/ modification of the pay structure for the same post after 1.1.2006.**

- (iii) Every Government servant covered under the general ACP scheme shall, for the purposes of drawal of pay, be eligible for the third ACP grade pay (given in column 6 of Part II of Schedule I in respect of the functional pay scale or pay structure of his post) if he has completed 30 years of regular satisfactory service and has not got any financial upgradation in the last ten years and has not got more than two financial upgradation so far. **Financial upgradation in this context includes functional promotion in the hierarchy or further revision/ modification of the pay structure for the same post after 1.1.2006."**

The Commission further considered the provisions of Rule 13 of HCS (ACP) Rules, 2008, which reads as under:-

***"13. Special entitlement for ACP scales.-***

*Where the functional pay structure of the promotional post in the hierarchy is inferior to the ACP pay structure entitlement of the Government servant, had he not been promoted, as per his eligibility and entitlement on completion of prescribed length of service for the 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> ACP pay structure entitlement, as the case may be, the Government servant shall be entitled to be placed in the 1<sup>st</sup> or 2<sup>nd</sup> or 3<sup>rd</sup> ACP pay structure as the case may be after completing the prescribed period of service for being placed in the 1<sup>st</sup> or 2<sup>nd</sup> or 3<sup>rd</sup> ACP pay structure;*

*Providing that such functional promotion to a post with such inferior pay structure shall not be counted as a financial upgradation for the purposes of these rules."*

In totality of the circumstances and facts of this case, the Commission observes that the further upgradation of the pay scale/ grade pay appears to have been made by the State Government owing to certain reasons including removal of disparities. Even if, it is by way of incentivizing any employee or class of employees, it cannot be disadvantageous to the employee concerned. Therefore, Government may consider allowing ACP corresponding to pay scale/ grade pay subsequently upgraded after 01.01.2006. If the Government is not inclined to do so for any administrative reason, the protection clause i.e. Rule 13 of HCS (ACP) Rules, 2008 as mentioned above needs to be



interpreted with open mind, holistically and as much of pay may be granted to the employees/ category of employees which would have been available to them on grant of ACP had their pay scale/ grade pay not been upgraded subsequent to 01.01.2006. Meaning thereby, if the employee has got the grade pay which would have been admissible to him under ACP Rules, he may be compensated with the incremental loss arising out of denying of ACP in such cases.

### **3.2(ii) RE-OCCURRENCE OF SETTLED DISPARITIES DUE TO IMPLICATIONS OF ORDER DATED 28.08.2014:-**

The State Government had further upgraded the pay scale/ grade pay of certain categories of employees in order to bring them at par with comparable posts in same or other departments of State as per recommendations of Pay Anomalies and Grievances Redressal Committee after 01.01.2006 as detailed below:-

<b>Department/ category</b>	<b>Upgradation suggested by PAC in its meeting held on</b>	<b>Parity granted with department/ post</b>	<b>Pay scale/ grade pay upgraded from/ to</b>	<b>Date of effect and Order No. &amp; date of the upgradation</b>	<b>Further upgraded grade pay w.e.f. 01.09.14 in-respect of the post with whom parity was granted</b>
Renewable Energy/ APO	20.12.2011	PWD Three wings /JE	3300 to 3600	24.02.2012, 1/1/2011-1PR(FD), dated 24.02.2012	4000
HVS/ Technical Supervisor	20.12.2011	PWD Three wings /JE	3300 to 3600	24.02.2012, 1/1/2011-1PR(FD), dated 24.02.2012	4000
Ayush/ Ayurvedic / Homeopathic/ Unani Dispensers	19.07.2012	Animal Husbandry/ VLDA	2800 to 3200	22.08.2012, 1/1/2011-1PR(FD), dated 22.08.2012	3600
Labour/ Labour Inspector	08.09.2011	Excise & Taxation/ Inspector	3200 to 3600	12.12.2011, 1/1/2011-1PR(FD), dated 12.12.2012	4000

The Government vide its order dated 28.08.2014 decided to upgrade the functional grade pay of all the posts carrying grade pay of 3200 and 3300 as on 01.01.2006 to grade pay 3600 w.e.f. 01.09.2014 and those carrying grade pay 3600 as on 01.01.2006 to grade pay 4000 w.e.f. 01.09.2014, however, the Government has put a rider that this upgradation will not be applicable on those posts of which grade pay was upgraded subsequent to revision of pay scale effective from 01.01.2006.

As a result of this rider, the pay scale/ grade pay of the posts mentioned above could not be further upgraded w.e.f. 01.09.2014 on the line of their comparable posts mentioned above with whom a conscious parity was granted by the order mentioned against each. Therefore, the disparities which were already settled have re-occurred due to implication of the rider in order dated 28.08.2014. In view of above, Government may consider further improving the functional grade pay of these posts w.e.f. 01.09.2014 at par with their comparable posts mentioned above.

**3.2 (iii) DENIAL/ LEAVING OUT OF FURTHER UPGRADATION OF GRADE PAY OF THE POST CARRYING GRADE PAY OF RS. 4000/- AS ON 01.01.2006- ANOMALY/ ABERRATION ARISEN ON THIS ACCOUNT**

The State Government vide its order dated 28.08.2014 has decided that:-

- i) Functional pay structure of all the posts, carrying PB-2, 9300-34800, GP-3200/- and GP 3300/- as on 01.01.2006 is hereby upgraded to PB-2, 9300-34800, GP\_3600/- w.e.f. 01.09.2014. However, this upgradation will not be applicable on those posts of which the grade pay was upgraded subsequent to revision of pay scale effective from 01.01.2006.
- ii) Functional pay structure of all the posts, carrying PB-2, 9300-34800, GP-3600/- as on 01.01.2006 is hereby upgraded to PB-2, 9300-34800, GP\_4000/- w.e.f. 01.09.2014. However, this upgradation will not be applicable on those posts of which the grade pay was upgraded subsequent to revision of pay scale effective from 01.01.2006.

The Circle Head Draftsman (CHD) of Irrigation Department apprised the Commission that due to above said orders the grade pay of their feeder post viz Head Draftsman and their's has become identical i.e. Rs. 4000/-. Therefore, they have no charm on promotion from Head Draftsman to Circle Head Draftsman. They have further mentioned that CHD is Incharge of Drawing Staff of field and their comparable post is Circle Supdt. in the Circle. The grade pay of Circle Supdt. is Rs. 4200/- whereas, they are getting grade pay of Rs. 4000/-. Had the Government upgraded the grade pay from 4000 to 4200 at the time the grade pay of their feeder post was upgraded from 3600/- to 4000/- w.e.f. 01.09.2014, this anomaly would not have arisen and there would have been no further anomaly, as there is no promotional post in the grade pay of Rs. 4200/- in their line. The Commission considered this issue and observed that similar hardship is being faced by the CHD in other wings of PWD, Panchayat & Development and Sr. Draftsman of Architecture Department.

The Commission in its general recommendations has suggested that the posts carrying pre-revised pay scale of 6500-10500 revised PB-2, 9300-34800, GP-4200/- as on 01.01.2006 and whose pay scale/ grade pay has not been further upgraded, their grade pay may be upgraded from 4200 to 4600. Therefore, there would be no anomaly if the GP of the posts carrying pre-revised pay scale of 6500-9900 revised Pb-2, 9300-34800, GP of Rs. 4000/- as on 01.01.2006 and not been further upgraded after 01.01.2006, is upgraded to Rs. 4200/-. This would satisfy the demand of Circle Head Draftsman of three wings of PWD, Panchyati Raj Department and Sr. Draftsman of Architecture Department, Naib Tehsildar of Chief Electoral Office & Forest Department, Drug Control Officer of Health Department, Company Commander of Home Guard and Civil Defence, Dy. Supdt (Jail) of Prison Department and Sr. Draftsman of Town & Country Planning Department. In a nut shell, Government has already upgraded the GP of the post from 3200 and 3300 to 3600 and of those 3600 to 4000. The Commission has already suggested upgradation of the GP of posts having 4200 to 4600, therefore, there is a genuine reason to upgrade the GP of the posts having GP of 4000 to 4200.

### **3.3 Removal of disparity in the entry pay of a fresh recruit and a promotee on the same post.**

The Assistants of Haryana Civil Secretariat have made a representation before Pay Anomalies Commission stating as under:-

*"With due regards, it is submitted that the Assistants who were promoted on or after 01.01.2009 have been granted the minimum pay of Rs. 9300-34800 i.e. 12900/- ( $5000 \times 1.86 = 9300 + 3600$ ) as per Rule 13 of HCS (RP) Rules, 2008, whereas, all the Assistants, who were promoted on or after 01.01.2006 upto 30.12.2008 have been allowed pay @  $10230 + 3600 = 13830$ /- after relaxation in HCS(RP) Rules, 2008.*

*Further, it is submitted that employees working on the same post, performing same duties, cannot be granted different pay and it should be treated equally.*

*It is also mentioned here that at the time of earlier pay revision made by the Government of Haryana on account of 4<sup>th</sup> Pay Commission report and 5<sup>th</sup> Pay Commission report, there was no such discrimination on entry level pay of a post.*

*The discrimination occurs between the Assistants who have been promoted on or after 01.01.2006 upto 30.12.2008 and Assistants who have been promoted on or after 01.01.2009 in Haryana Civil Secretariat. The pay of the Assistant have been fixed in accordance with in relevant Rule 8 and 13 of HCS (RP) Rules, 2008.*

*The relevant rule 8 of HCS (RP) Rules, 2008 which at the time of initial appointment/ promotion of an employee creates a class by*

*fixing the initial pay of employee serving in same cadre differently depending upon their source of recruitment, though law is very well settled that employees constituting same cadre cannot be treated differently. Once they form one cadre, there cannot be any discrimination on the basis of source of recruitment. The relevant rule 8 of HCS (RP) Rules, 2008 is reproduced hereunder:-*

**Rule 8 Fixation of pay in the revised pay structure of employees appointed as fresh recruits on or after 1.1.2006-**

*Section II of Part A of the First Schedule of these rules indicated the entry level pay in the pay band at which the pay of direct recruits to a particular post carrying a specific grade pay will be fixed on or after 1.1.2006.*

*This will also be applicable in the case of those recruited between 1.1.2006 and the date of issue of this Notification. In such cases, where the emoluments in the pre-revised pay scale(s) [i.e., basic pay in the pre-revised pay scale(s) plus dearness pay plus dearness allowance applicable on the date of joining] exceeds the sum of the pay fixed in the revised pay structure and the applicable dearness allowance thereon, the difference shall be allowed as personal pay to be absorbed in future increments in pay.*

**Rule 13 Fixation of pay on promotion on or after 1.1.2006-**

- (1) *In the case of promotion from one grade pay to another in the revised pay structure, the fixation will be done as follows:-*

*One increment equal to 3% of the pay in the pay band and the existing grade pay will be computed and rounded off to the next multiple of 10. This will be added to the existing pay in the pay band. The grade pay corresponding to the promotion post will thereafter be granted in addition to this pay in the pay band. In cases where promotion involves change in the pay in the pay band after adding the increment is less than the minimum of the higher pay band to which promotion is taking place, pay in the pay band will be stepped to such minimum.*

- (2) *On promotion from one grade pay to another, a Government servant has an option under CSR to get his pay fixed in the higher post either from the date of his promotion, or from date of his next increment, viz. 1<sup>st</sup> July of the years. The pay will be fixed in the following manner in the revised pay structure:-`*

- (i) *In case the Government servant opts to get his pay fixed from his date of next increment, then, on the date of promotion, pay in the pay band shall continue unchanged, but the grade pay of*

*the higher post will be granted. Further re-fixation will be done on the date of his next increment i.e. 1<sup>st</sup> July. On that day, he will be granted two increments; one annual increment and the second on account of promotion. While computing these two increments, basic pay prior to the date of promotion shall be taken into account. To illustrate, if the basic pay prior to the date of promotion was Rs.100, first increment would be computed on Rs.100 and the second on Rs.103.*

- (ii) In case the Government servant opts to get his pay fixed in the higher grade from the date of his promotion, he shall get his first increment in the higher grade on the next 1<sup>st</sup> July if he was promoted between 2<sup>nd</sup> July and 1<sup>st</sup> January. However, if he was promoted between 2<sup>nd</sup> January and 30<sup>th</sup> June of a particular year, he shall get his increment on 1<sup>st</sup> July of next year.*

**Note. -** *A Government employee can exercise his option on promotion for pay fixation under CSR on plain paper in simple application form.*

*The above rules prescribe different minimum pay scales for a post appointed through different modes of recruitment, which is an anomaly. Before revision of pay scale the minimum pay of a person appointed through any mode i.e. by way of promotion or by direct recruitment was equal i.e. 5500-9000. The different/ two kinds of pay for different mode of recruitment on one post has been prescribed in the revised pay scale which is an anomaly. Although, in order to address this problem the Finance Department in its orders dated 16.12.2010 has suggested that if the pay of promotee Sr. is less than the direct Jr. in the same cadre his pay shall be stepped up at par with his direct Jr. but this provision does not provide justice/ right to equality to all the employees/ persons appointed through promotion as:-*

*In some cases there may be possibility that the direct recruitment is not made for a long time and no such Jr. is available immediately.*

*The minimum pay of different post in one scale should be equal for example JE/ Assistant/ SSS and Taxation Inspector all were in the pay scale of Rs. 5500-9000 in the revised pay scale also the minimum pay of an*

*appointee either by promotion or by direct recruitment should be equal i.e. 10230+3600.*

*In case of direct recruitment on these posts the minimum pay is Rs. 10230+3600, whereas by promotion on the post, the minimum pay is Rs. 9300+3600. Amongst these posts the promotee, who have been given 9300+3600 will have to search for a Jr. Direct recruit in order to get the minimum of Rs. 10230+3600.*

*Some fortunate candidates may find a junior but some other may not. Otherwise also as per Departmental Service Rules there may or may not be provision for direct recruitment. Besides, inspite of having provision for direct recruitment, there may not be recruitment for years. As per right to equality and as per the principle of equal pay for equal work the minimum pay of the employee appointed on a post by either mode of recruitment be it direct or promotion should be equal.*

*In view of above, the minimum pay of an Assistant appointed by way of promotion should be fixed at Rs. 10230+3600 instead of 9300+3600 and if need be the Rule 13 of HCS (RP), 2008 be amended accordingly.*

*It is pertinent to point out that the Assistants promoted between 01.01.2006 to 30.12.2008 have already been granted pay of Rs. 10230+3600 allowing them choice to opt for revised pay scale from the date of their promotion. Therefore, the promoted Assistants upto 30.12.2008 has already been allowed minimum starting pay of Rs. 10230+3600. Unfortunately, this relaxation is not granted to the Assistant, promoted after 01.01.2009. As such, the Assistant promoted after 01.01.2009 are getting pay of Rs.9300+3600. This causes difference of Rs. 930/- between these two categories. Therefore, on the same post with same qualification, with same job/work two different minimum pay are being granted.*

*In view of the position explained above, it is obvious that it is case of hardship to Assistants of Haryana Civil Secretariat and allied offices and a clear case of anomaly as well. It is therefore, requested that the pay of Assistant appointed by promotion may be fixed at the minimum stage of Rs. 10230+3600=13830/- instead of 9300+3600 and matter may be sent to Pay Anomalies Commission for removal of discrimination of the different pay for the same post of Assistants of Haryana Civil Secretariat”*

Apart from the Assistants of Haryana Civil Secretariat, similar representations have been made by the promotee Lecturers in Computer Engineering of Technical Education Department and SSAs of FSL, Madhuban.

