

No. 11024/26/2011-SSS
Government of India
Ministry of Statistics & Programme Implementation

**Sardar Patel Bhawan,
Sansad Marg New Delhi – 110001**

Dated: 28th March, 2014

Office Memorandum

Sub: Implementation of judgment dated 11.05.2010 of the Hon'ble Supreme Court of India in SLP (C) No. 6784 / 2004 converted to Civil Appeal No. 8273 / 2004 – UOI & Others Vs B. Anil Kumar & others reg. extending benefit of Rs. 75/- as Special Pay to all similarly placed non-applicant of Assistant Superintendents of NSSO (FOD) – Regarding.

All participating Ministries / Deptts / Organizations of Subordinate Statistical Service (SSS) are requested to fix the pay of Assistant Superintendents, who were holding the post of Assistant Superintendents in NSSO (FOD) prior to operationalisation of Subordinate Statistical Service (SSS) [i.e. 1st April 2004] in the light of instructions contained in order dated 29th June 2011, NSSO (FOD) order dated 15.07.2011, Admin-III order dated 26th September 2012, NSSO (FOD) order dated 10th October 2012 and Admin- III OM dated 09.11.2012 (**Copies enclosed**). It is further requested that clarification in the matter, if any, may be obtained from Under Secretary (Admin- III), M/O Statistics & PI.

Encl: As above.

R.S. Yadav

(R.S. Yadav)
Deputy Secretary to the Govt. of India
Tel. 011-2374 2176

- (1) All participating Ministries / Departments / Organisations of SSS.
- (2) Copt for information to Under Secretary (Admin- III) w.r.t. letter No. C- 18013 / 11 / 2002 – Ad. III (Vol. II) dated 26th September 2012 and 9th November 2012.
- (3) ✓ Computer Centre, R.K Puram, New Delhi with the request to place the OM on the official web site of the Ministry under the miscellaneous link.

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By FAX
Most Immediate
Court Matter

No.C-18013/11/2002-Ad.III
Govt. of India
Ministry of Statistics and P.I

Sardar Patel Bhawan, Sansad Marg,
New Delhi,
Dated, 29th June 2011.

To
Director(Admin),
National Sample Survey Organization,
(Field Operations Division),
East Block 6, Level 4 & 7,
R.K. Puram, New Delhi.

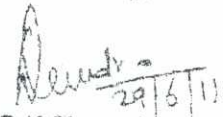
Subject:- SLP(c) 6784/2004 converted to Civil Appeal No. 8273/2004 -
Union of India & Others Vs B. Anil Kumar & others.

Sir,

In continuation of this Ministry's letter of even number dated 20th October, 2010 and with refer to FOD's letter No. C-18013/25/2002-CC dated 23rd June 2011 on the above mentioned subject, it is stated that matter regarding implementation of Supreme Court's judgment dated 11th May 2010 in Civil Appeal No. 8273 of 2004, has been examined in consultation with Department of Expenditure(Ministry of Finance), DOP&T and M/o Law. It has been decided to implement the judgement in the case of applicants including applicants for intervention as per Hon'ble Supreme Court order dated 13th April, 2010 in Civil Appeal No. 8273/2004, a list of which is enclosed.

2. FOD is requested to take necessary action in the matter under intimation to this Ministry immediately.

Yours faithfully,



(D K Sharma)

Under Secretary to the Govt. of India

(2)

No A-20012/120/91-E-II
Government of India
Ministry of Statistics and Programme Implementation
National Sample Survey Office
(Field Operations Division)

East Block No.6, Level 4-7,
R.K. Puram, New Delhi-110066.

Date: 15.07.2011

ORDER

In continuation to this Division's Office Order of even number dated 20.8.2010 and in reference to MOS&PI letter no. C-18013/11/2002-Ad III dated 29.6.2011, the following direction of the Hon'ble High Court of Andhra Pradesh, Hyderabad which was sustained by Hon'ble Supreme Court vide order dated 11.5.2010 while dismissing Civil Appeal No 8273 of 2004, may be implemented forthwith:

"the petitioners holding the post of Assistant Superintendent after 1.1.1986 by virtue of promotion are entitled to have the benefit of Rs. 75/- special pay in the revised pay scale of Rs.1600-2660. But, however, in the further revised pay scales of V Pay commission their pay has to be appropriately fixed taking into consideration the special pay of Rs.75/- and its merger in V Pay commission scales".