The Pay Anomalies Commission heard the SSAs of FSL, Madhuban on 03.08.2015, Lecturer in Computer Engineering of Technical Education Department on 08.09.2015 and Assistants of Haryana Civil Secretariat on 15.09.2015. The officers of Finance Department apprised the Commission that the distinction in minimum pay of a promotee and direct recruit is due to provisions of HCS (RP) Rules, 2008 and the pay of these two categories of employees is fixed under different rules of HCS (RP) Rules, 2008 and this issue is not peculiar to these categories only. Similar hardship/ distinction may be in other cadres of the State.

The Commission considered the provisions of HCS (RP) Rules, 2008 and instructions of Finance Department dated 16.12.2010 on the subject and observed that:-

- i) ***Rule 8 of HCS (RP) Rules, 2008 provides the provision for pay fixation in the revised pay structure of employees appointed as fresh recruits on or after 01.01.2006 which has already been referred to:-***

#### ***SECTION-II***

#### ***Entry Pay in the revised pay structure for direct recruits appointed on or after 1.1.2006***

*-1S (Rs.4440-7440)*

<b><i>Grade Pay</i></b>	<b><i>Pay in the Pay Band</i></b>	<b><i>Total</i></b>
<i>1300</i>	<i>4750</i>	<i>6050</i>
<i>1400</i>	<i>4860</i>	<i>6260</i>
<i>1650</i>	<i>4930</i>	<i>6580</i>

*PB-1 (Rs.5200-20200)*

<b><i>Grade Pay</i></b>	<b><i>Pay in the Pay Band</i></b>	<b><i>Total</i></b>
<i>1800</i>	<i>5680</i>	<i>7480</i>
<i>1900</i>	<i>5680</i>	<i>7580</i>
<i>1950</i>	<i>5680</i>	<i>7630</i>
<i>2000</i>	<i>5960</i>	<i>7960</i>
<i>2400</i>	<i>7440</i>	<i>9840</i>
<i>2500</i>	<i>8190</i>	<i>10690</i>
<i>2800</i>	<i>8370</i>	<i>11170</i>

*PB-2 (Rs.9300-34800)*

<b>Grade Pay</b>	<b>Pay in the Pay Band</b>	<b>Total</b>
3200	9300	12500
3300	10140	13440
3600	10230	13830
4000	12090	16090
4200	12090	16290
4600	13860	18460
4800	13950	18750
5200	13950	19150
5400	14880	20280

*PB-3 (Rs.15600-39100)*

<b>Grade Pay</b>	<b>Pay in the Pay Band</b>	<b>Total</b>
5400	15600	21000
6000	18600	24600
6400	18600	25000
6600	19810	26410
7600	22320	29920
8000	25110	33110

*PB-4 (Rs.37400-67000)*

<b>Grade Pay</b>	<b>Pay in the Pay Band</b>	<b>Total</b>
8700	37400	46100
8800	37400	46200
8900	37400	46300
9500	37400	46900
9800	37400	47200
10000	37400	47400
12000	41670	53670

ii) **Fixation of pay on promotion on or after 1.1.2006-**

Rule 13 of HCS (RP) Rules, 2008 provides for fixation of pay on promotion on or after 01.01.2006 which has been referred to earlier:-



The State Government realised the fact that initial pay of a fresh recruit in a cadre could be more than a promotee in the same cadre, therefore, in order to sort out/ resolve this issue, issued instruction dated 16.12.2010 which provides that:- (relevant extract is reproduced as under:-)

*"If as a consequence of these orders the senior promotee employee draws less pay than that of his junior direct recruit employee in the same cadre, the pay of the senior promotee employee may be stepped-up equal to the pay in pay band of junior direct recruit employee from the date of such event and his date of next increment shall also be same. However, if the pay of senior promotee employee becomes equal/more than that of his junior direct recruit employee on his usual date of next increment on promotional post the stepping up of the pay shall be restricted to that date and his date of next increment will be as per rules.*

However, this provision of these orders does not address the anomaly/ hardship of those employees in whose cadre there is no provision for direct recruitment or there has been no recruitment since long back and no junior is available in the cadre so as to enable a promotee employee to claim the pay at par with that admissible to a fresh recruit.

**For Example-**

- i) In case of Assistants of Haryana Civil Secretariat, there is no provision for direct recruitment and hence, no junior direct recruit would be available. The promotee Assistants are given minimum starting pay on promotion Rs. 9300 + 3600 = 12900/-. Had there been any provision for direct recruitment, the fresh entrant would get initial pay of Rs. 10230 + 3600 = 13830/-.
- ii) In case of SSA of FSL, Madhuban, the pay admissible to a fresh recruit 12090 + 4600 = 16690/- whereas, the minimum pay available to a promotee is Rs. 9300 + 4600 = 13900/-. Although, there is a provision for direct recruitment of SSA but no junior direct recruit is available to get the pay step up equal to 16690/- due to the fact there has been no direct recruitment in the near past.
- iii) In case of Lecturer in Computer Science, Technical Education Department, the pay admissible to a fresh recruit 14880 + 5400 = 20280/- whereas, the minimum pay available to a promotee is Rs. 9300 + 5400 = 14770/-. Although, there is a provision for direct recruitment of Lecturer but no junior direct recruit is available to get the pay step up equal to 20280/- due to the fact there has been no direct recruitment in the near past.

The Commission further observed that the State Government has framed the Rule 8 & 13 of HCS (RP) Rules, 2008 on the lines of Government of India. Similar hardships were being faced by the promotee employee in the

Government of India and they had taken up this matter before the National Anomaly Commission. The DoPT, GOI vide its letter dated 13.09.2012 had circulated the minutes of the NAC meeting held on 17.07.2012, which has made following recommendations in the matter:-

***Item No.5 (iv) - Anomaly in fixation of pay between Direct Recruits & Promotees.***

*The Staff Side pointed out that in terms of FR 22 the pay of no person who is promoted should be fixed below the minimum of the Pay Scale of the higher post and as the system of Pay Bands have been introduced by clubbing several posts, the 6th CPC has devised a formula for fixing the entry pay (which is always the minimum) for fresh recruits. That being the case, the pay of all the promotees should also be fixed not below the said minimum i.e. the entry pay of the fresh recruit for each grade pay.*

*The Official Side explained that in such cases if an anomaly arises then the stepping up of the pay of the promotees is allowed subject to fulfilment of certain conditions. However, if certain difficulties persist in this regard, they could be referred to DoPT for consideration.*

*The Staff Side however insisted that all the conditionalities imposed while stepping up pay may be withdrawn and that the pay of all the promotees may be fixed at the entry level of that post as in the case of the direct recruit. This should be permissible in those posts where there is an element of direct recruitment in that post irrespective of any new recruit having joined the post or not.*

*The Official Side agreed to reconsider the points raised by the Staff Side. It was decided that the matter shall be discussed in the next meeting.*

The Commission further observed that the issue of distinction in the minimum initial pay of fresh recruit and promotee has arisen due to implementation of HCS (RP) Rules, 2008 and in the history of pay scale there has been no such distinction ever before. A promotee can however, get higher pay than a fresh recruit due to length of service in feeder cadre. But in no case, a fresh recruit can get more pay than a promotee otherwise than on personal reasons, like higher qualification, etc.

The 7<sup>th</sup> CPC in its report submitted to Government of India has mentioned that amongst the key demands received with the Commission, one demand was from Staff Association and employees was for removal of disparity in the entry pay of fresh recruit and promotee. Para 5.1.12 (d) of the report is reproduced as under:-

***“Entry Pay:*** *Entry to any pay band could either be through an upward movement from a lower pay band or through direct entry. While the pay of persons moving from a lower pay band to a higher one on promotion would be regulated by the pay fixation*

*formulation prescribed (pay was fixed at the minimum of the pay band plus grade pay), the VI CPC had recommended a separate entry pay for new recruits, taking into account the length of qualifying service prescribed by Department of Personnel and Training (DoPT) for movement from the first grade in the pay band to the grade in which recruitment was being made. The resultant formulation was such that it led to many situations where direct recruits drew higher pay as compared to personnel who reached that stage through promotion. Demands have been received from many staff associations and employees for removal of this disparity.”*

Further, perusal of report reveals that this disparity is not going to happen in the new pay scales prescribed by the 7<sup>th</sup> CPC. In view of above, it is obvious that there has not been any disparity in the entry pay of fresh recruit and promotee either before 6<sup>th</sup> CPC or after 7<sup>th</sup> CPC. This has only arisen on implementation of 6<sup>th</sup> CPC.

In view of above, the Commission recommends that Government may consider removing of disparity in the entry pay of fresh recruit and promotee without fixing the pay under Rule 13 i.e. less than pay of fresh recruit and then allowing stepping up of pay of such senior promotee at par with junior recruit. The condition of searching junior direct recruit for getting the entry pay admissible to direct recruit may be dispensed with as there may be a number of hardships on that account like there may not be provision of direct recruitment in the cadre and there may not be available any junior direct recruit due to non recruitment in the cadre during recent past and Rule 13 of HCS (RP) Rules, 2008 may be amended accordingly.

## CHAPTER-4

### General Recommendations

#### **4.1. PARITY BETWEEN THE MINISTERIAL STAFF OF THE SECRETARIAT AND THE DEPARTMENTS**

During discussions with employees, there was a constant demand from the ministerial employees posted in the directorates as well as in the field for parity in pay scales with that of the staff posted in the Haryana Civil Secretariat. The main arguments advanced by them in this regard were the following:-

- a. The qualifications prescribed for comparable posts in both cases were identical.
- b. The nature of duties being performed were the same.
- c. The proposals are normally initiated by the field /Directorate, which is then processed by the Secretariat. Therefore, their contribution in policy making and development is not in any way less than that of the Secretariat.
- d. In terms of hours of duties performed, the staff in the field and the Directorate contribute much more than the staff of the secretariat.

During discussions on this demand on most occasions, the Secretaries/HODs of the departments concerned strongly pleaded for this parity arguing that in the last few years the entire process of policy making is being essentially initiated at the departmental level and the contribution at the ministerial level of the Secretariat is negligible. In addition in a large number of departments the single file system is in operation for the last so many years and the role of the Secretariat staff is performed by the Directorate itself. Thus, there was no justification for not treating the directorate/field staff at par with the secretariat.

The Commission has considered this matter very carefully. It is in total agreement with the above viewpoint that the time has come to bring the scales of pay between the two categories mentioned above at par. However, there is a decision of the State Govt. taken in the year 1995 giving a special status to the staff of the secretariat alongwith the office of FCR, Legal Remembrancer, Rajbhawan and Vidhan Sabha, in terms of pay scales on the ground that the contribution of the staff of the above offices was of a higher order as compared to the Directorate/field. In the case of Superintendent and Private Secretary, right from the time of Joint Punjab, the office of Financial Commissioner, Revenue and the Civil Secretariat enjoyed a better pay scale compared to the Directorates.

In the view of the Commission the argument given for giving a special status to the above five organisations lacks justification. It is also not

very clear as to how a department like Revenue and the Establishment of the Rajbhawan and Vidhan Sabha were performing functions at the ministerial level different from any other Department. However since it is a matter of policy the Commission has refrained from positively recommending that the scales of two categories should be brought at par but has tried to give some relief to the ministerial staff of the directorates/field offices. However as already mentioned it is high time that the disparity between the ministerial staff of the Civil Secretariat and the staff of the directorates/field offices is done away with. The Commission, however, has decided to leave it to the State Govt. to take a decision on this matter.

#### **4.2 GENERAL ACP VS CADREWISE ACP**

While examining the various representations received from the employees, one of the frequent demands was for Cadrewise ACP as against the general ACP applicable to all the departments. This demand is mainly due to the special dispensation of Cadrewise ACP allowed to certain Services like HCS, Police, Excise & Taxation Deptt. etc. While examining the demands of the employees, following things came to the notice of the Commission:-

- i. The Scheme of ACP (Assured Career Programme) was devised by the 5<sup>th</sup> Pay Commission mainly with a view to provide better career prospects to employees who may stagnate because of lack of promotional avenues in the course of their career. This was adopted by the State Govt. and ACP rules were notified and the system has continued subsequently in the 6<sup>th</sup> Pay Commission.
- ii. However, the State Govt. introduced the concept of Cadrewise ACP in a few selected services like HCS, Police and Excise & Taxation Deptt. The Cadre based ACP Scheme is definitely better and more remunerative to the employees and the jump in the pay is also steep, which is not in the case of General ACP. This has resulted in most of other services demanding similar treatment and sanction of cadrewise ACP. Comparisons have been made with HCS, Police, E&T, HCMS and few other services which have been granted Cadrewise ACP and arguments have been advanced that their case is much more strong as compared to above services for sanctioning of Cadrewise ACP.

The Commission found that there were no fixed criteria under which a departmental cadre qualified for cadrewise ACP. In case, a special dispensation like cadrewise ACP has to be made for a particular cadre, this must be supported by valid reasons as to why it was considered necessary by treating them separately since there is already a General ACP in existence. The Commission has not been able to lay hands

on any specific criteria in this regard and it becomes very difficult to deny this benefit to other categories who are demanding the same treatment with adequate justification. The decision to sanction cadrewise ACP in certain categories is not supported with any logic and this is the main reason that there is a clamour for cadrewise ACP from all categories of employees on some ground or the other. The Commission has refrained for making any recommendation and sanction of cadrewise ACP to certain categories even though there was adequate justification for doing so, since it would have opened the Pandora's Box, and made it difficult for the Govt. to deny this to any category. However, the Commission strongly feels that the State Govt. should apply its mind on this issue and come up with some solid criteria which needs to be fulfilled before this facility is sanctioned to a cadre of employees.

#### **4.3. CLASSIFICATION OF POSTS**

Government of India vide its letter No.F.No.11012/7/2008-Estt(A) dated 09.4.2009 classified the civil posts in central Government based on pay band/ grade pay as under:-

<b>Sr. No.</b>	<b>Description of posts</b>	<b>Classification of Posts</b>
1. (a)  (b)	A Central Civil post in Cabinet Secretary's Scale (Rs. 90000/-fixed) Apex Scale (Rs. 80000/-fixed) and Higher Administrative Grade plus scale (Rs. 75500-80000) and, A Central Civil post carrying the following grade pays Rs. 12000, Rs. 10000, Rs.8900 and Rs. 8700 in the scale of pay of Rs. 37400-67000 in PB-4 and Rs. 7600, Rs. 6600 and Rs. 5400 in the scale of pay of Rs. 15600-39100 in PB-3.	Group-A
2.	A Central Civil post carrying the following grade pays Rs. 5400, Rs. 4800, Rs. 4600 and Rs. 4200 in the scale of pay of Rs. 9300-34800 in PB-2.	Group-B
3.	A Central Civil post carrying the following grade pays Rs. 2800, Rs. 2400, Rs. 2000 , Rs. 1900 and Rs. 1800 in the scale of pay of Rs. 5200-20200 in PB-1.	Group-C
4.	A Central Civil post carrying the following grade pays Rs. 1300, Rs. 1400, Rs. 1600 , Rs. 1650 in the scale of pay of Rs. 4440-7440 in -IS..	Group-D (Till the posts are upgraded)

**Explanation-For the purpose of this order pay band, in relation to a post, means the running pay bands specified in Part-A, Section-I of Colum-5 of the First Schedule to the Central Civil Service (Revised Pay) Rules, 2008.**

The Government of Haryana, Personnel Department endorsed the above said letter of Government of India to all the Department of the State for information and necessary action vide its Endst. No.12/3/2009-1S(1) dated 29.5.2009. Meaning thereby the State Government has also adopted/ followed the above said pay band/ grade pay based classification of posts. However, as a result of this Endst. Following issues have further arisen:-

- i) In the hierarchy of grade pays of Government of India notified vide Central Civil Services(Revised Pay) Rules, 2008, the immediate next grade pay after grade pay of 2800/- is GP 4200/- whereas in the hierarchy of grade pay of the State Government notified vide Haryana Civil Services(Revised Pay) Rules, 2008, the grade pays between 2800/- and 4200/- are GP 3200/-, 3300/-, 3600/- and 4000/-. The Endst. Dated 29.5.2009 is silent as to grade pay of 3200/-, 3300/-, 3600/- and 4000/- which exist in the State fall under which group of service. Hence, this needs to be clarified.
- ii) As per the above said Endst dated 29.5.2009 the posts in the grade pay of 4200/- and above but upto 5400/- in PB-2 fall in group B. Number of posts viz. JBT Teacher, Master, Staff Nurse, Section Officer are in Group C as per their respective departmental service rules, whereas the grade pay to these posts is Rs.4200/- or above. Superintendents/Private Secretaries of various departments have demanded higher grade pay quoting examples of Section Officer (SAS cadre) that it is a Group C post with grade pay of Rs.4600/-, whereas they are in group B but with lower grade pay of Rs.4200/-.
- iii) It has further been observed that Government has granted grade pay of Rs.4200/- to ADO of Agriculture Department subsequent to change of its group of service from C to B. Government has also upgraded grade pay of certain Group B posts to Rs.4200/- stating that the minimum grade pay applicable for group B post is Rs.4200/- viz. CDPO in Women and Child Development Department.
- iv) The demand of certain posts viz. DSP, Veterinary Surgeons, Dental Surgeons, Engineers etc. for PB-3 Grade Pay 5400/- has been denied by the State Government on the analogy that these are group B posts at entry level. Likewise the demand of group D posts for PB-1, GP 1800/- on the Government of India pattern has been denied as this scale is

applicable for group C posts in Government of India and the existing group D posts have been upgraded to Group C. An analogy of the above facts reveals that the State Government although has adopted the pay band/ grade pay based classification of posts pattern of Government of India but not strictly adhering to the same. Therefore, the Commission recommends that:-

- A. The posts given grade pay of Rs. 4200/- to 5400/- in PB-2 which are in Group C may be upgraded to Group B. For example, JBT, SS Master, Staff Nurse and Section Officers(SAS cadre) Likewise, some of the posts presently in Group B but with PB-3 and GP of 5400/- or above may be upgraded in Group A. For example, Senior Accounts Officer (SAS cadre) presently Group B but with PB-3, GP 6000/-. However, the Commission is conscious of the fact that the above suggested upgradations may necessitate change in service rules. For example, upgradations of Group-C posts to Group-B may necessitate a change in the appointing/ disciplinary authority from Head of the Department to the State Government. Similarly, it may also result in issues of discipline and administrative control when an existing Group-B officer continues to be the controlling officer of an upgraded Group-B officer. Thus, lot of changes in service rules of the departments concerned may have to be resorted to, or
- B. In the alternative, the Government may dispense with the existing pay band/ grade pay based classification of posts.

#### **4.4 FORMING OF A COMMON CADRE OF CERTAIN SERVICES COMMONLY AVAILABLE IN VARIOUS DEPARTMENTS OF THE STATE.**

The Commission observed that the majority of the representations received with it are for parity of scales prevalent for the similar posts in other departments of the State. The major such demands are from the posts/ cadres belonging to Statistical services, Law Officers, Junior Engineers, Engineers, Drawing Staff of various departments. The Commission observes that the designation, qualification and pay scale and hierarchical structure are not uniform in different departments. The Commission feels that Government may consider bringing these cadres



under one nodal department of respective cadre which could be as under:-

i)	Statistical cadre	ESA Department
ii)	Law Officers	Prosecution Department
iii)	Junior Engineer	PWD (B&R)
iv)	Engineer (AE)	PWD (B&R)
v)	Drawing Staff	PWD (B&R)

In order to bring parity in qualification and pay scales of these cadres, it is imperative that a common cadre of all these services is formed under administrative control of respective departments mentioned above. Similar recommendations were made by the Pay Revision Committee during revision of pay scale as per 6<sup>th</sup> CPC.

#### **4.5 RESTRUCTURING AND RIGHT SIZING OF THREE WINGS OF PW DEPARTMENTS.**

The Commission observes that with the passage of time and changes in the technology many technical and non-technical services at Group C and Group D level have become redundant. There are too many levels in the hierarchy which need to be rationalized. For professionalization of these departments, the Commission recommends that the restructuring of three wings of PW Departments may be undertaken on priority. Similar recommendations were made by the Pay Revision Committee during revision of pay scale as per 6<sup>th</sup> CPC.

#### **4.6 RATIONALISATION OF THE STRUCTURE OF HCS (EXECUTIVE BRANCH AND ALLIED SERVICES).**

As per the existing practice, the following Group A and Group B services are recruited through HCS (Executive Branch and Allied Services) examinations:-

1. HCS (Executive)
2. Dy Superintendent of Police
3. Excise & Taxation Officer
4. District Food and Supply Controller
5. 'A' Class Tehsildar
6. Assistant Registrar Co-operative Societies
7. Assistant Excise and Taxation Officer
8. Block Development and Panchayat Officer
9. Traffic Manager
10. District Food and Supply Officer
11. Assistant Employment Officer

The Commission reiterates the recommendations of PR Committee that direct recruitment at two consecutive levels in Excise & Taxation Department and Food & Civil Supplies Department is administratively undesirable as it creates stagnation in lower cadres. It therefore, recommends that the post of ETO and DFSC may not be directly recruited through HCS and Allied Examinations and these posts be filled through promotion, as their feeder posts i.e. AETO and DFSO are also recruited through HCS and Allied Examinations. Further, the post of Naib Tehsildar having been upgraded to Group B Service of the State, it should be included in the list of the HCS and Allied services to be recruited through HCS and Allied examinations and that the post of Tehsildar be filled up by way of promotion from Naib Tehsildar and not by direct recruitment.

## Chapter-5

### **5.1 COMPARISON OF PAY SCALES AS WELL AS OTHER BENEFITS OF THE EMPLOYEES OF THE STATE OF HARYANA AND PUNJAB.**

The State Govt. vide notification No 1/83/2008-1PR (FD) dated 9<sup>th</sup> February, 2015 added the following to the terms of reference of the Pay Anomaly Commission:-

***“To study the differences in eligibility conditions, pay scales, other benefits including, inter-alia, LTC, payment and releases of additional DA instalments, arrears thereof, actual pay for new recruits in initial years, etc. between Punjab and Haryana.”***

The Commission obtained data on the above points from the Govt. of Punjab. A comparison of the general structure of pay scales of Haryana and Punjab Governments w.e.f. 1.1.1986, 1.1.1996 and 1.1.2006 is given at Annexure “A”.

Haryana Government had revised the pay scale of its employees on the pattern of 6<sup>th</sup> CPC as per the recommendations of Pay Revision Committee headed by the then Chief Secretary. A comparative table of pre-revised and revised pay scales in GOI and Haryana is given at **Annexure ‘B’**.

- 1) The general formula of fixation of pay in revised pay scale is the same in Haryana and GOI i.e. 1.86 of existing basic pay as on 01.01.2006 + grade pay in the form of fitment. In case of unique pay scale in Haryana, the grade pay have been devised on the formula of 40% of maximum of pre-revised pay scale as recommended by 6<sup>th</sup> CPC.
- 2) On certain issues, State Government has not adopted recommendations of 6<sup>th</sup> CPC/ GOI i.e. abolition of Group-D posts and merger of pay scales, etc.
- 3) Historically, Haryana State is following the pattern of GOI in the matter of revision of pay scales with certain modifications as per the hierarchical/ administrative needs and other circumstances peculiar to the State.
- 4) However, Punjab has not followed GOI particularly in the revision of 1986, 1996 and 2006. They have constituted their own Pay Commission and have prescribed the pay scale as per their needs and circumstances. So, the pre-revised pay scale as well as revised pay scale in the State of

Haryana and Punjab are different as per comparative table given at **Annexure 'A'**.

- 5) A comparison of arrear of revision of pay scales and dearness allowance paid by the Haryana and Punjab Governments to its employees is given at Annexure 'C' The statement at **Annexure 'C'** also gives the comparative position with regard to Leave Travel Concession both for serving employees as well as pensioners between the two Governments. The comparative position between the two States as regards emoluments paid for new recruits in the initial years has also been indicated in the statement at **Annexure 'C'**.
- 6) As regard adoption of Punjab pay scales in the State of Haryana, there are two broad issues:-
  - i) whether general structure of pay band and grade pay of Punjab is to be adopted; or,
  - ii) department-wise, post-wise pay scales as given in Punjab are to be adopted.
- 7) In case, general structure of pay band and grade pay of Punjab is to be adopted, then we will have to replace/ adjust our pay scale with the similar/ nearest pay scale available in Punjab. The highest pay scale in Punjab is 18600-22100, which is revised to PB-4, 37400-67000, grade pay-10000/-, whereas in the State of Haryana it is 22400-24500 (revised HAG 67000-79000). This pay scale is applicable to DGHS, EICs in three wings of PWD. So, on this account where some categories will be gainers, other may be the losers.
- 8) The main issue is that Punjab has prescribed higher pay scales for certain categories of posts owing to the qualification, hierarchical structure, group of service and administrative needs of the State of Punjab. For example in the Ministerial Cadre, they have improved the qualification of Clerk from 10+2 to Graduate with Computer Literacy Test/ Certificate and have also improved its pay scale from grade pay 1900/- to 3200/-.
- 9) Similarly, in Agriculture Department, the qualification of ADO has been prescribed as M.Sc. Agriculture and it is a Group-A service there, which is equivalent to the Deputy Director Agriculture of Haryana. This issue has further implications that the pay scale of ADO happened to be at par with JEs of three wings of PWD and other departments.