It is informed that the aforesaid judgment will be implemented in the case of applicants including applicants for intervention as per Hon'ble Supreme Court order dated 13.4.2010 in Civil Appeal no.8273/2004, a list of which is enclosed.

Accordingly, all the Heads of Office are requested to grant the Special Pay of Rs. 75/- to the applicants including applicants for intervention, promoted to the post of Assistant Superintendent after 1.1.1986, from the date of promotion in the pay scale of Rs.1600-2660. However, their pay in the revised pay scales of V Pay commission w.e.f. 01.01.1996 may be fixed under Rule 7 (1) (B) of CCS(RP) Rules 1997 taking into consideration the special pay of Rs.75/- and its merger in V Pay commission scales.

The direction of Hon'ble High Court of Andhra Pradesh, Hyderabad may be complied with scrupulously and compliance be furnish to this Division immediately.

Encl: As above.

(D.L. MEENA)
DEPUTY DIRECTOR GENERAL (ADMIN.)
15/07/11

Distribution to:-

1. All Heads of Offices, NSSO (FOD) including Head of Offices at New Delhi/Faridabad Hqrs.
2. All Zonal Heads, NSSO (FOD) _____.
3. All Regional Heads, NSSO (FOD) _____.
4. P.A. to ADG, NSSO (FOD), New Delhi Hqrs.
5. PA to all DDGs, NSSO (FOD), New Delhi / Faridabad Hqrs.
6. Sh. D.K. Sharma, Under Secretary to the Government of India, MOS&PI, S.P. Bhawan, New Delhi w.r.t. letter No.C-18013/11/2002-Ad.III dated 29.6.2011.
8. The Under Secretary (SSS), MOSPI, S.P. Bhawan, New Delhi with request for similar action in respect of applicants/ applicants for intervention of other Ministries.
9. The Pay & Accounts Office, New Delhi/Kolkata/Nagpur
10. The all Official concerned.
11. Court Case Section, NSSO(FOD), New Delhi Hqrs.
12. Guard File (E.II)
13. Hindi Section for Hindi version

No.C-18013/11/2002-Ad,III(Vol.II)

Govt. of India
Ministry of Statistics and PI

Sardar Patel Bhawan, Sansad Marg,
New Delhi, Dated, the 26.09.2012

To

The Additional Director General,
National Sample Survey Organization,
(Field Operations Division),
East Block 6, Level 4 & 7,
R.K. Puram, New Delhi.

Sub:- Implementation of Judgment dated 11.05.2010 of the Hon'ble Supreme Court of India in SLP(c) 6784/2004 converted to Civil Appeal No. 8273/2004 – Union of India & Others Vs B. Anil Kumar & others reg. extending benefit of Rs. 75/- as Special Pay to all similarly placed non-applicant Assistant Superintendents of NSSO(FOD)

Sir,

I am directed to refer to this Ministry's letter of even No. dated 29.06.2011 on the subject noted above regarding implementation of the above indicated **Judgment dated 11.05.2010 in respect of applicants/ interveners.** The representations of similarly placed non-applicant Assistant Superintendents of NSSO(FOD) regarding extension of benefit of the Judgment dated 11.05.2010 of the Hon'ble Supreme Court of India in Civil Appeal No.8273/2004 i.e. extending benefit of Rs. 75/- as Special Pay to similarly placed non-applicants, who were performing the same nature of duties & responsibilities as that of officials included in the original list of applicants, have been examined in this Ministry in consultation with Ministry of Finance, Department of Expenditure & Ministry of Law. It has now been decided to implement the Judgment dated 11.05.2010 of Hon'ble Supreme Court in respect of all similarly circumstanced non-applicant officials also.

2. FOD is requested to take necessary action in the matter under intimation to this Ministry.

Yours faithfully,



(S.K. Roy)

Under Secretary to the Govt. of India
Tel. No. 23364008

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Speed Post

No. C-18013/25/2002-CC
GOVERNMENT OF INDIA
Ministry of Statistics & Programme Implementation
NATIONAL SAMPLE SURVEY OFFICE
(FIELD OPERATIONS DIVISION)

East Block -6, Level 4-7,
R.K. Puram, New Delhi-110066
Dated: 10th October, 2012

12 OCT 2012

To

All Regional Heads,
National Sample Survey Office,
(Field Operations Division),
Regional Offices.