On any change in the pay scale and hierarchical structure of ADOs/ HDOs, similar considerations will have to be kept in view for other similar situated cadres.

- 10) In the state of Haryana, there is a common cadre for JBT and Classic & Vernacular Teachers and their pay scale is also the same i.e. PB-2, 9300-34800, GP-4200/-. However, in Punjab, they have different cadre of JBT and C&V Teachers, so, for JBT teachers, they have prescribed GP of Rs. 4200/-, and for C&V it is Rs. 4400/- w.e.f. 01.10.2011.
- 11) The GP of JBT Teachers in Haryana and Punjab is equal i.e. Rs. 4200/-. However, in addition, JBT teachers in Haryana are granted IR of Rs. 2000/- pm. Resultantly, the pay of JBT teachers in Haryana is more than their counterpart in Punjab. There may be other such cases where GP is equal in Punjab and Haryana but pay of counterpart in Haryana is more due to IR. There may be resentment in such cases if the IR is withdrawn on grant of Punjab pay scale.
- 12) The GP of some cadres in Punjab is less than their counterpart in Haryana. For example, the GP of ETO in Punjab is Rs. 5000/- whereas in Haryana it is Rs. 5400/-. Likewise, GP of next higher post i.e. AETC in Punjab is Rs. 5400/- whereas in Haryana it is Rs. 6000/- for DETC. Similarly, the GP of Tehsildar in Punjab is Rs. 5000/- whereas in Haryana it is Rs. 5400/-. The GP of next higher post of DRO in Punjab is Rs. 5400/- whereas in Haryana it is Rs. 6000/-.
- 13) The pay scales of Drivers (heavy, light, commercial, staff car, etc.), in Haryana have been higher than their counterparts in Punjab since long. In 1996, their pay scale in Haryana was Rs. 4000-6000 and in Punjab, it was Rs. 3300-6200. Likewise, in Haryana its GP was Rs. 2400/- w.e.f. 01.01.2006 and in Punjab it was Rs. 2000/-. Now, Punjab has recently upgraded their GP to Rs. 2400/- which has now become equal to that of Haryana. But in terms of ACP, it is still better in Haryana.
- 14) The hierarchical structure as well as pay scale of Nursing cadre in Punjab and Haryana is different as per table given below:-

Hierarchical structure and pay scale in Haryana		Hierarchical structure and pay scale in Punjab	
Name of post	PB & GP	Name of post	PB & GP
Staff Nurse	PB-2, 9300-34800, GP-4200/-	Nurses	PB-2, 10300-34800, GP-4600/-
Nursing Sister	PB-2, 9300-34800, GP-4800/-	Nursing Sister/ Sister Tutor/ PHN (Teaching)	PB-2, 10300-34800, GP-4800/-
Asstt. Matron	PB-2, 9300-34800, GP-4800/-	Not exist	---
Matron	PB-2, 9300-34800, GP-5400/-	Matron/ Distt. PHN	PB-3, 15600-39100, GP-5400/-
Nursing Supdt.	PB-2, 9300-34800, GP-5400/-	Nursing Supdt./ Principal Tutor	PB-3, 15600-39100, GP-6600/-
Sister Tutor	PB-2, 9300-34800, GP-4800/-	---	---
Principal Tutor	PB-2, 9300-34800, GP-5400/-	---	---
Public Health Nurse	PB-2, 9300-34800, GP-4800/-	---	---
Distt. Nursing Officer	PB-2, 9300-34800, GP-4800/-	---	---
Public Health Nursing Officer	PB-2, 9300-34800, GP-5400/-	---	---
Assistant Director (Nursing) & Principal, Training Centre, Barwala	PB-2, 9300-34800, GP-5400/-	---	---
Not exist	---	Superintendent (Public Health School)	PB-3, 15600-39100, GP-7400/-
Deputy Director Nursing	PB-3, 15600-39100, GP-6400/-	Deputy Director Nursing	PB-3, 15600-39100, GP-7600/-

From perusal of above table, it would be seen that in Punjab there is no post of Assistant Matron, Assistant Director Nursing and Public Health Nursing Officer.

- 15) Haryana Government has taken a policy decision that pay scale/ ACP pay scale of different stream of doctors will be distinct in order of preference i.e. HCMS at 1st grade, Dentist at 2<sup>nd</sup> grade, Veterinary Surgeon at 3<sup>rd</sup> grade and

then Ayush Doctors at 4<sup>th</sup> grade. However, no such distinction has been prescribed in Punjab.

- 16) During the year 2011-12, the Punjab Government had further improved the pay scale of more categories of employees **Annexure 'D(1)-D(18)'** The designation of some similar posts in Punjab is different from Haryana. For example, as against the designation of Accounts Officer, Sr. Accounts Officer and Chief Accounts Officer in Haryana, their designations are Assistant Controller Finance and Accounts, Deputy Controller Finance and Accounts and Joint Controller Finance and Accounts respectively. Therefore, the department-wise comparable posts will have to be identified for granting Punjab pay scale.
- 17) In the pre-revised pay scales, Punjab had granted running pay scales (master scales) so, their formula of devising grade pay was also different from that of GOI/ Haryana. Likewise, they had also prescribed different pay bands particularly for PB-1, 2 and 3. In the pre-revised as well as revised pay scales, they have prescribed different ACP scheme. The ACP grade pay as well as time span for grant of ACP is different in Punjab from that of Haryana.
- 18) GOI has prescribed three ACPs after 10, 20 and 30 yrs of service. Haryana Government has further improved it to 8, 16 and 24 yrs recently, However, in Punjab, it is after 4, 9 and 14 yrs of service and the state government has not found it feasible to adopt the Punjab pattern as the employee will exhaust three ACPs in first half of service career and 2<sup>nd</sup> half career will remain blank. It is also learnt that after upgradation of pay scale during December, 2011, the ACP scheme in Punjab has been kept in abeyance as there has arisen certain anomalies.
- 19) Punjab government had granted Mobile Allowance to its employees which the state government has considered and found not feasible to grant.
- 20) In the matter of pensionary benefits also, there are certain differences in Punjab and Haryana as follows:-
  - i. In Haryana, the maximum limit of pay for grant of pension is Rs. 79000/- whereas in Punjab it is Rs. 77000/-. Accordingly, the maximum pension admissible in Haryana is Rs. 39500/- and in Punjab Rs. 38500/-.

- ii. In Haryana, there is a provision for payment of 40% commutation of Pension whereas in Punjab, this provision is restricted to 20% (enhanced to 30% vide order dated 12.5.2014).
  - iii. In Haryana, the qualifying service required for full pension has been reduced to 20 years whereas in Punjab it is 25 years.
- 21) The Haryana Government has granted an Interim Relief of Rs. 2000/- pm to its Group-C & D employees, which is not given in any other state. In case, Punjab pay scale is granted and the IR is withdrawn as per Punjab pattern, the carry home salary of all Group-D employees and majority of the Group-C employees will be reduced.
- 22) In view of above, while considering adoption of Punjab pay scale/ ACP pay scale, it is essential that the hierarchical structure, qualification, mode of recruitment, departmental service rules in all the department of the state are framed/ designed as per Punjab pattern for which a detailed/ extensive study is required.

This study will have to be conducted on a departmentwise basis in detail and would also entail necessary changes in the service rules applicable to different departments. This will be a voluminous exercise and would mean a major rehaul of the administrative set up and hierarchal structure in different departments.

## **5.2 COMPARISON OF EMOLUMENTS OF FRESH RECRUITS IN THE INITIAL YEARS**

The position with regard to the emoluments paid to fresh recruits in the initial years in the two states has already been indicated in the statement at Annexure 'D'. It is very clear that in Haryana, they will get two increments during probation period, Grade Pay as well as DA whereas, in Punjab they will not get any of these during the same period. Calculations show that the loss in total emoluments in regard for a period of two years will work out to a substantial amount which cannot be made up in subsequent years. The loss of two increments during probation period will have a cumulative effect in the case of fresh recruits of Punjab Government.

The Commission has only been requested to make a comparative study of the above factors in the states of Haryana and Punjab but has not been asked to make any specific recommendations about adoption of the Punjab Scales in Haryana. Under these circumstances, the Commission refrains from giving any recommendation on this subject and it is up to the State Government to take a final decision



on this matter. However, the following facts, which came to the notice of the Commission during its interaction/ discussions with employees, Unions, Associations/ Departmental Representatives are brought to the notice of the State Govt. for appropriate action deemed necessary:-

1. The preference of Punjab Scales was not found across the board, in the case of all departments in Haryana. It was in fact restricted to some departments like the Police, Health, the Ministerial Staff, Lower level staff of the Revenue Deptt. etc. To a specific query on the subject during discussions, in the case of most departments, the choice was for comparable scales of Govt., of India or comparison with other scales prevalent in departments of Govt. of Haryana. Even though in many cases, reference to Punjab scales was mentioned as a matter of routine in many representations, during discussions with the Commission, the emphasis was more on comparable scales in other departments of the state or of the Central Govt.
2. In the state of Punjab during the year 2011 pay scales of a large number of employees in different departments were revised. This preceded the State Assembly Elections which were held in 2012. Recently the state has constituted a new Pay Commission and it is generally expected to give its report by the end of this year or even earlier. The next Assembly elections are due in Punjab in 2017. The State Govt. of Punjab can be expected to give effect to the recommendations of the Pay Commission before the announcement of elections. There is bound to be a demand for improving pay scales as per this report in case Punjab scales are adopted in Haryana.
3. Historically the state of Haryana has adopted the recommendations of the Central Pay Commission with suitable modifications to suit its requirements. This has stood the test of time and seemed to have served the State well. The other proper alternative will be for the State to set up its own Pay Commission periodically which will take into account all the conditions prevailing in the State of Haryana and make suitable recommendations to the State Govt. about the pay structure which should be applicable to the employees of the State. However, this is a matter for the state Govt. to decide.

## ANNEXURE-A

### Comparison of General Structure of pay scales of Haryana & Punjab Government w.e.f. 01.01.1986, 01.01.1996 and 01.01.2006.

Sr. No.	Haryana Government				Punjab Government			
	w.e.f. 01.01.1986	w.e.f. 01.01.1996	w.e.f. 01.01.2006		w.e.f. 01.01.1986	w.e.f. 01.01.1996	w.e.f. 01.01.2006	
			Pay Band	Grade Pay			Pay Band	Grade Pay
1.	750-12-870-EB-14-940	2550-55-2660-EB-60-3200	-1S, 4440-7440	1300	770-1410	2520-100-3220-110-3660-120-4140	PB-1, 4900-10680	1300
2.	775-12-955-EB-14-1025	2610-60-3150-EB-65-3540	-1S 4440-7440	1400	800-1455	2720-100-3220-110-3660-120-4260	PB-1, 4900-10680	1400
3.	800-15-1010-EB-20-1150	2650-65-3300-EB-70-4000	-1S, 4440-7440	1650	830-1500	2820-100-3220-110-3660-120-4260-140-4400	PB-1, 4900-10680	1650
4.	950-20-1150-EB-25-1400	3050-75-3950-EB-80-4350	PB-I, 5200-20200	1800	950-1800	3120-100-3220-110-3660-120-4260-140-4400-150-5000-160-5160	PB-2, 5910-20200	1900
5.	950-20-1150-EB-25-1500	3050-75-3950-EB-80-4590	PB-I, 5200-20200	1900	950-2130	3120-100-3220-110-3660-120-4260-140-4400-150-5000-160-5800-200-6200	PB-2, 5910-20200	1950
6.	950-25-1200-30-1560-EB-40-1800	3050-85-4325-EB-100-5325	PB-I, 5200-20200	1950	1020-1800 1020-2130	3330-110-3660-120-4260-140-4400-150-5000-160-5800-200-6200	PB-2, 5910-20200	2000
7.	975-25-1150-EB-30-1540	3200-85-3880-EB-85-4900	PB-I, 5200-20200	2000	1200-2130	4020-120-4260-140-4400-150-50100-160-5800-200-6200	PB-2, 5910-20200	2400
8.	1200-30-1560-EB-40-2040	4000-100-4800-EB-100-6000	PB-I, 5200-20200	2400	1365-2410	4400-150-5000-160-5800-200-7000	PB-2, 5910-20200	2800
9.	1320-30-1560-EB-40-2040	4400-100-5200-EB-100-6000	PB-I, 5200-20200	2500	1410-2480	4550-150-5000-160-5800-200-7000-220-7220	PB-2, 5910-20200	3000
10.	1350-30-1440-40-1800-EB-50-2200	4500-125-6000-EB-125-7000	PB-I, 5200-20200	2800	1500-2700	5000-160-5800-200-7000-200-8100	PB-3, 10300-34800	3200
11.	1400-40-1600-50-2300-EB-60-2600	5000-150-7100-EB-150-7850	PB-2, 9300-34800	3200	1650-2925	5480-160-5800-200-7000-220-8100-275-8925	PB-3, 10300-34800	3600
12.	1600-50-2300-EB-60-2660	5450-150-6950-EB-150-8000	PB-2, 9300-34800	3300	1800-3200	5800-200-7000-220-8100-275-9200	PB-3, 10300-34800	3800
13.	1640-60-2600-EB-75-2900	5500-175-8300-EB-175-9000	PB-2, 9300-34800	3600	2000-3500	6400-200-7000-220-8100-275-10300-340-10640	PB-3, 10300-34800	4200
14.	2000-60-2300-EB-75-3200	6500-200-8500-EB-200-9900	PB-2, 9300-34800	4000	2130-3700	7000-220-8100-275-10300-340-10980	PB-3, 10300-34800	4400
15.	2000-60-2300-75-2900-EB-100-3500	6500-200-8500-EB-200-10500	PB-2, 9300-34800	4200	2200-3700	7220-220-8100-275-10300-340-10980	PB-3, 10300-34800	4600
16.	2375-75-2900-EB-100-3600	7450-225-9025-EB-225-11500	PB-2, 9300-34800	4600	2410-3700 2200-3900	7220-220-8100-275-10300-340-11320	PB-3, 10300-34800	4800

Sr. No.	Haryana Government				Punjab Government			
	w.e.f. 01.01.1986	w.e.f. 01.01.1996	w.e.f. 01.01.2006		w.e.f. 01.01.1986	w.e.f. 01.01.1996	w.e.f. 01.01.2006	
			Pay Band	Grade Pay			Pay Band	Grade Pay
17.	2500-4000(Proposed new pre-revised scales)	7500-250-10000-EB-250-12000	PB-2, 9300-34800	4800	2200-4000	7220-220-8100-275-10300-340-11660	PB-3, 10300-34800	5000
18.		7500-250-10000-EB-250-13000	PB-2, 9300-34800	5200	2410-4000	7880-220-8100-275-10300-340-11660	PB-3, 10300-34800	5400
19.	2200-75-2800-EB-100-4000	8000-275-10200-EB-275-13500	PB-2, 9300-34800	5400	--	7880-220-8100-275-10300-340-12000-375-13500	PB-4, 15600-39100	5400
20.		8000-275-10200-EB-275-13500 (Group A Entry)	PB-3, 15600-39100	5400	2850-4375	9200-275-10300-340-12000-375-13500-400-13900	PB-4, 15600-39100	5700
21.	3000-100-3500-120-4500	10000-325-13900	PB-3, 15600-39100	6000	3000-4375	9750-275-10300-340-12000-375-13500-400-14700	PB-4, 15600-39100	6000
22.	3000-100-3500-125-5000	10000-325-15200	PB-3, 15600-39100	6400	3000-4500 3000-5000	10025-275-10300-340-12000-375-13500-400-15100	PB-4, 15600-39100	6600
23.	3200-100-3700-125-4700	10650-325-15850	PB-3, 15600-39100	6600	--	12000-375-13500-400-15100	PB-4, 15600-39100	7400
24.	3700-125-4700-150-5000	12000-375-16500	PB-3, 15600-39100	7600	3700-5000	12000-375-13500-400-15500	PB-4, 15600-39100	7600
25.	4100-125-4850-150-5300	13500-375-17250	PB-3, 15600-39100	8000	3000-5300 3700-5300	12000-375-13500-400-15900-450-16350	PB-4, 15600-39100	7800
26.	4500-150-5700	14300-400-18300	PB-4, 37400-67000	8700	4000-5300	13125-375-13500-400-15900-450-16350	PB-4, 15600-39100	8200
27.	4800-150-5700	15100-400-18300	PB-4, 37400-67000	8800	4125-5600	13500-400-15900-450-16800	PB-4, 15600-39100	8400
28.	5100-150-6150	16400-450-20000	PB-4, 37400-67000	8900	--	14300-400-15900-450-18150	PB-5, 37400-67000	8600
29.	5900-200-6700	16400-450-20900	PB-4, 37400-67000	9500	4500-6100	14300-400-15900-450-18600	PB-5, 37400-67000	8700
30.	7300-100-7600	18400-500-20400	PB-4, 37400-67000	9800	4500-6700	14300-400-15900-450-18600-500-20100	PB-5, 37400-67000	8800
31.	5100-150-6300-200-6700	18400-500-22400	PB-4, 37400-67000	10000	5000-6700	16350-450-18600-500-20100	PB-5, 37400-67000	8900
32.	5900-200-7300	22400-525-24500	PB-4, 37400-67000	12000	5900-6700	18600-500-22100	PB-5, 37400-67000	10000

## ANNEXURE-B

Comparative statement of pre-revised pay scale and corresponding revised Pay Band and Grade Pay in the State of Haryana and in Government of India.									
Pre-revised Pay Scale and corresponding Revised Pay Structure adopted by Haryana					Pre-revised Pay Scale and Corresponding Revised Pay Structure adopted by Government of India				
Sr. No	Pay Scale	Pay Band	Corresponding Pay Band	Grade Pay	Sr. No	Pay Scale	Pay Band	Corresponding Pay Band	Grade Pay
1	2550-55-2660-EB-60-3200	-1S	4440-7440	1300	1	2550-55-2660-60-3200	-IS	4440-7440	1300
2	2610-60-3150-EB-65-3540	-1S	4440-7440	1400	2	2610-60-3510-65-3540	-IS	4440-7440	1400
3	2650-65-3300-EB-70-4000	-1S	4440-7440	1650	3	2610-60-2910-65-3300-70-4000	-IS	4440-7440	1600
4 #	3050-75-3950-EB-80-4350	PB-I	5200-20200	1800	4	2650-65-3300-70-4000	-IS	4440-7440	1650
5	3050-75-3950-EB-80-4590	PB-I	5200-20200	1900	5	2750-70-3800-75-4400	PB-1	5200-20200	1800
6 #	3050-85-4325-EB-100-5325	PB-I	5200-20200	1950	6	3050-75-3950-80-4590	PB-1	5200-20200	1900
7	3200-85-3880-EB-85-4900	PB-I	5200-20200	2000	7	3200-85-4900	PB-1	5200-20200	2000
8	4000-100-4800-EB-100-6000	PB-I	5200-20200	2400	8	4000-100-6000	PB-1	5200-20200	2400
9 #	4400-100-5200-EB-100-6000	PB-1	5200-20200	2500	9	4500-125-7000	PB-1	5200-20200	2800
10	4500-125-6000-EB-125-7000	PB-I	5200-20200	2800	10	5000-15-8000	PB-2	9300-34800	4200
11 @ #	5000-150-7100-EB-150-7850	PB-2	9300-34800	3200	11	5500-175-9000	PB-2	9300-34800	4200
12 @ #	5450-150-6950-EB-150-8000	PB-2	9300-34800	3300	12	6500-200-6900	PB-2	9300-34800	4200
13 @	5500-175-8300-EB-175-9000	PB-2	9300-34800	3600	13	6500-200-10500	PB-2	9300-34800	4200
14 @ #	6500-200-8500-EB-200-9900	PB-2	9300-34800	4000	14	7450-225-11500	PB-2	9300-34800	4600
15 @	6500-200-8500-EB-200-10500	PB-2	9300-34800	4200	15	7500-250-12000	PB-2	9300-34800	4800

16	7450-225-9025-EB-225-11500	PB-2	9300-34800	4600
17	7500-250-10000-EB-250-12000	PB-2	9300-34800	4800
18 #	7500-250-10000-EB-250-13000	PB-2	9300-34800	5200
19	8000-275-10200-EB-275-13500	PB-2	9300-34800	5400
20	8000-275-10200-EB-275-13500 (Group A Entry)	PB-3	15600-39100	5400
21 @ #	10000-325-13900	PB-3	15600-39100	6000
22 @	10000-325-15200	PB-3	15600-39100	6400
23 @	10650-325-15850	PB-3	15600-39100	6600
24	12000-375-16500	PB-3	15600-39100	7600
25 #	13500-375-17250	PB-3	15600-39100	8000
26 @	14300-400-18300	PB-4	37400-67000	8700
27 @	15100-400-18300	PB-4	37400-67000	8800
28 @	16400-450-20000	PB-4	37400-67000	8900
29 @	16400-450-20900	PB-4	37400-67000	9500
30 @ #	18400-500-20400	PB-4	37400-67000	9800
31 @	18400-500-22400	PB-4	37400-67000	10000
32	22400-525-24500	PB-4	37400-67000	12000

16	8000-275-13500	PB-2	9300-34800	5400
17	8000-275-13500 (Group A Entry)	PB-3	15600-39100	5400
18	9000	PB-3	15600-39100	5400
19	9000-275-9550	PB-3	15600-39100	5400
20	10325-325-10975	PB-3	15600-39100	6600
21	10000-325-15200	PB-3	15600-39100	6600
22	10650-325-15850	PB-3	15600-39100	6600
23	12000-375-16500	PB-3	15600-39100	7600
24	12750-375-16500	PB-3	15600-39100	7600
25	12000-375-18000	PB-3	15600-39100	7600
26	14300-400-18300	PB-4	37400-67000	8700
27	15100-400-18300	PB-4	37400-67000	8700
28	16400-450-20000	PB-4	37400-67000	8900
29.	16400-450-20900	PB-4	37400-67000	8900
30	14300-450-22400	PB-4	37400-67000	10000
31	18400-500-22400	PB-4	37400-67000	10000
32	22400-525-24500	PB-4	37400-67000	12000

	# indicates unique Pay Scale for Haryana Govt. Employees. Hence, different grade pay. @ Due to non merger of Pay Scales, different grade pay.	33	22400-600-26000	HAG+	Rs. 75,500/- (annual increment @3%)-80,000/-	Nil
		34	24050-650-26000	HAG+ Scale	Rs.75,500/- (annual increment @3%)-80,000/-	Nil
		35	26000 (fixed)	Apex scale	Rs. 80,000/- (fixed)	Nil
		36	30000 (fixed)	Cab. Sec	Rs. 90,000/- (fixed)	Nil

## Annexure-C

### Comparison of arrear of revision of pay scale and Dearness Allowances paid by the Haryana and Punjab Government to its employees

HARYANA GOVERNMENT		PUNJAB GOVERNMENT
SR. No	PARTICULARS	PARTICULARS
1.	Revision of pay scale/cash from salary of month as per notification dated 30.12. 2008 <b>(January, 2009)</b>	Revision of pay scale/cash from salary of month as per notification dated 27.05.2009 <b>(August, 2009)</b>
2.	Arrear for the period from 01.01.2006 to 30.12.2008 to be paid in three instalments as under :-	Arrear for the period from 01.01.2006 to 31.07.2009 to be paid in three instalments as per Punjab Government letter No. 5/10/09-5FPI/844, dated 29.12.2010, as under:- .
	a) 40% Arrear during 2008-09 upto 31.03.2009 (40% between Jan-Mar, 2009)	a) 40% arrear during 2011-2012 i.e. after the salary of April, 2011, which is payable in May, 2011
	b) 2 <sup>nd</sup> instalment - 30% after one year of drawl of 1 <sup>st</sup> instalment of 40% i.e. upto 31.03.2010 (30% between Jan-Mar, 2010)	b) 2 <sup>nd</sup> instalment of 30% payable in May, 2012
	c) 3 <sup>rd</sup> instalment- 30% in January, 2011 (30% during Jan, 2011)	c) 3 <sup>rd</sup> instalment- 30% payable in May, 2013

### **3. Release of instalment of Dearness Allowance rate, due date, date of grant, arrear period, granted in cash or GPF**

HARYANA GOVERNMENT					PUNJAB GOVERNMENT				
RAT E	DUE DATE	DATE OF GRANT	ARREAR PERIOD	CASH/ GPF	RATE	DUE DATE	DATE OF GRANT	ARREAR PERIOD	CASH/ GPF
22%	01.01.2009	April paid in May, 2009	Jan-Mar, 2009	GPF	22%	Details not available			
27%	01.07.2009	Oct. paid in Nov., 2009	Jul-Sept 2009	GPF	27%	01.07.2009	Jan. 2010	Jul-Dec. 2009	GPF
35%	01.01.2010	Apr paid in May, 2010	Jan-Mar, 2010	Cash	35%	01.01.2010	June, 2010	Jan-May, 2010	GPF
45%	01.07.2010	Oct paid in Nov, 2010	Jul-Sept, 2010	Cash	45%	01.07.2010	Oct, 2010	Jul-Sept, 2010	GPF

51%	01.01.2011	Apr paid in May, 2011	Jan-Mar, 2011	Cash	51%	01.01.2011	May, 2011	Jan-Apr, 2011	GPF
58%	01.07.2011	Oct paid in Nov, 2011	Jul-Sept, 2011	Cash	58%	01.07.2011	Nov, 2011	Jul-Oct, 2011	GPF
65%	01.01.2012	Apr paid in May, 2012	Jan-Mar, 2012	Cash	65%	01.01.2012	July, 2012	Jan.- June, 2012	GPF
72%	01.07.2012	Oct paid in Nov, 2012	Jul-Sept, 2012	Cash	72%	01.07.2012	Sept. 2012	July-Aug, 2012	GPF
80%	01.01.2013	May paid in Jun, 2013	Jan-Apr, 2013	Cash	80%	01.01.2013	<b>Details not available</b>		
90%	01.07.2013	Nov paid in Dec, 2013	Jul-Oct, 2013	Cash	90%	01.07.2013	Feb, 2014	July13 - Jan14	Not Available
100%	01.01.2014	Apr paid in May, 2014	Jan-Mar, 2014	Cash	100%	01.01.2014	Dec. 2014	Jan- Nov 2014	Not Available
107%	01.07.2014	Nov paid in Dec, 2014	Jul-Oct, 2014	Cash	107%	01.07.2014	Mar, 2015	July14- Feb15	Not Available
113%	01.01.2015	May paid in June, 2015	Jan-Apr, 2015	Cash	113%	01.01.2015	Aug, 2015	Jan- July, 2015	Cash
119%	01.07.2015	Oct paid in Nov, 2015	Jul-Sept, 2015	Cash	119%	01.07.2015	Jan., 2016	July 15 – Dec. 15	Not Available