Subject: Implementation of Judgment dated 11.05.2010 passed by Hon'ble Supreme Court in Civil Appeal No. 8273 of 2004 - extending the benefit of Rs.75/- as Special Pay to all similarly placed non-applicant Assistant Superintendents of NSSO (FOD) - regarding.

Sir,

I am directed to invite a reference to the subject cited above and to annexe a copy of Ministry's letter No. C-18013/11/2002-Ad.III, dated 26.09.2012 for reference, records and necessary action.

2. Since Ministry has conveyed the decision to implement the judgement dated 11.5.2010 passed by Hon'ble Supreme Court in Civil Appeal No. 8273 of 2004 titled Union of India Versus B. Anil Kumar & others, it is requested that the benefit of special pay of Rs.75/- as per the Hon'ble Supreme Court's decision dated 11.5.2010 may be extended to the similarly placed non-applicants with effect from their promotion to the post of Assistant Superintendent.

3. A copy each of Ministry of Statistics & PI's letter No.C-18013/11/2002-Ad.III (Pt.), dated 29.06.2011 and Division's Order No.A-20012/120/91-E.II, dated 15.07.2011 is again enclosed for ready reference.

AD/ Mr Subhas, M -
JW

contd.....

4. The above directions may please be complied scrupulously and accorded TOP PRIORITY. A compliance report may please be furnished to FOD Hqrs. Office, New Delhi at the earliest possible.

Encl: as above

Yours faithfully,

Amit Verma

(Amit Verma)
Deputy Director (Court Case)

Copy to:

1. All Head of Offices, National Sample Survey Office (Field Operations Division) Regional Offices/Zonal Offices for compliance including Hqrs. Office, New Delhi/Faridabad.
2. Deputy Director Generals (Zonal) National Sample Survey Office (Field Operations Division).
3. P.A. to Deputy Director General (I/C) National Sample Survey Office (Field Operations Division) Hqrs. Office, New Delhi.
4. PA to all Deputy Director Generals, National Sample Survey Office (Field Operations Division) Hqrs. Office, New Delhi/Faridabad.
5. The Deputy Secretary to the Government of India, Ministry of Statistics & Programme Implementation, Subordinate Statistical Service, Sardar Patel Bhavan, New Delhi.
6. The Under Secretary to the Government of India, Ministry of Statistics & Programme Implementation, Sardar Patel Bhavan, New Delhi w.r.t. letter No. C-18013/11/2002-Ad.III, dated 26.09.2012

Amit Verma

(Amit Verma)
Deputy Director (Court Case)

Sardar Patel Bhawan, Sansad Marg,
New Delhi, Dated, the 09.11.2012

OFFICE MEMORANDUM

Sub:- Implementation of Judgment dated 11.05.2010 of the Hon'ble Supreme Court of India in SLP(c) 6784/2004 converted to Civil Appeal No. 8273/2004 – Union of India & Others Vs B. Anil Kumar & others reg. extending benefit of Rs. 75/- as Special Pay to all similarly placed non-applicant Assistant Superintendents of NSSO(FOD)

The undersigned is directed to refer to this Ministry's letter of even No. dated 26.09.2012 (copy enclosed) on the above subject wherein the decision of the Government regarding extending the benefit of Rs.75/- as Special Pay to all similarly placed non-applicant Assistant Superintendents of NSSO(FOS) in pursuance of Hon'ble Supreme Court of India's Judgment dated 11.05.2010 in the above mentioned case was conveyed to NSSO(FOD).

2. This Ministry has received representations wherein it has been mentioned that some of the Assistant Superintendents previously working in NSSO, FOD have now been transferred to other Departments within the Jurisdiction of Subordinate Statistical Service(SSS) under MOS&PI immediately after formation of SSS Cadre since 2005 and the aforesaid letter dated 26.09.2012 of this Ministry is addressed to NSSO(FOD) only and shall not help to inform the officials and their offices in the different Ministries of GOI.

3. This has been considered in the Ministry and it is to inform that aforesaid decision of the Governemnt is also applicable to all similarly circumstanced non-applicant Assistant Superintendents of NSSO(FOD) who are now working in different Ministries/Departments of GOI .

Encl: as above



(S.K. Roy)

Under Secretary to the Govt. of India
Tel. No. 23364008

385/03(SSS)
12/11

- To
1. SSS Section, MOS&PI
 2. All Ministries / Departments

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