#### 4. Leave Travelling Concession

HARYANA GOVERNMENT	PUNJAB GOVERNMENT
<p><b>a) For Employees :-</b> The State Government has announced a new scheme of LTC for visiting Home Town and any place in India for the State Government employees vide Letter No. 13/19/2008-2SII, dated 05.02.2009. Relevant extract of the scheme is as under:-</p> <p><i>“With a view to liberalise the policy of LTC for visiting Home Town and any place in India, the matter has been further considered by the Government and it has been decided that one month’s salary would be admissible to the State Government employees in a block of four years, in lieu of LTC/ HTC facility. The first block of four</i></p>	<p><b>a) For Employees :-</b> As per the latest instructions of the Punjab Government issued vide their letter No. 6/51/2009-6PP-3/1617, dated 03.12.2010, LTC is granted on actual visit as per the category wise entitlement of the mode of conveyance decided in the above said instructions.</p> <p><b>However, no fixed amount is paid i.e. pay equal to one month on the pattern of Haryana.</b></p>



years for this purpose shall be 2008-2011 (01.01.2008 to 31.12.2011) and the next blocks of four years for this purpose shall be 2012-2015, 2015-2019, 2020-2023 and so on."	
<b>b) For Pensioners:-</b> The State Government has announced a new scheme of LTC for visiting Home Town and any place in India for the State Government pensioners vide Letter No. 13/19/2008-2SII, dated 29.10.2009. Relevant extract of the scheme is as under:- <i>"He/ She shall be entitled to draw the 'one month's pension' as lump sum assistance once in the block of four years as declared by the Government of Haryana as the block regulating the LTC. The current block as declared by the Government of Haryana happens to be 2008-2011 (01.01.2008 to 31.12.2011) and the subsequent blocks shall be 2012-2015, 2016-2019, 2020-2023 and so on.</i> <i>"Pension" means the entitlement of basic pension inclusive of commuted pension and the dearness allowance admissible thereon being drawn under the Punjab Civil Services Rules, Vol. II as amended from time to time as admissible to the pensions of Haryana Government. "</i>	<b>b) For Pensioners:-</b> As per the instructions of the Punjab Government issued vide their letter No. 1/15/89-1FP-III/8078 dated 31.08.1989, all the pensioners shall be granted Travel Concession <b>equal to one month's basic pension after completion of every block of two years.</b>
<b>c. For Family Pensioners</b> Facility of Travel Concession to the family pensioners is not available in Haryana	<b>c. For Family Pensioners</b> As per the instructions of the Punjab Government issued vide their letter No. 1/4/2000-3FPPC/1219 dated 19.10.2011, Travel Concession shall also be admissible to family pensioners of Punjab Government <b>equal to one month's basic pension after completion of every block of two years, starting from 1<sup>st</sup> January, 2010.</b>

## 5. Actual pay for new recruits in initial years

HARYANA GOVERNMENT	PUNJAB GOVERNMENT												
<p>In the State of Haryana the pay of fresh recruits after 01.01.2006 is fixed as per Section-II of First Schedule of Haryana Civil Service (Revised Pay), Rules, 2008 i.e. Pay in pay band + grade pay as under:-</p> <p><b>Entry Pay in the revised pay structure for direct recruits appointed on or after 1.1.2006</b></p> <p>-1S (Rs.4440-7440)</p> <table><tr><th>Grade Pay</th><th>Pay in the Pay Band</th><th>Total</th></tr><tr><td>1300</td><td>4750</td><td>6050</td></tr><tr><td>1400</td><td>4860</td><td>6260</td></tr><tr><td>1650</td><td>4930</td><td>6580</td></tr></table>	Grade Pay	Pay in the Pay Band	Total	1300	4750	6050	1400	4860	6260	1650	4930	6580	<p>As per Punjab Government order No. 7/204/2012-4FP-I/66, dated 15.01.2015, a fresh recruit shall be granted fixed monthly emoluments equal to the minimum of the pay band applicable for that post during probation period of two years, but, the said emoluments shall not include any grade pay, any increment or any other allowance, except travelling allowance as per entitlement of the post held by such employee.</p>
Grade Pay	Pay in the Pay Band	Total											
1300	4750	6050											
1400	4860	6260											
1650	4930	6580											

## PB-1 (Rs.5200-20200)

Grade Pay	Pay in the Pay Band	Total
1800	5680	7480
1900	5680	7580
1950	5680	7630
2000	5960	7960
2400	7440	9840
2500	8190	10690
2800	8370	11170

## PB-2 (Rs.9300-34800)

Grade Pay	Pay in the Pay Band	Total
3200	9300	12500
3300	10140	13440
3600	10230	13830
4000	12090	16090
4200	12090	16290
4600	13860	18460
4800	13950	18750
5200	13950	19150
5400	14880	20280

## PB-3 (Rs.15600-39100)

Grade Pay	Pay in the Pay Band	Total
5400	15600	21000
6000	18600	24600
6400	18600	25000
6600	19810	26410
7600	22320	29920
8000	25110	33110

## PB-4 (Rs.37400-67000)

Grade Pay	Pay in the Pay Band	Total
8700	37400	46100
8800	37400	46200
8900	37400	46300
9500	37400	46900
9800	37400	47200
10000	37400	47400
12000	41670	53670

In addition to the basic pay fixed in above manner, DA and other allowances as applicable from time to time for that post is also granted.

**ANNEXURE-D(1)**

No.5/10/09-5FP1/1033  
GOVERNMENT OF PUNJAB  
DEPARTMENT OF FINANCE  
(FINANCE PERSONNEL-I BRANCH)

Dated, Chandigarh the 15<sup>th</sup> December, 2011

To

The Director General of Police, Punjab,  
Chandigarh.

Subject: - Revision of pay scales of certain categories of police personnel.  
Sir, \*\*\*

I am directed to invite a reference to Punjab Government Notification No. 5/10/09-5FP1/207, dated 27.5.2009 and to say that the Governor of Punjab is pleased to decide that the pay scales of the following categories of police personnel, shall stand further revised as under with effect from the 1<sup>st</sup> December, 2011:-

Name of the post	Pre-revised scale of pay	Revised scale of pay w.e.f 1.1.2006			Revised scale of pay w.e.f. 01.01.2011		
		Pay Band	Grade Pay	Initial Pay	Pay Band	Grade	Initial Pay
Head Constable	4020-6200	5910-20200	2400	9880	10300-34800	3600	14430
Assistant Sub-Inspector	4550-7220	5910-20200	3000	11470	10300-34800	4400	17420
Sub-Inspector	5480-8925	10300-34800	3600	14430	10300-34800	4600	18030
Inspector	5800-9200 (Initial start of Rs. 6200)	10300-34800	3800	14590	10300-34800	4800	18250

2. The pay in the above mentioned revised scales effective from the 1<sup>st</sup> December, 2011, shall be fixed prospectively and there shall be no element, whatsoever, of retrospectively in this regard and there will be no question of payment of arrears or of fixation of pay on notional basis from any previous date.

3. The employees working on the above noted posts shall not be entitled to any Special Grade Pay in terms of Government circular letter No.5/10/09-5FPI/807, dated 14<sup>th</sup> November, 2011.

4. The necessary amendments in the rules will be made in due course.

Yours faithfully,

Sd/-  
(JASBIR KAUR)  
Under Secretary Finance

**ANNEXURE-D(2)**

No. 5/10/09-5FP1/1154  
GOVERNMENT OF PUNJAB  
DEPARTMENT OF FINANCE  
(FINANCE PERSONNEL BRANCH-I)  
Dated, Chandigarh the 21<sup>st</sup> December, 2011

To

The Director Public Instructions (Colleges), Punjab,  
Chandigarh.

Subject: - Revision of pay scales.

\*\*\*

Sir,

I am directed to invite a reference to Punjab Government Notification No. 5/10/09-5FP1/207, dated 27.5.2009 and to say that the Governor of Punjab is pleased to decide that the pay scales of the following categories of police personnel, shall stand further revised as under with effect from the 1<sup>st</sup> December, 2011:-

Name of the post	Pre-revised scale of pay	Revised scale of pay w.e.f 1.1.2006			Revised scale of pay w.e.f.1.12.2011		
		Pay Band	Grade Pay	Initial Pay	Pay Band	Grade	Initial Pay
Tabla Instructor/ Player	4400-7000	5910-20200	2800	11170	10300-34800	3200	13500
Tabla Accompanist	4400-7000	5910-20200	2800	11170	10300-34800	3200	13500

2. The pay in the above mentioned revised scales effective from the 1st December, 2011, shall be fixed prospectively and there shall be no element, whatsoever, of retrospectivity in this regard and there will be no question of payment of arrears or of fixation of pay on notional basis from any previous date.

3. The employees working on the above noted posts shall not be entitled to any Special Grade Pay in terms of Government circular letter No.5/10/09-5FPI/807, dated 14th November, 2011.

4. The necessary amendments in the rules will be made in due course.

Yours faithfully,

Sd/-  
(JASBIR KAUR)  
Under Secretary Finance

**ANNEXURE-D(3)**

No. 5/10/09-5FP1/1453  
GOVERNMENT OF PUNJAB  
DEPARTMENT OF FINANCE  
(FINANCE PERSONNEL-I BRANCH)

Dated, Chandigarh the 23rd December, 2011

To

The Director,  
Public Instructions (Elementary), Punjab,  
Chandigarh.

Subject: - Revision of pay scales of Head Teacher.

\*\*\*

Sir,

I am directed to invite a reference to Punjab Government Notification No. 5/10/09-5FP1/207, dated 27.5.2009 and circular letter No.5/10/09-5FP1/665, dated 5th October, 2011, on the subject cited above and to say that the Governor of Punjab is pleased to decide that pay scale of Head Teacher shall stand further revised as under with effect from the 1<sup>st</sup> December, 2011:—

Revised scale of pay w.e.f. 1.1.2006			Revised scale of pay w.e.f. 1.10.2011			Revised scale of pay w.e.f. 1.12.2011		
Pay Band	Grade Pay	Initial Pay	Pay Band	Grade Pay	Initial Pay	Pay Band	Grade Pay	Initial Pay
5910- 20200	3000	11470	10300- 34800	4200	16290	10300- 34800	4400	17420

2. The pay in the above mentioned revised scales effective from the 1st December, 2011, shall be fixed prospectively and there shall be no element, whatsoever, of retrospectivity in this regard and there will be no question of payment of arrears or of fixation of pay on notional basis from any previous date.

3. The employees working on the above noted posts shall not be entitled to any Special Grade Pay in terms of Government circular letter No.5/10/09-5FPI/807, dated 14th November, 2011.

4. The necessary amendments in the rules will be made in due course

Yours faithfully,

Sd/-  
(JASBIR KAUR)  
Under Secretary Finance

**ANNEXURE-D(4)**

No. 5/10/09-5FP1/1463  
GOVERNMENT OF PUNJAB  
DEPARTMENT OF FINANCE  
(FINANCE PERSONNEL-I BRANCH)

Dated, Chandigarh the 23rd December, 2011

To

The Director Public Instructions (Secondary),  
Punjab, Chandigarh.

Subject: - Revision of pay scale of Senior Laboratory Attendant.

\*\*\*

Sir,

I am directed to invite a reference to Punjab Government Notification No.5/10/09-5FP1/207, dated 27.5.2009 and to say that the Governor of Punjab is pleased to decide that the scales of pay of the Senior Laboratory Attendant in the Schools shall stand further revised as under with effect from the 1st December, 2011:—

Pre-revised scale of pay	Revised scale of pay w.e.f. 1.1.2006			Revised scale of pay w.e.f. 1.12.2011		
	Pay Band	Grade Pay	Initial Pay	Pay Band	Grade Pay	Initial Pay
3120-5160	5910-20200	1900	7810	5910-20200	2400	9880

2. The pay in the above mentioned revised scales of pay effective from the 1st December, 2011, shall be fixed prospectively and there shall be no element, whatsoever, of retrospectivity in this regard and there will be no question of payment of arrears or of fixation of pay on notional basis from any previous date.

3. The employees working on the above noted posts shall not be entitled to any Special Grade Pay in terms of Government circular letter No.5/10/09-5FPI/807, dated 14th November, 2011.

4. The necessary amendments in the rules will be made in due course.

Yours faithfully,

Sd/-  
(JASBIR KAUR)  
Under Secretary Finance

No. 5/10/09-5FP1/ 1464

Dated, Chandigarh, the ,23<sup>rd</sup> December, 2011

**ANNEXURE-D(5)**

No. 5/10/09-5FP1/1473  
GOVERNMENT OF PUNJAB  
DEPARTMENT OF FINANCE  
(FINANCE PERSONNEL BRANCH-I)  
Dated, Chandigarh the 23rd December, 2011

To

The Director Public Instructions (Secondary),  
Punjab, Chandigarh.

Subject: - Revision of pay scales of certain categories of posts.

\*\*\*

Sir,

I am directed to invite a reference to Punjab Government Notification No.5/10/09-5FP1/207, dated 27.5.2009 and to say that the Governor of Punjab is pleased to decide that the pay scales of the Librarians of Model Schools shall stand further revised as under with effect from the 1st December, 2011:—

Pay Band	Grade Pay	Initial Pay
10300-34800	3200	13500

2. It has been further decided that after regular service of six years in the entry scale, Librarians of the Model Schools who possess Master's Degree in Library Science, shall be entitled to the following scale of pay:-

Pay Band	Grade Pay	Initial Pay
10300-34800	3800	14590

3. The pay in the above mentioned revised scales of pay effective from the 1st December, 2011, shall be fixed prospectively and there shall be no element, whatsoever, of retrospectivity in this regard and there will be no question of payment of arrears or of fixation of pay on notional basis from any previous date.

4. The employees working on the above noted posts shall not be entitled to any Special Grade Pay in terms of Government circular letter No.5/10/09-5FPI/807, dated 14th November, 2011.

5. The necessary amendments in the rules will be made in due course.

Yours faithfully,

Sd/-  
(JASBIR KAUR)  
Under Secretary Finance

**ANNEXURE-D(6)**

No. 5/10/09-5FP1/1488  
GOVERNMENT OF PUNJAB  
DEPARTMENT OF FINANCE  
(FINANCE PERSONNEL BRANCH-I)

Dated, Chandigarh, the 23<sup>rd</sup> December, 2011

To

The Director Public Instructions (Secondary), Punjab, Chandigarh.

Subject: - Revision of pay scales of certain categories of posts.

Sir,

\*\*\*

I am directed to invite a reference to Punjab Government Notification No.5/10/09-5FP1/207, dated 27.5.2009 and to say that the Governor of Punjab is pleased to decide that the pay scales of the following posts of the Pioneer Teachers Training Institute, Mahilpur, shall stand further revised as under with effect from the 1<sup>st</sup> December, 2011:-

Name of the post	Pre-revised scale of pay	Revised scale of pay w.e.f. 1.1.2006			Revised scale of pay w.e.f. 1.12.2011		
		Pay Band	Grade Pay	Initial Pay	Pay Band	Grade Pay	Initial Pay
Master Craftsman-1	5800-9200	10300-34800	3800	14590	10300-34800	4200	16290
Master Technician-1	5800-9200	10300-34800	3800	14590	10300-34800	4200	16290
Master Craftsman-2	5000-8100	10300-34800	3200	13500	10300-34800	3600	14430
Master Technician-2	5000-8100	10300-34800	3200	13500	10300-34800	3600	14430
Multi-Instructor	3120-5160	5910-20200	1900	7810	5910-20200	2400	9880

2. The pay in the above mentioned revised scales effective from the 1st December, 2011, shall be fixed prospectively and there shall be no element, whatsoever, of retrospectivity in this regard and there will be no question of payment of arrears or of fixation of pay on notional basis from any previous date.

3. The employees working on the above noted posts shall not be entitled to any Special Grade Pay in terms of Government circular letter No.5/10/09-5FPI/807, dated 14th November, 2011.

4. The necessary amendments in the rules will be made in due course.

Yours faithfully,

Sd/-  
(JASBIR KAUR)  
Under Secretary Finance



**ANNEXURE-D(7)**

No. 5/10/09-5FP1/ 1576  
GOVERNMENT OF PUNJAB  
DEPARTMENT OF FINANCE  
(FINANCE PERSONNEL BRANCH-I)  
Dated, Chandigarh, the 23rd December, 2011

To

The Director Public Instructions (Secondary), Punjab,  
Chandigarh.

Subject: - Revision of pay scale of Vocational Masters.

Sir,

\*\*\*

I am directed to invite a reference to Punjab Government Notification No. 5/10/09-5FP1/665, dated 5th October, 2011 and to say that the Governor of Punjab is pleased to decide further that the Vocational Masters who have attained Bachelor's degree in Engineering or Master's degree shall be entitled to the pay scale mentioned below:-

Pay Band	Grade Pay	Initial Pay
10300-34800	5400	20300

2. These orders shall come into force with effect from 1st December, 2011.

3. The pay in the above mentioned revised scale of pay effective from the 1st December, 2011 shall be fixed prospectively and there shall be no element, whatsoever, of retrospectivity in this regard and there will be no question of payment of arrears or of fixation of pay on notional basis from any previous date.

4. The employees working on the above noted posts shall not be entitled to any Special Grade Pay in terms of Government circular letter No.5/10/09-5FPI/807, dated 14th November, 2011.

5. The necessary amendments in the rules will be made in due course.

Yours faithfully,

Sd/-  
(JASBIR KAUR)  
Under Secretary Finance

**ANNEXURE-D(8)**

No. 5/10/09-5FP1/ 1556  
 GOVERNMENT OF PUNJAB  
 DEPARTMENT OF FINANCE  
 (FINANCE PERSONNEL-I BRANCH)

Dated, Chandigarh, the 23<sup>rd</sup> December, 2011

To

All Heads of Departments,  
 Commissioners of Divisions,  
 Registrar, High Court of Punjab and Haryana, District and  
 Sessions Judges and Deputy Commissioners in the State.

Subject: Revision of pay scales of certain categories of employees.  
 Sir,

I am directed to invite a reference to Punjab Government Notification No. 5/10/09- 5FP1/207, dated 27.5.2009 and to say that the Governor of Punjab is pleased to decide that the scales of pay of the following categories of posts shall stand revised further as under with effect from the 1<sup>st</sup> December, 2011:--

Name of the post	Pre-revised scale	Revised scale of pay w.e.f. 1.1.2006			Revised scale of pay w.e.f. 1.12.2011		
		Pay Band	Grade Pay	Initial Pay	Pay Band	Grade Pay	Initial Pay
Junior Technician	3120-5160	5910-20200	1900	7810	5910-20200	2400	9880
Technician Grade-II	4020-6200	5910-20200	2400	9880	5910-20200	2800	11170
Technician Grade-I	4550-7220	5910-20200	3000	11470	10300-34800	3200	13500
Chargeman Grade-II/ Assistant Foreman	4550-7220	5910-20200	3000	11470	10300-34800	3200	13500
Chargeman Grade-I	5000-8100	10300-34800	3200	13500	10300-34800	3600	14430
Foreman Grade-II	5000-8100	10300-34800	3200	13500	10300-34800	3600	14430
Foreman Grade-I	5480-8925	10300-34800	3600	14430	10300-34800	3800	14590
Junior Draftsman	4020-6200	5910-20200	2400	9880	10300-34800	3200	13500
Draftsman	5800-9200	10300-34800	3800	14590	10300-34800	4200	16290
Restorer	3120-5160	5910-20200	1900	7810	5910-20200	2400	9880

Record Supervisor	4020-6200	5910-20200	2400	9880	5910-20200	2800	11170
Accountant	5800-9200	10300-34800	3800	14590	10300-34800	4400	17420

2                The pay in the above mentioned revised scales of pay effective from the 1st December, 2011, shall be fixed prospectively and there shall be no element, whatsoever, of retrospectivity in this regard and there will be no question of payment of arrears or of fixation of pay on notional basis from any previous date.

3.                The employees working on the above noted posts shall not be entitled to any Special Grade Pay in terms of Government circular letter No.5/10/09-5FPI/807, dated 14th November, 2011.

4.                The necessary amendments in the rules will be made in due course.

Yours faithfully,

Sd/-  
(JASBIR KAUR)  
Under Secretary Finance

**ANNEXURE-D(9)**

No. 5/10/09-5FP1/1599  
GOVERNMENT OF PUNJAB  
DEPARTMENT OF FINANCE  
(FIINANCE PERSONNEL-1 BRANCH)

Dated, Chandigarh, the 23rd December, 2011

To

All Heads of Departments,  
Commissioners of Divisions,  
Registrar, High Court of Punjab and Haryana,  
District and Sessions Judges and  
Deputy Commissioners in the State.

Subject: Revision of pay scale of Administrative Officer/  
Establishment Officer.

Sir,

I am directed to invite a reference to Punjab Government Notification No. 5/10/09- 5FP1/207, dated 27.5.2009 and to say that the Governor of Punjab is pleased to decide that in those departments where the scale of pay of the Administrative Officer/ Establishment Officer is lower than that of the Superintendent Grade-I, the pay scale of the Administrative Officer/Establishment Officer shall be raised equal to the pay scale of the Superintendent Grade-1 with effect from the 1st December, 2011.

2. The pay in the revised scale of pay effective from the 1st December, 2011 shall be fixed prospectively and there shall be no element, whatsoever, of retrospectivity in this regard and there will be no question of payment of arrears or of fixation of pay on notional basis from any previous date.

3. The employees working on the above noted posts shall not be entitled to any Special Grade Pay in terms of Government circular letter No.5/10/09-5FPI/807, dated 14th November, 2011.

4. The necessary amendments in the rules will be made in due course.

Yours faithfully,

Sd/-  
(JASBIR KAUR)  
Under Secretary Finance

**ANNEXURE-D(10)**

No. 5/10/09-5FP1/409  
GOVERNMENT OF PUNJAB  
DEPARTMENT OF FINANCE  
(FINANCE PERSONNEL-I BRANCH)  
Dated, Chandigarh the 20-06-2011

To

The Director General of Police, Punjab,  
Chandigarh.

Subject: - Implementation of the recommendation of the 5<sup>th</sup> Punjab Pay  
Commission Revision of Pay Scale of constables.

Sir,

\*\*\*

I am directed to invite a reference to Punjab Government Notification No. 5/10/09-5FP1/207, dated 27.5.2009 and to say that after careful consideration of the recommendations of the Fifth Punjab Pay Commission the Governor of Punjab is pleased to decide that the scale of pay of the Constables of the Department of Police shall stand further revised as under with effect from the 1<sup>st</sup> September, 2011:-

Pre-revised scale of pay	Revised scale of pay w.e.f 1.1.2006			Revised scale of pay w.e.f 1.9.2011		
	Pay Band	Grade Pay	Initial Pay	Pay Band	Grade	Initial Pay
3120-5160	5910-20200	1900	7810	5910-20200	2000	8240

3. The pay in the above mentioned revised scales will be fixed with effective from the 1st December, 2011 and there shall be no element, whatsoever, of retrospectivity in this regard and there will be no question of payment of arrears or of fixation of pay on notional basis from any previous date.

4. The necessary amendments in the rules will be made in due course.

Yours faithfully,

Sd/-  
(JASBIR KAUR)  
Under Secretary Finance

## ANNEXURE-D(11)

No.5/10/09-5FP1/404  
GOVERNMENT OF PUNJAB  
DEPARTMENT OF FINANCE  
(FINANCE PERSONNEL-I BRANCH)  
Dated, Chandigarh the 20-06-2011

To

The Director,  
Health & Family Welfare, Punjab,  
Chandigarh.

Subject: - Implementation of the recommendation of the 5<sup>th</sup> Punjab Pay Commission  
Revision of Pay Scale of Nursing Staff.

Sir,

\*\*\*

I am directed to invite a reference to Punjab Government Notification No. 5/10/09-5FP1/207, dated 27.5.2009 and to say that after careful consideration of the recommendations of the Fifth Punjab Pay Commission the Governor of Punjab is pleased to decide that the scale of pay of the Nursing Staff of the of the Department of Health & Family Welfare shall stand further revised as under with effect from the 1<sup>st</sup> September, 2011:-

Name of the post	Pre-revised scale of pay	Revised scale of pay w.e.f 1.1.2006			Revised scale of pay w.e.f 1.12.2011		
		Pay Band	Grade Pay	Initial Pay	Pay Band	Grade Pay	Initial Pay
Staff Nurse	5000-8100 5480-8925 (for 50%)	10300-34800 10300-34800	3200 3600	13500 14430	10300-34800	4600	18030
Nursing Sister/ Sister Tutor/ Public Health Nurse (Teaching).	5800-9200	10300-34800	3800	14590	10300-34800	4800	18250
Matron/ District Public Health Nurse	6400-10640	10300-34800	4200	16290	15600-39100	5400	21000
Nursing Supdt. /Principal Tutor	7880-13500	15600-39100	5400	21000	15600-39100	6600	25250
Superintendent, Public Health School, Mohali	9200-13900	15600-39100	5700	22820	15600-39100	7400	31120
Deputy Director Nursing, CMO	10025-15100	15600-39100	6600	25250	15600-39100	7600	31320

2. The pay in the above mentioned revised scale will be fixed with effective from the 1st September, 2011 and there shall be no element, whatsoever, of retrospectivity in this regard and there will be no question of payment of arrears or of fixation of pay on notional basis from any previous date.

3. The necessary amendments in the rules will be made in due course.

Yours faithfully,

Sd/-  
(JASBIR KAUR)  
Under Secretary Finance

## ANNEXURE-D(12)

No. 5/10/09-5FP1/665  
GOVERNMENT OF PUNJAB  
DEPARTMENT OF FINANCE  
(FINANCE PERSONNEL -I BRANCH)  
Dated, Chandigarh, the 5th October, 2011

To

- The Director,  
Public Instructions (Secondary), Punjab, Chandigarh.
- The Director,  
Public Instructions (Elementary), Punjab, Chandigarh.

Subject: - Implementation of the recommendation of the Fifth Punjab Pay Commission  
— Revision of Pay Scales of teaching personnel.

Sir,

\*\*\*\*

I am directed to invite a reference to Punjab Government notification No. 5/10/09-5FP1/207, dated 27.5.2009 and to say that after careful consideration of the recommendations of the Fifth Punjab Pay Commission, the Governor of Punjab is pleased to decide that the scales of pay of the following categories of teaching personnel of the Department of Education, shall stand further revised as under with effect from the 1<sup>st</sup> October, 2011:--

Name of the post	Pre-revised scale	Revised scale of pay w.e.f. 1.1.2006			Revised scale of pay w.e.f. 1.10.2011		
		Pay Band	Grade Pay	Initial Pay	Pay Band	Grade Pay	Initial Pay
JBT/ ETT/ Head Teacher	4550-7220	5910-20200	3000	11470	10300-34800	4200	16290
Classical & Vernacular Teachers	5000-8100	10300-34800	3200	13500	10300-34800	4400	17420
Center Head Teacher/Master / Mistress	5480-8925	10300-34800	3600	14430	10300-34800	4600	18030
BPEO/School Lecturer/Vocational Masters	6400-10640	10300-34800	4200	16290	10300-34800	5000	18450
Head Master, High School	7000-10980	10300-34800	4400	17420	10300-34800	5400	20300

2. The pay in the above mentioned revised scales effective from the 1st October, 2011, shall be fixed prospectively and there shall be no element, whatsoever, of retrospectivity in this regard and there will be no question of payment of arrears or of fixation of pay on notional basis from any previous date.

3. The necessary amendments in the rules will be made in due course.

Yours faithfully,

Sd/-  
(JASBIR KAR)  
Under Secretary Finance

**ANNEXURE-D(13)**

No. 5/10/09-5FP1/929  
GOVERNMENT OF PUNJAB  
DEPARTMENT OF FINANCE  
(FINANCE PERSONNEL-I BRANCH)

Dated, Chandigarh the 8<sup>th</sup> December, 2011

To

The Director,  
Public Instructions (Secondary), Punjab,  
Chandigarh.

Subject: - Revision of pay scale of teaching personnel.  
Sir,

I am directed to invite a reference to Punjab Government letter No.5/10/09-5FP1/665, dated 05.10.2011 and to say that the Governor of Punjab is pleased to revised the pay scale of Master/ Mistress as under with effect from the 1st December, 2011:—

Revised scale of pay w.e.f. 1.1.2006			Revised scale of pay w.e.f. 1.10.2011			Revised scale of pay w.e.f. 1.12.2011		
Pay Band	Grade Pay	Initial Pay	Pay Band	Grade Pay	Initial Pay	Pay Band	Grade Pay	Initial Pay
10300-34800	3600	14430	10300-34800	4600	18030	10300-34800	5000	18450

2. The pay in the above mentioned revised scales of pay effective from the 1st December, 2011, shall be fixed prospectively and there shall be no element, whatsoever, of retrospectivity in this regard and there will be no question of payment of arrears or of fixation of pay on notional basis from any previous date.

3. The necessary amendments in the rules will be made in due course.

Yours faithfully,

Sd/-  
(JASBIR KAUR)  
Under Secretary Finance



**ANNEXURE-D(14)**

No. 5/10/09-5FP1/938  
GOVERNMENT OF PUNJAB  
DEPARTMENT OF FINANCE  
(FINANCE PERSONNEL-I BRANCH)  
Dated, Chandigarh the 9<sup>th</sup> December, 2011

To

The Director,  
Public Instructions (Schools), Punjab,  
Chandigarh.

Subject: - Revision of pay scale of School Lecturers.

\*\*\*

Sir,

I am directed to invite a reference to Punjab Government Notification No.5/10/09-5FP1/207, dated 27.5.2009 and circular letter No. 5/10/09-5FP1/665, dated the 5<sup>th</sup> October, 2011 on the subject cited above and to say that the Governor of Punjab is pleased to decide that the pay scales of School Lecturer shall stand further revised as under with effect from the 1st December, 2011:—

Revised scale of pay w.e.f. 1.1.2006			Revised scale of pay w.e.f. 1.10.2011			Revised scale of pay w.e.f. 1.12.2011		
Pay Band	Grade Pay	Initial Pay	Pay Band	Grade Pay	Initial Pay	Pay Band	Grade Pay	Initial Pay
10300-34800	4200	16290	10300-34800	5000	18450	10300-34800	5400	20300

2. The pay in the above mentioned revised scales effective from the 1st December, 2011, shall be fixed prospectively and there shall be no element, whatsoever, of retrospectivity in this regard and there will be no question of payment of arrears or of fixation of pay on notional basis from any previous date.

3. The necessary amendments in the rules will be made in due course.

Yours faithfully,

Sd/-  
(JASBIR KAUR)  
Under Secretary Finance

**ANNEXURE-D(15)**

No. 5/10/09-5FP1/958  
GOVERNMENT OF PUNJAB  
DEPARTMENT OF FINANCE  
(FINANCE PERSONNEL-I BRANCH)  
Dated, Chandigarh the 15<sup>th</sup> December, 2011

To

All Heads of Departments,  
Commissioners of Divisions,  
Registrar, High Court of Punjab and Haryana,  
District and Sessions Judges and  
Deputy Commissioners in the State.

Subject: Revision of pay scales of certain categories of employees.

\*\*\*\*

Sir,

I am directed to invite a reference to Punjab Government notification No. 5/10/09-5FP1/207, dated 27.5.2009 and to say that the Governor of Punjab is pleased to decide that the scales of pay of the following posts shall stand revised as under with effect from the 1<sup>st</sup> day of December, 2011:-

Name of the Post	Pre-Revised Scale	Revised Scale of Pay w.e.f. 1.1.2006			Revised Scale of Pay w.e.f. 1.12.2011		
		Pay Band	Grade Pay	Initial Pay	Pay Band	Grade Pay	Initial Pay
Superintendent Grade I	7220-11660	10300-34800	5000	18450	15600-39100	5400	21000
Private Secretary	7220-11660	10300-34800	5000	18450	15600-39100	5400	21000
Superintendent Grade II	6400-10640	10300-34800	4200	16290	10300-34800	4800	18250
Senior Auditor (Non SAS)	6400-10640	10300-34800	4200	16290	10300-34800	4800	18250
Personal Assistant	6400-10640	10300-34800	4200	16290	10300-34800	4800	18250
Senior Assistant	5800-9200	10300-34800	3800	14590	10300-34800	4400	17420
Statistical Assistant	5800-9200	10300-34800	3800	14590	10300-34800	4400	17420
Junior Auditor	5800-9200	10300-34800	3800	14590	10300-34800	4400	17420
Senior Scale Stenographers	5800-9200	10300-34800	3800	14590	10300-34800	4400	17420

Drivers of Heavy, Light and Commercial Vehicles and Drivers of Staff Cars of Various Departments	3300-6200	5910-20200	2000	8240	5910-20200	2400	9880
Telephone Operators/ Telephone Attendants	3120-5160	5910-20200	1900	7810	5910-20200	2400	9880

2. The pay in the above mentioned revised scales of pay effective from the 1st December, 2011, shall be fixed prospectively and there shall be no element, whatsoever, of retrospectivity in this regard and there will be no question of payment of arrears or of fixation of pay on notional basis from any previous date.

3. Special Allowance admissible to any category (s) of posts mentioned above, with effect from the 1<sup>st</sup> June, 2011, shall cease to be payable with effect from 1<sup>st</sup> December, 2011.

4. The necessary amendments in the rules will be made in due course.

Yours faithfully,

Sd/-  
(JASBIR KAUR)  
Under Secretary Finance

**ANNEXURE-D(16)**

No. 5/10/09-5FP1/983  
GOVERNMENT OF PUNJAB  
DEPARTMENT OF FINANCE  
(FINANCE PERSONNEL-I BRANCH)  
Dated, Chandigarh the 15<sup>th</sup> December, 2011

To

All Heads of Departments,  
Commissioners of Divisions,  
Registrar, High Court of Punjab and Haryana,  
District and Sessions Judges and  
Deputy Commissioners in the State.

Subject: Revision of pay scales of certain categories of employees.  
Sir

I am directed to invite a reference to Punjab Government notification No. 5/10/09-5FP1/207, dated 27.5.2009 and circular letter No. 5/10/09-5FP1/665, dated the 5<sup>th</sup> October, 2011 and to say that the Governor of Punjab is pleased to decide that the scales of pay of the following posts shall stand revised as under with effect from the 1<sup>st</sup> day of December, 2011:-

No .	Name of the post	Revised Scale of Pay w.e.f. 1.1.2006			Revised Scale of Pay w.e.f. 1.10.2011		
		Pay Band	Grade Pay	Initial Pay	Pay Band	Grade Pay	Initial Pay
1	2	3	4	5	6	7	8
1.	(i) Clerk	5910- 20200	2400	9880	10300- 34800	3200	13500
	(ii) Junior Assistant	10300- 34800	3200	13500	10300- 34800	3600	14430
Notes.—(i) The total number of posts of Clerks in a cadre shall continue to be bifurcated into the posts of Clerks and Junior Assistants in the ratio of 50:50. (ii) The posts of Junior Assistant shall continue to be filled up by placement to the extent of 100% out of the Clerks who have an experience of working as such for a minimum period of 5 years in the cadre of the department in which he is working at the time of placement.							

2.	Steno-Typist	5910-20200	2400	9880*	10300-34800	3200	13500*
	*Note.-The starting pay of the Steno-Typist shall be fixed by allowing one increment on the "Initial Pay" of the Revised Scale of Pay of this post.						
3.	Junior Scale Stenographer	10300-34800	3200	13500	10300-34800	3600	14430

2. The pay in the above mentioned revised scales of pay effective from the 1st October, 2011, shall be fixed prospectively and there shall be no element, whatsoever, of retrospectivity in this regard and there will be no question of payment of arrears or of fixation of pay on notional basis from any previous date.

3. The Special Allowance granted to the above mentioned categories of posts vide Govt. letter No. 3/9/2011-5FP/207, dated 19<sup>th</sup> May, 2011 shall cease to be payable with effect from 1<sup>st</sup> December, 2011.

4. The employees working on the above noted posts shall not be entitled to any Special Grade Pay in terms of Government circular letter No.5/10/09-5FPI/807, dated 14th November, 2011

5. The necessary amendments in the rules will be made in due course.

Yours faithfully,

Sd/-  
(JASBIR KAUR)  
Under Secretary Finance

**ANNEXURE-D(17)**

No. 5/10/09-5FP1/1023  
GOVERNMENT OF PUNJAB  
DEPARTMENT OF FINANCE  
(FINANCE PERSONNEL-I BRANCH)  
Dated, Chandigarh the 15<sup>th</sup> December, 2011

To

All Heads of Departments,  
Commissioners of Divisions,  
Registrar, High Court of Punjab and Haryana,  
District and Sessions Judges and  
Deputy Commissioners in the State.

Subject: Revision of pay scales of certain categories of employees.

Sir

I am directed to invite a reference to Punjab Government notification No. 5/10/09-5FP1/207, dated 27.5.2009 and to say that the Governor of Punjab is pleased to decide that the scales of pay of Group-D posts shall stand revised as under with effect from the 1<sup>st</sup> day of December, 2011:-

Name of the Post	Pre-Revised Scale	Revised Scale of Pay w.e.f. 1.1.2006			Revised Scale of Pay w.e.f. 1.12.2011		
		Pay Band	Grade Pay	Initial Pay	Pay Band	Grade Pay	Initial Pay
Peon, Chowkidar, Sweeper, Mali, Bahisti, Frash and other Group-D posts in the pre-revised scale mentioned in Column-2	2520-4140 (with initial start of Rs. 2620)	4900-10680	1300	6200	4900-10680	1650	6950
Head Mali, Head Chowkidar, Mukh Sewadar & Record Lifter	2720-4260	4900-10680	1400	6700	4900-10680	1800	7100

2. The pay in the above mentioned revised scales of pay effective from the 1st December, 2011, shall be fixed prospect'vely and there shall be no element, whatsoever, of retrospectivity in this regard and there will be no question of payment of arrears or of fixation of pay on notional basis from any previous date.

3. The employees working on the above mentioned posts shall NOT be entitled to any Special Grade Pay in terms of Government circular letter No.5/10/09-5FPI/807, dated 14th November, 2011

4. The necessary amendments in the rules will be made in due course.

Yours faithfully,

Sd/-  
(JASBIR KAUR)  
Under Secretary Finance

**ANNEXURE-D(18)**

No. 5/10/09-5FP1/1028  
GOVERNMENT OF PUNJAB  
DEPARTMENT OF FINANCE  
(FINANCE PERSONNEL-I BRANCH)

Dated, Chandigarh the 15<sup>th</sup> December, 2011

To

The Director General of Police, Punjab,  
Chandigarh.

Subject: - Revision of Pay Scales of constables.

Sir,

I am directed to invite a reference to Punjab Government Notification No. 5/10/09-5FP1/207, dated 27.5.2009 and circular letter No. 5/10/09-5FP1/409, dated 20-06-2011 and to say that the Governor of Punjab is pleased to decide that the scales of pay Constable, shall stand further revised as under with effect from the 1<sup>st</sup> December, 2011:-

Revised scale of pay w.e.f. 1.1.2006			Revised scale of pay w.e.f. 1.09.2011			Revised scale of pay w.e.f. 1.12.2011		
Pay Band	Grade Pay	Initial Pay	Pay Band	Grade Pay	Initial Pay	Pay Band	Grade Pay	Initial Pay
5910-20200	1900	7810	5910-20200	2000	8240	10300-34800	3200	13500

2. The pay in the above mentioned revised scales effective from the 1st December, 2011, shall be fixed prospectively and there shall be no element, whatsoever, of retrospectivity in this regard and there will be no question of payment of arrears or of fixation of pay on notional basis from any previous date.

3. The employees working on the above noted posts shall NOT be entitled to any Special Grade Pay in terms of Government circular letter No.5/10/09-5FPI/807, dated 14th November, 2011.

4. The necessary amendments in the rules will be made in due course.

Yours faithfully,

Sd/-  
(JASBIR KAUR)  
Under Secretary Finance